

**APPLICATION OF**  
***Stanley J. Wallach***  
**TO THE APPELLATE JUDICIAL COMMISSION**  
**FOR THE JUDGE PRICE VACANCY**  
**SUPREME COURT OF MISSOURI**

***RESPONSES TO THESE QUESTIONS WILL BE MADE PUBLIC IF THE  
APPLICANT IS NOMINATED FOR THIS VACANCY***

**A. PERSONAL INFORMATION**

1. Present principal occupation or title: Attorney at Law
  
2. Are you at least 30 years of age? Yes (  ) No (  )
  
3. (a) How many years have you been a citizen of the United States? **46**  
  
(b) How many consecutive years immediately preceding your application have you been a qualified voter of Missouri? **14**
  
4. State the date you were admitted to The Missouri Bar and whether your license is in good standing. If not, explain in detail. **1994. In good standing.**

**B. EDUCATIONAL BACKGROUND**

5. (a) State the name and address of all colleges and universities attended, other than law school, together with the dates and degrees received.

Name	Address	Dates Attended	Degree
<b>Duke University</b>	<b>Durham, N.C.</b>	<b>1983-1987</b>	<b>Bachelor of Arts</b>

- (b) List/describe any college or university activities, scholastic achievements and other awards or honors you think are relevant to the commission's decision.

**I completed two majors at Duke: Political Science and Russian. Both required extensive reading and writing. I completed virtually all requirements for the two majors in the first three years at Duke, making the Dean's List each year, then graduated with honors after completing my final year. I believe the intensity of that academic experience, and the work ethic I developed to excel in both majors, served me well in my post-graduation employment in the U.S. Senate and in law school. That foundation continues to serve me well as a practitioner.**

6. (a) State the name and address of all law schools attended together with the dates and degrees received.

Name	Address	Dates Attended	Degree
<b>University of Chicago</b>	<b>Chicago, IL</b>	<b>1989-1992</b>	<b>Doctor of Law</b>

- (b) List/describe any law school activities, scholastic achievements and other awards or honors you think are relevant to the commission's decision.

**I entered law school intending to become a courtroom attorney, in our family's tradition. My grandfather, great uncle, great aunt, mother and father all were attorneys. My father still practices law. While I did not at the time foresee joining the family firm, I knew I would spend my career in courtrooms. I therefore focused on the practical courses available, excelling in Civil Procedure, the Law School's selective Trial Advocacy course, and Chicago's Legal Research and Writing Program. Those courses helped lay a foundation for a career in court.**

7. If you were a student at any school from which you were suspended, placed on probation, or expelled by school authorities, for any reason, describe the circumstances.

**N/A**

### C. PROFESSIONAL BACKGROUND AND EXPERIENCE

8. State, in chronological order (starting with the earliest employment), significant non-law-related employment prior to or since law school. To the extent reasonably available to you, include the name and address of each employer and the dates of employment.

Employer	Address	Dates of Employment
<b>U.S. Senator John Breau</b>	<b>U.S. Senate, Washington, D.C.</b>	<b>1987-1989</b>

9. State, in chronological order (starting with the earliest employment), all employment from the beginning of law school to the present. For legal employment, describe the positions you have held, e.g., associate, partner, law clerk, general counsel.

Employer	Address	Dates of Employment	Position
<b>Rudnick &amp; Wolfe n/k/a DLA Piper</b>	<b>Chicago, IL</b>	<b>Summer 1990</b>	<b>Summer Associate Permanent Offer Received</b>
<b>Sidley &amp; Austin n/k/a Sidley Austin LLP</b>	<b>Los Angeles, CA</b>	<b>Summer 1991 (first half)</b>	<b>Summer Associate Permanent Offer Received</b>
<b>Gallop, Johnson &amp; Neuman</b>	<b>St. Louis, MO</b>	<b>Summer 1991 (second half)</b>	<b>Summer Associate Permanent Offer Received</b>
<b>Sidley &amp; Austin</b>	<b>Los Angeles, CA</b>	<b>1992-1997</b>	<b>Associate</b>
<b>The Wallach Law Firm</b>	<b>St. Louis, MO</b>	<b>1997-present</b>	<b>Attorney</b>

