

SEP 13 2011

ALASKA JUDICIAL COUNCIL

Alaska Judicial Council Application for Judicial Appointment

Position(s) for which you wish to be considered:

Anchorage Superior Court

Date: September 13, 2011

I. Public Information (Questions 1-24)

Personal

1. (a) State full name* Michael Dee Corey
 Name as it should appear on bar survey: Michael D. Corey
 * Unless otherwise specified, this is how your name will appear on the bar survey.
- (b) Have you ever used or been known by any other name? If so, please identify.
Mike Corey
2. How long have you been a resident of the State of Alaska immediately preceding the date of this application?

	<u>31</u> years	<u>3</u> months
Total	<u>31</u> years	<u>3</u> months
3. How long have you been engaged in the active practice of law immediately preceding the date of this application?

	<u>25</u> years	<u>9</u> months
Total	<u>25</u> years	<u>9</u> months

Nonlegal Education

4. State names and dates of attendance of all colleges and professional schools (other than law schools) ever attended and degrees and dates conferred. List any honors.
 - University of Colorado, Boulder: August 1978-May 1979; January 1980-May 1982
 B.A. Geology - May 1982
 - University of California, Los Angeles: September 1979-December 1979

** See AS 22.10.090; see also 1984 Inf. Op. Atty. Gen. (July 19; 366- 624-84).

Legal Education

5. List all law schools, dates attended and degrees conferred. If you did not receive a degree from any law school, please indicate.

University of San Diego, School of Law: September 1982 - May 1985

J.D. May 1985

6. (a) Did you receive any honors in law school or belong to any honorary societies or groups?
 Yes No If yes, please give details.

- (b) Have you taken any CLE (continuing legal education) courses during the past five years?
 Yes No

Please describe or list. Please do not attach individual certificates of attendance.

- 1) ADR and Domestic Violence; 3.5 General CLE Credits; DVD viewed on 8/26/2011
- 2) We the Jury find the Defendant; 2.0 General CLE Credits; DVD viewed 8/22/2011
- 3) Criminal and Civil Cases Involving Children Part 3; 1 Credit; viewed on 8/12/11
- 4) Criminal and Civil Cases Involving Children Part 2; 1 Credit; viewed on 8/8/2011
- 5) Criminal and Civil Cases Involving Children Part 1; 1 Credit; viewed on 7/1/2011
- 6) Practicing with Professionalism; 4 Ethics + 2 General; 11/15/10 Denver, Colorado
- 7) Medicare Secondary Payer Unlocked..; 3.5 General + .5 Ethics; 2/18/10
- 8) Ethics with Professor Nancy Rapoport; 3.0 Ethics; 3/20/2009

Military

7. Have you served in the armed forces (reserves or otherwise)? Yes No

If so, please provide the following information:

- (a) Dates of service: _____
- (b) Branch of service: _____
- (c) Rank at time of discharge: _____
- (d) Type of military discharge: _____
- (e) Awards or citations:

- (f) Have you ever been refused admission to or released from any of the armed services for reasons other than honorable discharge? Yes No If so, state the details.

Nonlegal Employment

8. Describe major nonlegal working experience. If you had a business or association that has been discontinued, please note whether there are unpaid debts or claims pending litigation.

I was employed by the United States Army Corps of Engineers during the summers of 1980, 1981 and 1982. I served as a Drill Crew Inspector (1980 and 1981) and as a Geologist (1982) on hydroelectric feasibility studies at Bradley Lake (Homer), Shiesnikoff River (Dutch Harbor) and Crater Lake (Juneau).

I have no discontinued businesses or associations.

I have no unpaid debts or claims pending litigation.

Legal Experience

9. Describe chronologically your legal employment since admission to law school. **Please provide dates and location of employment, name of employer, name AND CURRENT ADDRESS OF supervisor or person who can verify AND COMMENT ON YOUR employment, the reason you left the position, and a brief description of type of practice (i.e., insurance defense, criminal, appellate, general, litigation, etc.) for each position listed below.** IF YOU ARE CURRENTLY A TRIAL COURT JUDGE, PLEASE LIST YOUR PRESIDING JUDGE. FOR PAST JUDGESHIPS, PLEASE LIST THE JUDGE WHO LAST PRESIDED DURING YOUR TIME ON THE BENCH.

The Council will ask for comments from your current and former employers about your employment and your judicial qualifications. You may choose to list other persons as character and professional references in response to Question 20 of this application.

