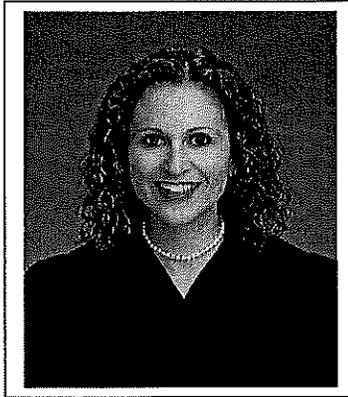


**RESPONSES TO THESE QUESTIONS WILL BE MADE PUBLIC
IF THE APPLICANT IS SELECTED AS A NOMINEE**



NAME: Nicole Sydney Zellweger

1. **State your present principal occupation:** Associate Circuit Court Judge for the Twenty-First Judicial Circuit

2. **Answer the following:**
 - (a) **Are you at least 30 years of age? (Please answer if you are applying for a circuit judge vacancy.)** Yes.

 - (b) **Are you at least 25 years of age? (Please answer if you are applying for an associate judge vacancy.)** Yes.

 - (c) **How long have you been a citizen of the United States?** 40+ years.

 - (d) **How long have you been a resident of St. Louis County?** 9+ years.

 - (e) **How long have you been a qualified voter of Missouri?** 15+ years.

3. **For each jurisdiction in which you are or have been licensed to practice, state:**
 - (a) **The name of the jurisdiction;**
 - (b) **The date you were admitted to that bar and, if applicable, ceased to be a member of that bar; and**
 - (c) **Your bar number.**

State of Missouri, September 29, 2004, Bar No. 56361

State of Illinois, May 5, 2005, Bar No. 6285279 (currently inactive)

State of Kansas, June 2011, Bar No. 25200 (currently inactive)

United States District Court, Eastern District of Missouri, December 23, 2004,
Bar No. 56361

United States District Court, Western District of Missouri, 2006, Bar No. 56361

United States District Court, Central District of Illinois, November 14, 2012
United States District Court, Southern District of Illinois, October 31, 2012
United States Court of Appeals for the Third Circuit, August 7, 2014
United States Court of Appeals for the Eighth Circuit, 2006

4. State the name and address of each post-high school educational institutions you have attended, together with the dates and any degree received:

Washington University in St. Louis School of Law (Fall 2002-2004)
J.D. received in 2004, *Order of the Coif* (top 10% of class)
1 Brookings Drive
St. Louis, MO 63130

The University of Georgia School of Law (Fall 2001-Spring 2002; transferred to Wash U.)
Athens, GA 30602

Yale University (2000-2001)
M.A. awarded from the Divinity School in 2001
New Haven, CT 05620

The University of Georgia (1996-1999 and Summer 2000)
A.B. awarded in Dec. 1999 (majors: Religion, Political Science and Criminal Justice), *Magna Cum Laude* with High Honors
A.B. awarded August 2000 (major: Sociology), *Magna Cum Laude* with High Honors
Athens, GA 30602

5. List each position of employment you have held, beginning with your earliest, including non-legal employment, and for each state:

- (a) The name and address of the employer;
- (b) The position(s) you held;
- (c) The dates of employment;
- (d) Whether the employment was full, part-time, or seasonal; and
- (e) The reason(s) the employment ceased.

A. (a) Warner Law Firm, Peachtree City, GA 30269 (b) Clerk/Assistant
(c) 1996 and as needed thereafter over summers during college (d) Part Time
(e) Returned to University

B. (a) DialAmerica, Athens, GA 30602 (b) Data Entry (c) Approx. 1996/1997
(d) Very part time during school year (e) Concentrate on school