10. List any other states, courts or agencies in which you are licensed as an attorney.

Bar Admission	Date
<b>California Bar</b>	<b>1992</b>
<b>U.S. District Court, Central District of California</b>	<b>1992</b>
<b>U.S. District Court, Northern District of California</b>	<b>1994</b>
<b>Missouri Bar</b>	<b>1994</b>
<b>U.S. District Court, Eastern District of Missouri</b>	<b>1997</b>
<b>U.S. Court of Appeals, Eighth Circuit</b>	<b>1997</b>

11. Describe the nature of your experience in trial and appellate courts and explain how they demonstrate the quality of your legal work. (*You either may take as much space as you need here or attach your response on separate sheets*). Include in your response:

**In nearly twenty years of practice, I have participated in many bench trials, jury trials, and appeals. The attachments to this application list representative cases. My achievements in the court system result directly from hard work, thoroughness, preparedness, and practicality. These traits make me capable to perform the duties of an appellate judge.**

- a. **Appellate Experience:** Please include a representative list of cases you have briefed and/or argued (if you are a judge, include representative cases from your practice prior to your judicial appointment). To the extent reasonably available to you:
- i. State the style, date, court and, if published, the citation;
  - ii. Identify the client(s) you represented and opposing counsel; and
  - iii. Give a one-paragraph description of the case and your role in it.

**See attachment.**

- b. **Trial-Level Experience:** Please include a representative list of cases and/or administrative hearings you have handled (if you are a judge, include representative cases from your practice prior to your judicial appointment). To the extent reasonably available to you:
- i. State the style, date and court;
  - ii. Identify who you represented and opposing counsel;
  - iii. State whether the case was disposed of following a jury trial, bench trial or at what other stage; and
  - iv. Give a one-paragraph description of the case and your role in it.

**See attachment.**

- c. **Judicial Experience:** If you are a judge, commissioner, or are serving or have served in another judicial capacity, please describe the nature and extent of your judicial responsibilities:
- i. Include the dates you have served at each level;
  - ii. Identify the types of dockets you have handled; and
  - iii. State any special expertise you have developed that you believe is relevant to your qualifications for the position for which you are applying.

**N/A**

12. Describe any additional legal experience that you believe may be relevant to the decision of the commission (e.g., work as a law professor, in government, as corporate or other legal counsel).

**While I am probably best known for my representation of property owners in condemnation proceedings and my expertise in real estate law, my experience and legal skills are broader than just those areas. At Sidley & Austin, I helped restructure many corporations, including a multi-billion dollar electric company, entertainment companies, film libraries, and one of the largest agricultural enterprises on the West Coast. Those experiences exposed me to virtually every aspect of corporate and transactional law. At The Wallach Law Firm, I have advised parties in shareholder disputes in closely held corporations, represented businesses in contract disputes, drafted incorporating documents for start-up businesses, negotiated intestate succession disputes among heirs, appealed real estate tax assessments on corporate facilities, represented real estate developers in zoning and annexation matters, assisted homeowners in avoiding foreclosures and sued on their behalf when wrongfully foreclosed, and defended individuals charged with minor criminal infractions.**

**My role as one of the city attorneys for the City of Fenton requires that I stay well versed in many areas of law. In essence, I act in the capacity of in-house counsel for a corporation. On a daily basis, I deal with employment issues, leasing issues, litigation issues, tax and economic development issues, among others.**

**I am very proud of my reputation in the field of eminent domain. As the foregoing illustrates, though, I have a much broader range of experience in the law that will serve me should I become a Supreme Court judge.**

13. List all bar associations and other professional societies of which you are a member, with any offices held and dates.

**California Bar Association, 1992-present**

**Los Angeles County Bar Association, 1992-1997**

**Missouri Bar Association, 1994-present**

**Vice Chairman, Eminent Domain Committee 2001-2003**

**Chairman, Eminent Domain Committee 2003-2007**

**Bar Association of Metropolitan St. Louis, 1997-present**

**American Bar Association, 1997-present**

**American Association for Justice, 1998 to present**

14. List any professional articles or books authored by you that have been published or any special recognition or award of a professional nature you have received.

