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NEWS RELEASE

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Ninth Circuit Court of Appeals Appoints New Judges to Three Bankruptcy Courts

SAN FRANCISCO — Chief Judge Sidney R. Thomas of the United States Court of Appeals for the Ninth Circuit announced today the appointments of three new bankruptcy judges. The newcomers are:

- David Walter Hercher of Portland, Oregon, who was appointed to the U.S. Bankruptcy Court for the District of Oregon. His 14-year term will commence January 23, 2017, when he is scheduled to receive the oath of office from Chief Bankruptcy Judge Chief Judge Trish M. Brown. A formal investiture will follow at a later date.

Mr. Hercher, who will maintain chambers in Portland, will fill a vacancy resulting from the retirement of Bankruptcy Judge Randall L. Dunn, who has served on the court since 1998.

Mr. Hercher, 61, has been with the Portland law firm of Miller Nash Graham & Dunn LLP since 1981 and became an equity partner in 1989. Active in community outreach, he has been a volunteer speaker at high schools as part of the Credit-Abuse Resistance Education program, which educates high school students about the responsible use of credit. He also currently serves on the Oregon Law Commission Receivership Work Group.

“We are extremely pleased to welcome Mr. Hercher to the bench. He brings exceptional knowledge and experience to the job and will be an asset to the bankruptcy court in Oregon and to the Ninth Circuit,” Judge Thomas said.

Born in Medford, Oregon, Mr. Hercher received his bachelor’s degree, with honors, from the University of Oregon in 1977 and his juris doctor in 1981 from the

University of California, Berkeley School of Law, where he was managing editor of the Ecology Law Quarterly. He has been board certified in business bankruptcy law by the American Board of Certification since 1993.

- Mary Jo Heston of Seattle, who was appointed to the U.S. Bankruptcy Court for the Western District of Washington. Her term is effective February 1, 2017. A formal investiture is planned at a later date. She will fill a vacancy resulting from the retirement of Bankruptcy Judge Paul Snyder on December 31, 2016.

Ms. Heston, 64, has been a shareholder at the Seattle law firm of Lane Powell PC since 1993. From 1988 to 1993, she served as the U.S. trustee for Region 18, which takes in Alaska, Idaho, Montana, Oregon and Washington. She was also an adjunct faculty member at Seattle University School of Law, from 1984 to 2006, and at the University of Washington School of Law, from 1997 to 1999.

“Ms. Heston has a wealth of experience and we expect her to be a great asset to the bankruptcy court for the Western District of Washington and to the Ninth Circuit,” Judge Thomas said.

Ms. Heston has been a fellow of the American College of Bankruptcy since 2001 and served as a member of its Pro Bono Committee from 2013 to 2016. She worked with the Consumer Education and Training Services program, serving as a board member since 1996 and as president from 2013 to 2015. She is currently a member of the University of Oregon’s law school outreach program.

Born in Seattle, Ms. Heston received her undergraduate degree, cum laude, from the University of Washington in 1975 and her juris doctor, cum laude, from the Seattle University School of Law, formerly Puget Sound, in 1980. She has been a fellow of the American College of Bankruptcy since 2001 and was a member of its Pro Bono Committee from 2013 to 2016. She is a member of the University of Oregon’s law school outreach program.

- Benjamin Philip Hursh of Missoula, Montana, who was appointed to the U.S. Bankruptcy Court for the District of Montana. Mr. Hursh’s 14-year term will commence on February 1, 2017. A formal investiture ceremony will be held on February 3, 2017, at the Mike Mansfield Federal Building and U.S. Courthouse in Butte, Montana. Chief Judge Thomas will preside at the investiture.

“We are very pleased to welcome Mr. Hursh to the bench. He is a superb and well-regarded attorney, and he and his family have deep roots in Montana,” Judge Thomas said.

Mr. Hursh, 42, has been a partner in the Missoula office of Crowley Fleck PLLP since 2011, and was previously an associate at Cederberg Law Offices, P.C., from 2003 to 2008. He will fill a vacancy resulting from the retirement of Chief Bankruptcy Judge Ralph Kirscher, who had served on the court since 1999. He also assumes the role of chief judge of the bankruptcy court, which has a single judgeship.

Mr. Hursh has been the chair of the Bankruptcy Local Rules Committee in the District of Montana since 2014. He has been a member of the Annual Bankruptcy Section CLE Organization Committee since 2013 and has served as the former chair of the Bankruptcy Section of the Montana Bar Association from 2011 to 2012.

Born in Columbus, Ohio, Mr. Hursh received his undergraduate degree in history from Montana State University, Bozeman, in 1999 and his juris doctor from the University of Montana School of Law in 2003. He was awarded the Dean Robert E. Sullivan Scholarship in law school.

Bankruptcy judges serve a 14-year renewable term and handle all bankruptcy-related matters under the U.S. Bankruptcy Code. Judges of the U.S. Court of Appeals for the Ninth Circuit have statutory responsibility for selecting and appointing bankruptcy judges in the nine western states that comprise the Ninth Circuit. The court uses a comprehensive merit selection process for the initial appointment. For reappointments, the court conducts a performance review and solicits public comment.

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