- C. (a) Slepian & Schwartz, Attorneys at Law, 42 Eastbrook Bend, Peachtree City, GA 30269 (b) Summer Clerk/Assistant (c) Summer 1998 (d) Full Time over Summer (e) Returned to University
- D. (a) Georgia Governor's Intern Program, Placement: Dept. of Corrections, Probation Office, Coweta County, 51 Perry Street, Suite B, Newnan, GA 30263 (b) Intern (c) Fall 1999 (d) Full Time (e) Program Ended
- E. (a) University of Georgia, Athens, GA 30602 (b) Research Assistant (c) Summer 2000 (d) Part Time (e) Program Ended
- F. (a) Yale University Divinity School Library, 409 Prospect Street, New Haven, CT 06511 (b) Assistant Librarian/Clerk (c) 2000-2001 (d) Part Time during School (e) Graduated
- G. (a) U.S. Attorney's Office, Eastern District of Missouri, Thomas Eagleton U.S. Courthouse, 111 S. 10th Street, 20th Floor, St. Louis, MO 63102 (b) Summer Intern (c) Summer 2002 (d) Full Time (e) Program Ended
- H. (a) Blumenfeld, Kaplan & Sandweiss, P.C., 168 N. Meramec Avenue, Suite 400, Clayton, MO 63105 (b) Summer Associate and Attorney (c) 2003-2007 (d) Full Time (e) Firm merged with Stinson Morrison Hecker LLP in 2007 and I began my employment with Stinson at that time
- I. (a) Stinson Leonard Street LLP (Previously Stinson Morrison Hecker), 7700 Forsyth Boulevard, Suite 1100, Clayton, MO 63105 (b) Attorney/Partner (c) 2007-2018 (d) Full Time (e) Was appointed to the greatest position in the world—Associate Circuit Court Judge for the 21st Judicial Circuit
- J. (a) State of Missouri, 105 South Central Avenue, Clayton, MO 63105 (b) Associate Circuit Court Judge (c) 2018-Present (d) Full Time (e) Still in position

6. **If you have served as a judge or commissioner, identify up to five significant cases over which you presided to completion. Set forth the style, cause number, date and name and current address of the primary attorneys participating in each case, identifying the party each attorney represented. Indicate whether bench or jury tried and give a one to three sentence description of each case and its outcome.**

- *Moeller v. St. Louis County Board of Election Commissioners, et al.*, St. Louis County Case No. 18SL-CC03283. Bench Trial (September 14, 2018). Judgment entered on September 17, 2018. Special assignment from the Presiding Judge. The ultimate issue in the case was whether an initiative petition (related to a smoking ban) was properly certified by the St. Louis County Board of Election for inclusion as a proposition on the November 2018 ballot. The case involved three parties (including a defendant intervenor), numerous attorneys, and several complex legal and factual issues that required immediate resolution by the Court (due to the timing of printing ballots and the election date). Judgment was entered striking “Proposition E” from the ballot. Cross-appeals were immediately taken to the Court of Appeals, who affirmed the Judgment in its entirety on October 9, 2018.

Attorneys for Plaintiff: Thomas Rynard, 4012 Catalina Drive, Jefferson City, MO
 Marc Ellinger, 308 E High Street, Suite 301, Jefferson City, MO 65101
 Michael McGinley, Dechert LLP, 2929 Arch Street, Philadelphia, PA 19104

Attorneys for Defendant St. Louis County Board of Election Commissioners:
 Steven Garrett and Edward Sluys, Curtis, Heinz, Garrett & O’Keefe, P.C.,
 130 S. Bemiston, Suite 200, Clayton, MO 63105

Attorney for Intervenor, Committee for a Healthy Community: Ketcher Law Firm,
 Bradley Ketcher and Tom Appelbaum, 23 N. Gore Street, Suite 208, St. Louis,
 MO 63119

- *In the matter of the care and treatment of Charles Mosley*, St. Louis County Case No. 18SL-PR01844. Jury Trial (May 1-3, 2019). Judgment entered on May 3, 2019. Special assignment from the Presiding Judge. Petitioner alleged that Respondent was a sexually violent predator as that term is defined by statute and case law. The case had numerous significant discovery and evidentiary issues and motions for the Court to determine prior to and during the trial. The jury returned a verdict in favor of the Respondent.

Attorney for Petitioner, State of Missouri: Jennifer Szczucinski, Missouri Attorney
 General’s Office, 815 Olive Street, Suite 200, St. Louis, MO 63101

Attorney for Respondent, Charles Mosley: Joseph Whitener, 1010 Market Street,
 Suite 1100, St. Louis, MO 63101

- *Cohen v. Cohen*, St. Louis County Case No. 13SL-DR02811-01. Bench Trial (April 9-10, 2019 with final submission of evidence on April 22, 2019). Judgment entered on May 10, 2019. The case involved cross Motions to Modify related to the custody and support of a minor child with parents residing in different states and issues related to criminal charges of and alleged substance abuse by one of the parents.