**As Chairman of the Missouri Bar's Eminent Domain Committee, I organized and led the re-writing of the desk book, *Missouri Condemnation Practice, Fourth Edition*. I co-authored two chapters, Chapter 4, *Commissioners' Hearing and Report*, and Chapter 8, *Litigating the Exceptions Case: Pretrial Discovery and Trial*.**

**I co-authored *Trial of Exceptions in Missouri Condemnation Cases*, The St. Louis Bar Journal, Vol. 53, Spring 2007.**

**I have authored materials for various seminars and lectures.**

**I have been recognized as a *Best Lawyer in America* in the field of eminent domain, and as a *Super Lawyer* in Missouri in the field of real estate law.**

#### **D. PUBLIC SERVICE**

15. Describe your community activities, including any organizations not listed elsewhere with which you are affiliated.

**Grace Episcopal Church, Kirkwood, Missouri  
Member, 1997-present  
Commissioned Lay Reader, Lector and Intercessor, 2007-present**

**The Nature Conservancy, Missouri Chapter  
Member of Board of Trustees, 2008-present  
Chairman, Government Relations Committee  
Assisted in drafting of conservation easement bill to clarify easement statutes, testified before the Senate Agriculture Committee, and worked to achieve passage in the General Assembly**

**The World Affairs Council of St. Louis  
Board Member, 2004-2010  
Interacted with foreign ambassadors on trade issues  
Mentored State Department exchange visitors from former Eastern Bloc**

16. Do you now hold or have you ever held an elective or an appointive public office or position? If yes, provide details.

**Legislative Assistant, U.S. Senator John Breaux, 1987-1989.**

**Just out of college, I got a job in the mailroom of the junior Senator from Louisiana. I worked my way up from the mailroom to receptionist, then to Legislative Correspondent, and finally to Legislative Assistant. In that capacity, I analyzed foreign affairs and defense issues, interacted with military officials and foreign representatives, toured military bases, and dealt with constituent inquiries and requests. I provided analysis and advice on the vote to ratify the Intermediate-Range Nuclear Forces Treaty (INF) with the Soviet Union. My experience working in the Senate helped develop skills to read vast amounts of complicated materials, identify the key points at issue, and summarize them for the Senator in concise terms. These skills will translate to the duties of a Supreme Court judge, should I be selected.**

**Assistant City Attorney and Prosecuting Attorney, City of Fenton, 1997-present.**

**As Assistant City Attorney, I provide day-to-day legal services for the City. In that role, I must respond quickly to new factual situations and the application of legal concepts outside the normal focus of my practice. I also draft all municipal ordinances and advise on parliamentary procedure. As Prosecuting Attorney, I work with the Police Department, review warrant applications and issue citations, and prosecute ordinance violations in Municipal Court, which convenes twice a month.**

17. Provide the branches and dates of (a) military service or (b) other public service not otherwise disclosed in this application. If discharged from the military, state whether the discharge was other than honorable.

**N/A**

**E. PROFESSIONAL CONDUCT AND ETHICS**

18. Were you ever refused admission to the bar of Missouri or the bar of another state or the federal courts? If yes, provide details.

**No.**

19. Have you ever been disciplined, admonished or cited for breach of ethics or professional conduct by the Supreme Court of Missouri or by any court or bar association or committee thereof? If yes, provide details.

**No.**

20. If you are or were a member of the judiciary of the State of Missouri, please state:

- a. Whether an order of discipline ever has been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct. If yes, provide details.

**N/A**

- b. Whether a reprimand or admonition ever has been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Supreme Court Rule 12.07. If yes, provide details.

**N/A**

21. Have you have ever been held in contempt of court? If yes, provide details.

**No.**

22. Have you ever been sued by a client or been a party to any other litigation, other than as guardian ad litem, plaintiff ad litem or defendant ad litem?