If the supervisor or contact person asks (in writing) that the letter be shared with the governor, the Council will send designated letters for each nominee. The applicant should not request a copy of the letter from the reference. References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

Current Employer: Wuestenfeld & Corey, LLC

Supervisor or name of contact person who can verify employment: William Wuestenfeld

Current address of this person: 701 West 8th Avenue, Suite #1100

City Anchorage State Alaska Zip 99501

Dates and location of Employment: From June 1984 To Present City Anchorage State Alaska

Description: Law Clerk (Summer 1984; 6/85 - 11/85); Associate (December 1985 - December 1987); Partner/Owner (January 1988 - Present). Civil litigation.

Previous Employers: *(In chronological order, most recent first)*

Employer: Smith & Gruening (Anchorage)

Supervisor or name of contact person who can verify employment: Charles Evans

Current address of this person: 123 E 11th Avenue

City Anchorage State Alaska Zip 99501

Dates and Location of Employment: From June 1983 To August 1983 City Anchorage State Alaska

Description: Law Clerk

Reason for Leaving: I left to return to my second year of law school.

Employer: _____

Supervisor or name of contact person who can verify employment: _____

Current address of this person: _____

City _____ State _____ Zip _____

Dates and Location of Employment: From _____ To _____ City _____ State _____

Description: _____

Reason for Leaving: _____

Previous Employers (continued)

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates and Location of Employment: From _____ To _____ City _____ State _____
Description: _____
Reason for Leaving: _____

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates and Location of Employment: From _____ To _____ City _____ State _____
Description: _____
Reason for Leaving: _____

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates and Location of Employment: From _____ To _____ City _____ State _____
Description: _____
Reason for Leaving: _____

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates and Location of Employment: From _____ To _____ City _____ State _____
Description: _____
Reason for Leaving: _____

Employer: _____
Supervisor or name of contact person who can verify employment: _____
Current address of this person: _____
City _____ State _____ Zip _____
Dates and Location of Employment: From _____ To _____ City _____ State _____
Description: _____
Reason for Leaving: _____

10. For the past five years, please indicate (approximately) the following:

(a) Percent of your practice that was: Civil 100
Criminal _____
Other _____
= 100%

Comment: _____

(b) Percent: State 95
Federal 5
Other _____
= 100%

Comment: _____

(c) Of practice in state courts, percent: Supreme Court 0
Court of Appeals 0
Superior Court 98
District Court 2
= 100%

Comment: _____

(d) Frequency of appearance in court:
 Regularly Occasionally Infrequently Not at All

Comment: _____

(e) Number of trials (by court or jury) you conducted in the past 5 years:
 None 1-5 6-15 16-30 31 or more

Comment: _____

(f) Percent of these trials which were: Jury _____ Non-Jury 100

Comment: _____

(g) Approximate number of appellate matters handled: 0

Comment: _____

(h) Approximate number of arbitrations or administrative hearings:
 None 1-5 6-15 16-30 31 or more

Briefly describe type of matters heard:

Uninsured Motorist Claims

(i) Please briefly summarize any *pro bono* work that you have done and indicate whether the work was done through a *pro bono* legal service provider (e.g. Alaska Legal Services, Alaska Network on Domestic Violence and Sexual Assault, etc.) during this period.

I routinely assist individuals and small businesses through analysis of their rights and drafting letters to assist them in resolving their own disputes where the nature of their disputes and their resources make an hourly fee too expensive and a contingent fee impractical.

The trial I conducted in April of 2010, was a matter I handled through trial for a young man charged with various traffic/vehicle infractions in association with an accident involving a 4-wheeler and an SUV in which he and his passenger were seriously injured. No fee was charged.

My *pro bono* efforts have not been through a *pro bono* legal service provider.

11. List all the courts and administrative tribunals in the United States or elsewhere to which you are or have been admitted to practice, and the dates of admission.
 Alaska - 11/13/85; US District Court - 1/8/1986; 9th Circuit Appellate - 9/2/1986
 California-US District Court, Los Angeles-Pro Hac Vice circa 2004; Florida-Jacksonville-State-Pro Hac Vice-11/16/01; South Carolina-Columbia-State-Pro Hac Vice - circa 2000; South Carolina-Greenville-Federal-Pro Hac Vice - 2/16/01;
 Colorado - State - 11/15/10

Public Service

12. List bar associations, and sections and committees of which you are or have been a member or officer.

Alaska Bar Association
 - I currently serve on the Ethics Committee
 American Bar Association
 Colorado Bar Association

13. List legal publications, if any (give title, subject and date of publications). Please include publications you have co-authored and the name(s) of the co-author(s).