Attorney for Petitioner: Maia Brodie, Keefe & Brodie, 222 South Central Avenue, Suite 708, Clayton, MO 63105

Attorney for Respondent: N. Kimasa Sindel, 7711 Bonhomme Avenue, Suite 815, Clayton, MO 63105

Guardian ad Litem: Henry M. Miller, Grant, Miller & Smith, LLC, 7733 Forsyth Blvd., Suite 1850, St. Louis, MO 63105

- *Trider v. Trider*, St. Louis County Case No. 18SL-DR04350. Bench Trial (April 2, 2019, with final submission of evidence on April 17, 2019). Judgment entered on April 24, 2019. Petition for Dissolution of Marriage with no children. Husband, who at trial represented himself, alleged that wife misappropriated (and wasted) marital funds. Accordingly, the primary issue in the case was division of marital assets. Affirmed by the Court of Appeals on July 28, 2020.

Attorney for Petitioner: Stephen Bardol, 34 North Gore Avenue, Suite 203, Webster Groves, MO 63119

Attorney for Respondent: At the time of trial, Respondent appeared *pro se*. Prior to trial, Respondent was represented by Melissa Harper, 75 W. Lockwood Ave., Suite 222, Webster Groves, MO 63119

- *Filev v. Filev*, St. Louis County Case No. 18SL-DR00221. Bench Trial (August 6-7, 2019 and September 6, 2019, with final submission on October 10, 2019). Judgment entered on November 11, 2019. Petition for Dissolution of Marriage with children. Case involved child custody and support; maintenance; valuation and division of assets (including real estate); and alleged marital misconduct.

Attorney for Petitioner: Michael Schechter, Schechter Law Firm, P.C. 8000 Maryland Ave., Suite 950, Clayton, MO 63105

Attorney for Respondent: Lisa Moore, Paule Camazine & Blumenthal, 165 N. Meramec Ave., Suite 110, Clayton, MO 63105

7. **List up to ten cases which you have tried as either first or second chair. Set forth the style, cause number, date, court and judge, and identify who you represented, whether you were first or second chair, and the name and address of opposing counsel. Indicate whether each case was bench or jury tried and provide a one to three sentence description of each case and its outcome.**

Trial Work Listed Chronologically:

K.O. Real Estate, LLC v. O'Toole, St. Louis County Circuit Court (Hon. Brenda Stith Loftin), Cause No. 08SL-AC04189. Trial Date: 9/3/2008. Represented Plaintiff. First Chair. Bench Trial. Opposing Counsel: Joseph Fenlon, St. Louis, MO.

Summary: Commercial landlord-tenant dispute involving equitable relief and monetary damages. Court entered Judgment in favor of Plaintiff for all relief sought. In addition to handling the trial, I also handled the entire appeal (brief and oral argument)—see below.

Lauber-Clayton, et al., v. Jonathan P Browne, et al., St. Louis County Circuit Court (Hon. Michael Jamison), Cause No. 08SL-CC01430. Trial Dates: 1/3/2011-1/6/2011. Represented Defendants. Second Chair (with Vince Keady). Jury Trial. Opposing Counsel: Tom Berndsen, 1650 Des Peres Rd # 135, St. Louis, MO 63131.

Summary: Dispute between former owners of company/development resulting in Plaintiff alleging fraud and breach of fiduciary duty, among other claims for damages. I assisted with voir dire and successfully prepared and argued pre-trial motions and motions for directed verdict (directed verdict granted on three counts, leading to settlement of case).

Trost, et al., v. Gault, et al., St. Charles County Circuit Court (Hon. Ted House), Cause No. 0811-CV07063. Trial Dates: 10/3/2011-10/8/2011. Represented Plaintiffs. Co-Counsel with Vince Keady. Jury Trial. Opposing Counsel: Wilke & Wilke (Dan Wilke and Kent Zschoche), 2708 Olive Street, St. Louis, MO 63103.

Summary: Plaintiffs alleged fraud and misrepresentation against sellers of home related to condition of various aspects of home. Case gained extensive publicity after the trial because of the claims related to an infestation of brown recluse spiders that the sellers failed to disclose. We prevailed after a 6-day jury trial, including punitive damages.

In re: Peter R. Orr Family Trust, Warren County Circuit Court, Probate Division (Hon. Scheibe), Cause No. 14BB-PR00052. Date of Judgment: 7/5/2015. Represented Petitioner Darlene Orr. Lead/sole Counsel. Bench trial. Opposing Counsel: John Dooling, 1896 Dougherty Terrace Drive, Ballwin, MO 63021.