If your answer is yes, state the style of the case, where it was filed and explain in detail. If you are a judge and you have been sued in your judicial capacity, list only those cases where you are or were other than a nominal party.

**No.**

23. Have you ever been convicted or received a suspended imposition of sentence for a felony or misdemeanor in state, federal or military court? (*Note that this question does not require that traffic offenses or other infractions be listed.*)

**No.**

If your answer is yes, state the style of the case, where it was filed and explain in detail.

24. Are you delinquent in the payment of any federal, state, county or city taxes?

No.

**F. MISCELLANEOUS**

25. State whether you are able, with or without a reasonable accommodation, to perform the essential functions of being an appellate judge, including participating in oral argument; performing legal research; communicating clearly and effectively, both orally and in writing; supervising the lower courts, serving on court committees and performing other administrative functions; and expeditiously deciding issues coming before the court.

Yes.

26. You must attach to this application at least one, but not more than three, writing samples that comply with the requirements set out in the instructions for applicants.

**Submitted herewith are the following briefs, which I authored:**

*Brief of Appellants Gary Gorham & Sheila Gorham*  
**Glaize Creek Sewer District of Jefferson County v. Gorham**  
**Missouri Court of Appeals, Eastern District**  
**Appeal No. ED94958**

*Brief of Appellee City of Fenton*  
**Carpenter Outdoor Advertising Co. v. City of Fenton**  
**United States Court of Appeals for the Eighth Circuit**  
**Appeal No. 00-1869**

*Brief of Relator Career Aviation Sales*  
**State ex rel. Career Aviation Sales v. Cohen**  
**Missouri Court of Appeals, Eastern District**  
**Appeal No. ED72811**

27. List/describe any additional honors or awards you have received, activities you have performed, or any other information not set out above that demonstrates the quality of your work as an attorney or that you otherwise believe is relevant to the commission's decision.

**My work with policymakers in Jefferson City has added to my experience. Members of the House and Senate seek my advice on a variety of issues. In 2005, the Governor's Missouri Eminent Domain Task Force called me as its first witness to give a presentation on the history of eminent domain and the evolution of the use of that power for economic development purposes. I subsequently worked closely with members of the House and Senate as the Assembly drafted legislative reforms to condemnation law in Missouri. I have testified before House and Senate Committees on condemnation and easement bills. These experiences fostered an increased understanding of public policy and the legislative process.**

**I am dedicated to educating students and non-lawyers about our legal system. In law school I spoke to Chicago high school classes about law and potential careers in the legal profession. While in California, I taught students at inner city Los Angeles schools about our constitutional system. Back in Missouri, I have spoken to students from grade school through high school about the law. I have addressed community groups, served as a BAMSL moot court juror, and served as a judge for the oral arguments of the first year students at St. Louis University Law School. Through the World Affairs Council, I continue to give presentations on our legal system to visiting dignitaries from Russia and other former Soviet Bloc countries.**

**Finally, I have a passion for reading and writing. I belong to two book clubs. I write as a hobby, belong to a writing group, and belong to the St. Louis Writers Guild.**

Please list the names of *five* persons whom you will ask to provide letters of reference for you with respect to your judicial qualifications. Do **not** list as a reference a judge of the court involved. As to each of the (5) references, **please provide name, title, mailing address, telephone and e-mail address.** *Please note that it is your responsibility to contact your references,* although if you intend to use as a reference a federal judge or other individual who only can provide a reference upon a specific request by the interviewing authority, please advise the commission and it will send that reference such a request. As to all references, it is your responsibility to see that they send the requested letters in a timely manner.

Provide your references with the attached Guidelines for References. The commission must receive your letters of reference, **via e-mail**, to [EDjudgevacancy@courts.mo.gov](mailto:EDjudgevacancy@courts.mo.gov), by the date indicated in the Instructions to Applicants.

**The Honorable Dennis Hancock,  
Mayor, City of Fenton  
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Fenton, Missouri 63026  
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mayordjh@sbcglobal.net**

**Chief Timothy Fitch  
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**The Reverend Todd S. McDowell, Rector  
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