None

14. Have you ever applied for a judgeship? Yes No
 Please list dates and judgeships applied for, as well as whether you were nominated by the Judicial Council and appointed.

Judgeship	Date	Nominated By Council (Y/N)	Appointed By Governor (Y/N)
State Superior Court	4/8/04	N	NA
State Superior Court	5/21/05	Y	N
State Superior Court	10/06	Y	N
State Superior Court	9/09	N	NA

15. Have you ever held public or political office, elective or appointed? Yes No
If so, state office, manner selected, and when and where held.

16. Please provide the Council with information that you would like the Council to consider about other legal and nonlegal organizations and clubs of which you are a member, including civic, charitable, religious, educational, social and fraternal organizations. Please indicate whether you participate in the organization's activities, or simply hold a membership. Your involvement in the community is one of the criteria the Council uses in its evaluations. The Council does not use affiliation with a particular group as a criterion except to the extent that it might raise questions of conflict of interest or would affect an applicant's ability to impartially apply the law.

I am entering my twentieth season of coaching youth hockey in Anchorage. I am the assistant coach of the Anchorage Hockey Association's North Stars Pee Wee Tier I youth hockey team. The team is comprised of eleven and twelve year olds who possess significant talent for their age. We will spend the next several months preparing the team to participate in the USA Hockey national tournament in Buffalo, New York.

In addition to my coaching responsibilities, I am a frequent speaker at USA Hockey coaching clinics. These clinics further the growth and development of those assuming youth coaching responsibilities. I address liability issues facing youth coaches. To accomplish this goal, I frequently coordinate mock trials to give all in attendance a taste of the fluid environment that trial participants experience. The question and answer session that follows is a pseudo jury deliberation aimed at exploring different reactions to the "evidence" presented. The group is encouraged to listen to the thoughts of others and to comment in a constructive fashion.

17. Indicate (Yes or No) whether you have ever:

- (a) been arrested, charged with, pled guilty or *nolo contendere* to, or been convicted of the violation of any law or ordinance, or been requested to appear before any prosecuting or investigative agency in connection with any matter in any jurisdiction, including all traffic offenses, unless the fine was less than \$50 and there were no other sanctions?
 Yes No
- (b) failed to answer any summons or other legal process served upon you personally at any time?
 Yes No
- (c) as a member of any armed forces, been the subject of any charges which may have resulted in disciplinary action or court martial? Yes No

- (d) had any proceedings brought to have you declared a ward of any court or adjudged an incompetent? Yes No
If your answer is "yes" to any part of this question, state the facts in detail. Give the name and place of the court or agency, dates of the beginning and end of any action or proceeding, case numbers, and the judgment or other disposition.

18. (a) Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? Yes No
If particular, have you been the subject of any proceeding, criminal or civil, initiated against you by the Internal Revenue Service or a State Tax Office? Yes No
If so, give particulars, including case numbers.

- (b) Have you ever been sued by a client? Yes No
If so, give particulars, including case numbers.

- (c) Have you ever been a party in any other legal proceeding? Yes No
If so, give the particulars. Include all legal proceedings in which you were a party in interest, including petitioner or respondent in dissolution or divorce proceedings; a material witness; a named co-conspirator or correspondent; and subject or witness in any grand jury proceedings. Do not list proceedings in which you were sued only in a representative capacity (e.g. guardian ad litem, or as Commissioner of Natural Resources).

19. State the nature and disposition of any of the following actions which apply to you:

- (a) Are there any unsatisfied judgments against you? Yes No
Have you ever defaulted in the performance of any court-imposed obligation, including payment of alimony or child support or compliance with another court order or decree?

Yes No

In each case, list the name and address of the creditor, the court which rendered the judgment, the case number, the date, the amount of the judgment, and the circumstances on which such claim was based.

Has property owned by you been either judicially or non-judicially foreclosed?

Yes No

Please state the circumstances and outcome of any such unsatisfied or default judgment, or of any foreclosure.

- (b) Have you ever made an assignment for the benefit of creditors? Yes No
Have you ever filed any petition in bankruptcy? Yes No
If so, state the circumstances, case number, and the outcome.