Summary: Successfully represented Petitioner/co-trustee in case involving construction of trust instrument. Court adopted our interpretation of trust instrument.

In re: Robert Kaplan Trust, St. Louis County Circuit Court, Probate Division (Hon. Carolyn Whittington), Cause No. 13SL-PRO2110. Jury Trial Dates: 3/2/2015-3/23/2015 (Judgment entered: 5/14/2015) and Bench Trial Dates: 11/23/2015-11/24/2015, 5/10/2016-5/11/2016 (Judgment entered: 8/25/2016). I represented Defendant Trustee Bank of America, N.A. as lead counsel. Jury and bench trials. Counsel for Plaintiffs: Catherine Hanaway and Rob Hurtt, Husch Blackwell, The Plaza in Clayton, 90 Carondelet Plaza, Suite 600, St. Louis, MO 63105 and Russ Piccoli, 701 N. 44th Street, Phoenix, AZ 85008. Counsel for Defendant Murray-Kaplan: Kelley Farrell and Chris Bauman, Blitz, Bargett & Deutsch, 120 S. Central Avenue, Suite 1650, Clayton, MO 63105.

Summary: I represented Trustee Bank of America, N.A., who the Plaintiffs initially sought to remove from the trustee position. We resolved Plaintiffs' claims against Trustee, resulting in conversion of Trustee to a nominal/necessary defendant. During the course of the case, Defendant Murray-Kaplan also brought claims against Trustee. We were able to have those claims dismissed prior to trial, so that, at the time of the three trials, we participated in the capacity as Trustee and a necessary party.

Throughout the course of this lawsuit, on behalf of Trustee, I had to file numerous Motions related to Trustee's conduct or proposed conduct, which required evidentiary hearings that I conducted.

Orr v. Orr, Warren County Circuit Court, Probate Division (Hon. Scheibe), Cause No. 16BB-PR00114. Date of Judgment: 7/26/2017. Represented Petitioner Darlene Orr as lead counsel. Bench trial. Opposing Counsel: John Dooling, 1896 Dougherty Terrace Drive, Ballwin, MO 63021 and D. Christopher LaPee, Coyne, Cundiff & Hillemann, P.C., 11230 Veterans Memorial Parkway, Lake St. Louis, MO 63367.

Summary: In this second action involving the Orr Trust (see above), Plaintiff, as Co-Trustee and beneficiary, sought to remove Defendant Co-Trustee and sought reimbursement/damages for Co-Trustee's failure to approve proper expenses required to be supported under the Trust instrument. The Court removed the Co-Trustees, but denied a monetary judgment. Plaintiff appealed. Case settled during mediation ordered by the Court of Appeals.

In the Matter of Catherine West, St. Louis County Family Court, Cause No. 17SL-PR01716/15SL-JU00164 (Comm. Heather Cunningham). Date of Judgment: 7/8/2017. Represented Petitioner Catherine West. Lead/sole Counsel. Bench trial. Other Counsel: Joan Coulter, The Coulter Law Firm, LLC, 222 South Central Avenue, Suite 600, St. Louis, MO 63105.

Summary: In this *pro bono* matter, which I accepted from Legal Services, I represented the Petitioner who sought custody of a minor child. The case was tried to the Court over two separate days, resulting in the appointment of my client as the legal guardian.

Bank of America, N.A., Trustee of the Robert Kaplan Trust v. Michael Kaplan, et al., St. Louis County Circuit Court, Probate Division, Cause No. 17SL-PR01219 (Hon. Carolyn Whittington). Date of Judgment: September 18, 2017. Represented Plaintiff Trustee Bank of America, N.A. as lead counsel. Bench trial. Counsel for the Kaplan Children: Catherine Hanaway and Rob Hurtt, Husch Blackwell, The Plaza in Clayton, 90 Carondelet Plaza, Suite 600, St. Louis, MO 63105 and Russ Piccoli, 701 N. 44th Street, Phoenix, AZ 85008. Counsel for Ms. Murray-Kaplan: Albert Watkins, 7800 Forsyth Boulevard, Suite 700, St. Louis, MO 63105 and James Lang, 1505 S. Big Bend Boulevard, St. Louis, MO 63117.

Summary: One Defendant beneficiary objected to certain actions/conduct by the Trustee, requiring Trustee to file this lawsuit to overcome those objections and take appropriate action to administer the Trust. The case was tried to the Court and a Judgment was entered approving the actions of the Trustee and granting the Trustee 100% of the relief it requested.

Arbitration Hearings (Trials):

Esther Frank v. Marsha Frank, et al., St. Louis County Circuit Court (Hon. Reno), Cause No. 16SL-CC01678. Date of Judgment: 5/29/2018. [TRO (12/5/2016) and preliminary injunction (1/4/2017) were tried to Court.] Represented Plaintiff Esther Frank as lead/sole counsel. Opposing counsel: Jill Rembusch, Summers Compton Wells, 8909 Ladue Road, St. Louis, MO 63124 (for Ben Frank) and Matthew Kallial, Kallial Law, LLC, 7710 Carondelet Ave., Suite 347, Clayton, MO 63105 (for Marsha Frank).

Summary: Represented Plaintiff who sought equitable relief and monetary damages against Defendants related to a real estate transaction. The Court entered a Preliminary Injunction in favor of Plaintiff on January 4, 2017, after a day-long evidentiary hearing. Thereafter, the parties agreed to arbitrate the dispute (to expedite the process). Arbitration was conducted in April 2018 and I was again lead counsel. An Arbitration Award was entered on May 16, 2018 in favor of Plaintiff, which Judge Reno entered as a Final Judgment in the existing Circuit Court case on May 29, 2018.

Houston BW, Inc. v. BeautyFirst, Inc. (and Regis Corp.), AAA Case No. 50 114 T 00351 10 (Arbitrator Bradley Haddock). Five-day trial conducted in Wichita, Kansas. Award/Judgment Dates: June 30, 2011 (Interim Award) and July 21, 2011 (Final Award). Lead counsel for Plaintiff Houston BW, Inc. Opposing Counsel: Terry Malone, Martin Pringle, 645 E. Douglas, Suite 100, Wichita, KS.

Summary: Represented one franchisee (of a group whose cases were required to be filed separately) against a franchisor and, thereafter, its purchaser in bankruptcy. The case initially involved obtaining injunctive relief for the clients in Kansas State Court so that they could continue to operate their stores (maintaining the status quo) pending a resolution of the arbitration proceeding. The Arbitrator found in our favor, and the Kansas State Court affirmed (after the franchisor sought to have the Award vacated). Thereafter, we had to enforce the Award (which became a Judgment) in Bankruptcy Court (because, during the arbitration process, the franchisor filed for bankruptcy). The Bankruptcy Court ruled in our client's favor and the franchisor appealed the case to the Delaware District Court and, when that Court affirmed, to the Third Circuit Court of Appeals (see below for appellate information). The end result was a complete victory for our client, including the grant of attorneys' fees for the client at every stage of the proceeding.

8. **List up to ten appeals or writs before appellate courts which you have briefed or argued. Set forth the style, cause number, date, and court, and identify who you represented, whether you briefed, argued or both, and the name and address of opposing counsel. Provide a one to three sentence description of each case and its outcome.**

In re Chervitz Trust, 198 S.W.3d 658 (Mo. Ct. App. ED 2006). Represented Trustee. After obtaining summary judgment in favor of our client on a complex trust interpretation issue, we successfully upheld the trial court judgment at the appellate level. I drafted the Brief (and helped prepare attorneys for oral argument). Opposing counsel: Lester Goldman and William Sitzler, Dubail Judge.

Trinity Products, Inc. v. Burgess Steel, LLC, 486 F.3d 325 (8th Cir. 2007). Represented Defendant Burgess Steel. We were successful on appeal in reversing the federal district court's summary judgment order against our client on a contract interpretation issue (in a complex construction case before Hon. Autrey). I drafted the Brief (and helped prepare the partner for oral argument). Opposing Counsel: Michael Wilson, Greenfelder, 10 S. Broadway, Suite 2000, St. Louis, MO 63102.

Lee v. Investors Title Co., 241 S.W.3d 366 (Mo. Ct. App. ED 2007). Represented Defendant. On appeal, we successfully upheld summary judgment entered in our client's favor on the merits and reversed (on our cross-appeal) as to the trial court's denial of an award of attorneys' fees to Defendant. Drafted Brief with partner Vince Keady, who argued the case.

Opposing Counsel: Stephen Banton, 16024 Manchester Road, St. Louis, MO 63011.

K.O. Real Estate, LLC v. O'Toole, 291 S.W.3d 780 (Mo. Ct. App. ED 2009). Represented Plaintiff. Successfully upheld trial court Judgment granting injunctive relief and damages to Plaintiff in a commercial landlord-tenant action. Drafted Brief and argued case before the Court of Appeals.