References and Counsel Questionnaires*

- * **Please Note:** Letters of reference from these persons are confidential and will not be given to the applicant. If the reference asks (in writing) that the letter be shared with the governor, the Council will send designated letters and counsel questionnaires for each nominee. The applicant should not request a copy of the letter from the reference. (You **should not** list the Chief Justice of the Alaska Supreme Court.)

References or letters not solicited by the Council are considered public (with few exceptions) and will be sent to the governor for all nominees.

20. (a) List the names, addresses, **including zip codes**, and **phone numbers** of two persons whom the Judicial Council may contact who can discuss your general character and background.

Name: Beth Ann Lowney
Address: 3311 Windlass Circle
City/State/Zip: Anchorage, Alaska 99516 Phone: 907-344-2751

Name: Glenn Smith
Address: 632 W 6th Ave.
City/State/Zip: Anchorage, Alaska 99501 Phone: 907-343-2529

- (b) List the names, addresses, **including zip codes**, and **phone numbers** of three other persons whom the Judicial Council may contact who can discuss your professional competence and qualifications for a judicial position.

Name: Superior Court Judge Michael McConahy
Address: 101 Lacey Street
City/State/Zip: Fairbanks, Alaska 99701 Phone: 907-452-9311

Name: Nelson Page
Address: 810 N Street; Suite 300
City/State/Zip: Anchorage, Alaska 99501 Phone: 907-276-6100

Name: Michael Lessmeier
Address: 3000 Vintage Blvd., Suite 100
City/State/Zip: Juneau, Alaska 99801 Phone: 907-796-4999

References and Counsel Questionnaires (continued)

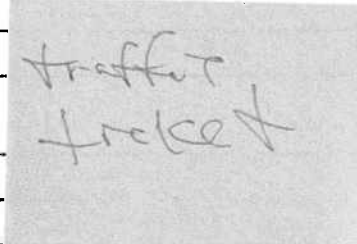
(c) List the names, addresses, including zip codes, and suite numbers where applicable, and phone numbers of each attorney involved in your three most recent cases that have gone to trial. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent trials they presided over.) List only those cases that have gone to trial within the past three years. Please include the judge's name and case names and numbers. (Attach additional pages if necessary.)

Case Number 1

Case Name: State of Alaska *Case Number:* 3PA-09-13512MO
v. Lee Jacob McKnight *Judge Name:* David Zwink (Craig Condie)

Attorneys Involved:

Name: <u>Michael Corey</u>	Name: _____
Address: <u>701 West 8th Ave.; Suite 1100</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____



Case Number 2

Case Name: _____ *Case Number:* _____
v. _____ *Judge Name:* _____

Attorneys Involved:

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 3

Case Name: _____ *Case Number:* _____
v. _____ *Judge Name:* _____

Attorneys Involved:

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

References and Counsel Questionnaires (continued)

(d) List the names, addresses, **including zip codes, and suite numbers where applicable**, and phone numbers of each attorney involved in your three most recent cases that did not go to trial but in which you did significant work. Please do not list cases pending in the trial courts. (Applicants who are currently judges should list the three most recent cases they presided over that did not go to trial but in which they did significant work.) Please include the judge's name and case names and numbers. (*Attach additional pages if necessary.*)

Case Number 1

Case Name: Herman Mulluk *Case Number:* 2KB-07-00089CI
v. AVEC; et. al. *Judge Name:* Hopwood

Attorneys Involved:

Name: <u>Dennis Mestas</u>	Name: <u>Gary Zipkin</u>
Address: <u>745 W 4th Ave.; Suite 306</u>	Address: <u>510 L Street; Suite 700</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99501</u>
Name: <u>Jason Skala</u>	Name: <u>Matthew Regan</u>
Address: <u>11517 Old Glenn Highway; Suite 202</u>	Address: <u>701 West 8th Ave.; Suite 700</u>
City, State, Zip: <u>Eagle River, Alaska 99577</u>	City, State, Zip: <u>Anchorage, Alaska 99501</u>

Case Number 2

Case Name: Park Place Condominium Assoc. *Case Number:* 3AN-08-11527CI
v. Taylor Construction et al *Judge Name:* McKay

Attorneys Involved:

Name: <u>John Thorsness</u>	Name: <u>Laura Farley</u>
Address: <u>711 H Street; Suite 620</u>	Address: <u>807 G Street; Suite 250</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99501</u>
Name: <u>Thomas Matthews</u>	Name: <u>Howard Trickey</u>
Address: <u>431 W 7th Ave.; Suite 207</u>	Address: <u>3000 A Street; Suite 300</u>
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: <u>Anchorage, Alaska 99503</u>

Case Number 3

Case Name: Abrahams-Gollub, Diane *Case Number:* 3AN-09-06693CI
v. USAA *Judge Name:* Rindner

Attorneys Involved:

Name: <u>Barry Kell</u>	Name: _____
Address: <u>250 H Street</u>	Address: _____
City, State, Zip: <u>Anchorage, Alaska 99501</u>	City, State, Zip: _____
Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____

Case Number 1 (cont.):

Name: Nelson Page

Address: 810 N Street; Suite 300

City/State/Zip: Anchorage, Alaska 99501

Writing Sample

21. Attach one example of a brief, memorandum of law, or legal opinion or similar example of legal writing (10-20 pages in length; 15-25 pages for appellate positions) prepared solely by you within the last five years. Please choose a sample that reflects your ability to do legal research and analysis. If you do not have a good sample of this length, include an excerpt from a longer writing. Make sure the sample contains sufficient facts to make it understandable. (Some reply briefs may not meet these requirements.)

Please do not submit: (a) coauthored writing samples, (b) samples with confidential information unless redacted to remove such information, (c) longer writing samples.

22. Has any **public** sanction been imposed against you in response to a complaint, charge or grievance brought against you as an attorney or a judge? Yes No
- Have formal grievance procedures been brought against you? Yes No
- See Bar Rule 22(b) & (e) concerning public bar grievance procedures against attorneys, and AS 22.30.011(b) and .060(b)(3) concerning public disciplinary grievance procedures against judges.
- Have you ever been held in contempt of court? Yes No
- Have you ever been fined or otherwise sanctioned by a judge? Yes No
- In each case, state in detail the circumstances and the outcome.

Additional Comments (Non-Confidential)

23. Please make any additional comments that you wish to bring to the Council's attention about your experience and suitability for this judgeship.

More than twenty five years of representing individuals, corporations and governmental entities as a trial attorney provide me a wealth of practical trial experience.

Every pre-trial activity undertaking is conducted with the eventual trial in mind. Consequently, evidentiary issues are continuously under consideration.

My litigation experience makes me acutely aware of the importance of the Trial Court "getting it right." While parties have the right of appeal, lives are frequently significantly effected by interlocutory orders and final judgments.

I have continued to mature since my last application. In so far as I have been able, I have tried to demonstrate by actions that I have heeded the feedback from the Council.

Additional Comments (Continued)

24. Please indicate whether you prefer to be interviewed in public session or in private session. Your choice of a public or private interview has no bearing on the Council’s determination of your qualifications or on the questions the Council may ask. You may change your request in writing at any time before the interview starts.

Public Interview

Private Interview

25. Please prepare a brief biographical statement (***limited to 150 words***) about your background, legal education, and legal experience. Please do not list personal information about minor children. Your picture and a copy of this statement will be scanned and posted on the Council’s website after the application deadline. In its bar survey, the Council will invite attorneys to review the information if they wish to become more familiar with your background and experience. Use the form on the following page for your biographical statement. Please leave the box at the top empty. The Council will use this space for your scanned picture. ***To be fair to all applicants, the Council will strictly enforce the 150 word limit.***

If you object to the posting of your picture on the Council’s website, please indicate your objection below. If you object, we will not post your picture, although you still must submit twelve photographs of yourself with your application.

If you check this box we will not post your picture on the website.

Biographical Statement

Name Michael D. Corey

Position(s) for which you wish to be considered:

Anchorage Superior Court

Please leave this area blank

Date: September 13, 2011

I first visited Alaska during the summer of 1979. I returned each summer to work; first on hydro-electric feasibility studies for the United States Army Corps of Engineers and later as a law clerk for private law firms. I was admitted to the Alaska Bar in 1985 following graduation from the University of San Diego, School of Law.

My time with Wuestenfeld & Corey, LLC dates back to 1984 and what was then Camarot, Sandberg & Hunter. Our practice primarily involves insurance, personal injury, product liability and professional liability disputes.

I have recently joined the Alaska Bar Association's Ethics Committee and been admitted to the Colorado Bar. My experiences have instilled a deep understanding of the magnitude of the impact that the daily activities of the Superior Court play in all the lives it touches. Efficiency and respect are paramount.