Opposing Counsel: Joseph Fenlon, St. Louis, MO.

In re: Trade Secret, Inc.: Regis Corp. v. Houston B.W., Inc., 2014 WL 3362322 (D. Delaware July 7, 2014). Represented Houston B.W., a creditor in the bankruptcy proceeding (having prevailed in an arbitration proceeding, mentioned above). Successfully upheld judgment entered in favor of franchisee Houston B.W. by the United States Bankruptcy Court (for the District of Delaware), which was appealed by the franchisor/franchisor's purchaser to the District Court. Drafted Brief (oral arguments cancelled by Court).

Opposing Counsel: Kathleen Miller, Smith, Katzenstein & Jenkins LLP
1000 West Street, Suite 1501, Wilmington, DE 19801.

In re: Trade Secret, Inc.: Regis Corporation (Appellant) v. Southern El Dorado Corporation (Appellee), 609 Fed. Appx. 98 (3d Cir. June 10, 2015). Represented Southern El Dorado Corp (formerly known as Houston B.W.). Successfully upheld District Court's Judgment (see above) in favor of franchisee for, *inter alia*, breach of contract that established bankruptcy cure amount against franchisor and others. Drafted Brief (oral arguments cancelled by Court week before).

Opposing Counsel: Kathleen Miller, Smith, Katzenstein & Jenkins LLP
1000 West Street, Suite 1501, Wilmington, DE 19801.

9. **Have you ever been convicted of a misdemeanor or felony? No.**
If yes, provide details, including the style of the case, cause number, name of the jurisdiction, and date of conviction.

10. **Have you ever been a party to any litigation, other than as guardian ad litem, plaintiff ad litem or defendant ad litem? Yes.**
If yes, identify the style of the case, cause number, name of the jurisdiction and the approximate year in which such litigation was commenced and in which it was terminated, and provide a one to three sentence description of the case and its outcome.

Zellweger v. Keller, City of St. Louis Family Court, Dissolution Action.
Cause No. 0722-FC01506 (Filed and concluded same year, 2007)
Case ended amicably between the parties with an agreed order of dissolution.

Craig Vinch, Rel. v. Hon. Nicole Zellweger, Res., Vinch sought a writ of prohibition related to one of my rulings from the Eastern District Court of Appeals, ED 108265 (9/27/2019), and the Missouri Supreme Court, SC98146 (10/8/2019), which were denied.

Michelle Perotta, Rel. v. Nicole Zellweger, Res., Perotta sought a writ of prohibition related to one of my rulings from the Eastern District Court of Appeals, ED108760, which was denied (3/16/2020).

11. **Have you ever been investigated, disciplined or cited for breach of ethics or professional conduct by a court, bar association, or any office or committee thereof? No. If yes, provide details.**
12. **Have you ever been held in contempt of court? No. If yes, provide details.**
13. **If you are or were a member of the Judiciary of the State of Missouri, please state:**
 - (a) **Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct? No.**
If yes, state the nature of such breach, the date discipline was imposed and the exact nature and duration of the discipline imposed.
 - (b) **Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary? No.**
If yes, provide details including date the order was entered, the date of your consent, and a description of the conduct you were ordered to cease and desist.
 - (c) **Whether, to your knowledge, you have been a subject of a complaint and investigation by the Commission on Retirement, Removal and Discipline, which did not result in any action by the Commission? No.**
If yes, provide details.

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

Bar/Legal Associations:

American Bar Association, Forum on Franchising (2004-Present)

- Women's Caucus Steering Committee (2013-2015)
- Frequent author and speaker at the annual national conference, including the October 2018 annual conference
- Authored chapters for two separate books now available on:
(1) bankruptcy in the franchise context and (2) disclosures in franchise disclosure document

St. Louis County Bar Association

The Bar Association of Metropolitan St. Louis ("BAMSL")

Trial Section, Executive Committee Officer (2016-2020)

Nominating Committee member (2019-present)

Executive Director Search Committee member (2020-present)

Mound City Bar Association

Election Chair (2018-2019)

Historian and Executive Committee Member (2019-2020)

Women Lawyers' Association of Greater St. Louis

The Lawyers Association of St. Louis

The Missouri Bar Association

The Kansas Bar Association

The Illinois State Bar Association

Professional Society:

Fellow of the American Bar Foundation (2018-present)

Professional Associations:

Missouri Association of Probate and Associate Circuit Court Judges (2018-present)

Member of numerous 21st Judicial Circuit Court Committees

Clayton Chamber of Commerce (2014-2018)
Executive Committee (2015-2018), President (2017)

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

Center for Women in Transition (2008-Present)
Two Year Term as President (highest office held)
Board of Directors (2008-2018)

Conway Elementary School
Classroom Volunteer & PTA member (2016-present)

Mound City Bar Foundation
Board Member (2017-present), Treasurer (present office)

St. Joseph Church, Clayton, Missouri (parishioner since 2010)
Parish School of Religion ("PSR") Teacher for Pre-K and Kindergarten
(2019-present)

Student Encouragement Program, Administered by the 21st Judicial Circuit Court
Serving Bierbaum Elementary School, Mehlville School District (2018-present)

Washington University School of Law, Volunteer Judge/Evaluator (2005-present)

Legal Services of Eastern Missouri, Volunteer Lawyer (2016-2018)
- Pro Bono Volunteer
- Participant in pilot program for the Domestic Violence Order of Protection
Docket in St. Louis County

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

Yes, Associate Circuit Court Judge. Appointed by Governor Eric Greitens in April 2018.

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

18. List any professional articles or books which have been published or any special recognition or award of a professional nature which you have received.

Awards:

Franchise Times Legal Eagle, 2012-2017 (awarded six consecutive years)

American Bar Association Forum on Franchising Chair's Future Leader Award, 2011

Super Lawyers (www.superlawyers.com), Rising Star/Missouri Top Rated Lawyer, 2016 and 2017 [Note: Was awarded in 2018, but was unable to accept designation as already on the bench.]

Up & Coming Award, Missouri Lawyers Media, 2017

Pro Bono Wall of Fame recognition from the Missouri Bar, 2017

Publications:

"Chapter 4: ITEM 19: Financial Performance Representations," American Bar Association, *The FTC Franchise Rule Handbook*, Third Edition, ed. Susan Grueneberg, 2019.

"When Is a Lie Actionable?: Litigating Misrepresentation Claims," American Bar Association, 41st Annual Forum on Franchising, October 2018.

"Preparing an Expert Witness for Trial," *The St. Louis Bar Journal*, Summer 2018.

"Chapter 11: Individual Reorganization Bankruptcies: Chapter 13 and Chapter 11," American Bar Association, *The Bankruptcy Handbook for Franchisors & Franchisees*, ed. Jason B. Binford and Daniel M. Eliades, 2018.

"Breach of Fiduciary Duty: Lessons from Recent Cases," *The St. Louis Bar Journal*, Spring 2016.

"Fundamentals 201: Guaranties and Other Franchisee Owner Undertakings: Negotiation, Drafting and Enforcement Issues," American Bar Association, 37th Annual Forum on Franchising, 2014.

"Assessing Materiality: What to Include and When to Amend," American Bar Association, 35th Annual Forum on Franchising, 2012.

"Enforceability of Oral Franchise Agreements," *Franchise Law Journal*, Vol. 28, no. 3, Winter 2009.

"Preparing for Winning and Defending Against Preliminary Injunctions," 30th Annual Forum on Franchising, 2007.

"Measuring Brief: Brief for Appellant," Pace Environmental Law Review 21, no. 2, Summer 2004.

Presentations:

Various Town Hall Meetings (related to COVID-19 issues), 21st Judicial Circuit, 2020.

"As Family Court Judges See It: Top Mistakes Attorneys Make in Litigating Divorce," National Business Institute CLE, May 2020.

Various Presentations to Elementary Schools Discussing our Courts, 2019-2020.

"Have You Been Drinking? Evaluation, Treatment, Monitoring and Parenting Plans When Alcohol is an Issue," Association of Family and Conciliation Courts CLE, June 2019.

"When Is a Lie Actionable? Litigating Misrepresentation Claims," American Bar Association, 41st Annual Forum on Franchising, Nashville, TN, October 10-12, 2018.

"Expert Witnesses," BAMSL CLE, St. Louis, October 2, 2018.

"Mediation and Arbitration," (co-presented with Hon. Michael David), BAMSL CLE, St. Louis, April 5, 2018.

"Resolving Trust Disputes Through Trust Modification, Decanting or Premature Termination," Estate Planning & Fiduciary Litigation Seminar, St. Louis, Missouri, November 2017.

"Directed Trusts: Understanding the Risks and Avoiding the Liability," Estate Planning & Fiduciary Litigation Seminar, St. Louis, Missouri, November 2016.

"Franchising 101," Stinson Business Law Update Seminar, Omaha, Nebraska, April 2016.

"Dictating Dispute Resolution Procedures," Estate Planning & Fiduciary Litigation Seminar, St. Louis, Missouri, November 2015.

"Breach of Fiduciary Duty: The Trustee's Nightmare," The Bar Association of Metropolitan St. Louis, Tenth Annual Fiduciary Litigation Seminar, St. Louis, Missouri, February 19, 2015.

"Fiduciary Duty Litigation," Stinson Estate Planning & Fiduciary Seminar, St. Louis, Missouri, November 2014.

"Fundamentals 201: Guaranties and Other Franchisee Owner Undertakings: Negotiation, Drafting and Enforcement Issues," 37th Annual Forum on Franchising, Seattle, Washington, October 15-17, 2014.

"Missouri Public Prompt Pay Law," Specialty Contractor Counsel (AGC of St. Louis), St. Louis, Missouri, July 23, 2014.

"Assessing Materiality: What to Include and When to Amend," 35th Annual Forum on Franchising, Los Angeles, California, October 3-6, 2012.

"Surprise! You're Operating a Ponzi Scheme! Or a Franchise, or a Multilevel Marketing Scheme, or a Business Opportunity," presented with Karen Liepmann, CLE Seminar, Kansas City, Missouri, April 16, 2010.

"Preparing for Winning and Defending Against Preliminary Injunctions," 30th Annual Forum on Franchising, Phoenix, Arizona, October 10-12, 2007.

"What Every Lawyer Should Know About Franchise Law," CLE Seminar, Kansas City, Missouri, February 2009.

19. Furnish the name, address, telephone number, and email address of up to five individuals, who are not judges, as references with respect to your judicial qualifications

Catherine Hanaway, Partner
Husch Blackwell LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105-3433
Direct: 314-480-1903
Email: Catherine.Hanaway@huschblackwell.com

Hon. Carolyn C. Whittington (Ret.)
Legal Services of Eastern Missouri
Home Address is Private
Mobile: 314-494-1713
Email: CarolynCWhittington@gmail.com

J. Vincent Keady, Jr., Partner
Stinson LLP
7700 Forsyth Boulevard, Suite 1100
St. Louis, MO 63105
Direct: 314-719-3050
Email: vincent.keady@stinson.com

J. Danielle Carr, Executive Director
Missouri Minority Counsel Program
100 S. 4th Street, Ste. 550
St. Louis, MO 63102
Mobile: 314-780-8364
Email: daniellecarr108@hotmail.com

Laura Toledo, Executive Director
Center for Women in Transition
7716 S. Broadway
St. Louis MO 63111
Office: 314-771-5207
Mobile: 314-719-6897
Email: lauratoledo@cwitstl.org

20. Set forth any additional information that demonstrates the quality of your legal work or which you believe to be relevant.

In addition to the trials that I have conducted (many of which are *not* listed above), I am often tasked with analyzing and applying complex statutes to the facts of the family law cases before me. For instance, I have conducted several evidentiary hearings on the application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). The UCCJEA is a complex statutory scheme intended to ensure consistent results when judges must determine the proper jurisdiction (State) for custody disputes. One of these hearings required me to video conference with a Court in Kansas and conduct a two-Court hearing. After all of the hearings and trials that I conduct, I must write detailed findings of fact and conclusions of law. I have never asked parties to submit proposed findings/conclusions or proposed judgments. All of my judgments are original and contain lengthy analysis of the issues. I work hard to draft all of my judgments timely, usually after business hours (so as not to interfere with my dockets), because I understand the importance of the judgments to the parties (and their families).

Short Bio

Nicole S. Zellweger was appointed an Associate Circuit Judge in April 2018, by Governor Eric Greitens. She is currently serving as a Family Court Judge in St. Louis County.

Before her appointment to the bench, Judge Zellweger was a partner with the law firm of Stinson Leonard Street LLP. Her legal practice focused primarily on business litigation with concentration in the areas of franchise law and trust and estate litigation.

She graduated from the University of Georgia *magna cum laude* with high honors in December 1999 and received a Master of Arts degree from Yale University Divinity School in 2001. Judge Zellweger attended law school at Washington University in St. Louis, graduating *order of the coif* in 2004.