

**APPLICATION (INCLUDING ATTACHMENTS) FOR
INDEPENDENT REDISTRICTING COMMISSION**

Answer all items in print or type. Attach additional sheets as needed to answer completely.

FULL NAME Anthony Wade Merrill

SPOUSE'S NAME (if applicable) Jody Merrill

HOME ADDRESS 4421 S. Granite Dr.

CITY Chandler STATE Arizona ZIP 85249

COUNTY OF RESIDENCE Maricopa RESIDENT OF ARIZONA SINCE 2003

EMPLOYER Polsinelli Shughart PC TITLE Shareholder

OFFICE ADDRESS One East Washington St., Suite 1200

OFFICE PHONE (602) 650-2310

CITY Phoenix STATE AZ ZIP 85004

EDUCATION: Include name(s) of institution(s) and year diploma(s) or degree(s) received.

J.D., cum laude, Brigham Young University, 2003

B.S., Brigham Young University, 2000

List **all** political activities for **at least** the past ten years. Include dates of service and indicate **all** offices held in any organization. (Use attachment if necessary.)

None

List **all** professional and occupational memberships for **at least** the past ten years. Include dates of service and indicate **all** offices held in any organization. Please include honors, awards and other forms of recognition. (Use attachment if necessary.)

State Bar of Arizona (2003-2011); U.S. District Court, District of Arizona (2003-2011); U.S. Court of Appeals, Ninth Circuit (2006-2011); Maricopa County Bar Association- Environmental Section (2003-2011); American Bar Association - Insurance and Trial Practice Sections (2003-2011); RIMS - Local and National Chapters (2009-2011); Arizona Republican Lawyers Association (2010-2011); Arizona Management Society (2007-2008); Sports Lawyers Association (2011); J. Reuben Clark Law Society (2003-2011); In Defense of Animals (2006-2011); National Risk Management Society (2011); Arizona Central Risk Management Society (2011).

Arizona Foundation for Legal Services & Education- Top pro bono attorney in Arizona (2006); In Defense of Animals - 2006 Horse Rescuer of the Year; Volunteer Lawyers Program -Attorney of the Month (December 2006); Volunteer Lawyers Program, Children's Law Center - Attorney of the Year (2005).

List **all** civic and community service activities for **at least** the past ten years. Include dates of service and indicate **all** offices held in any organization. Please include honors, awards and other forms of recognition. (Use attachment if necessary.)

Golden Gate Community Minor Guardianship Clinics Coordinator, 2009-present

Cub Scout Webelos Leader (2006-2007);

Cub Scout Cub-Master (2008-2009);

Youth Flag Football Coach (2010-2011);

Assistant Coach – Chandler National Little League (2010-2011).

ATTACH A RESUME OR BIOGRAPHICAL STATEMENT. Applications that do not include a resume or biographical statement will be considered incomplete and will NOT be considered for nomination.

ATTACH A STATEMENT OF INTEREST EXPLAINING WHY YOU ARE INTERESTED IN SERVING ON THE INDEPENDENT REDISTRICTING COMMISSION. Applications that do not include a statement of interest will be considered incomplete and will NOT be considered for nomination.

COMPLETELY ANSWER ALL OF THE FOLLOWING QUESTIONS:

1. Are you committed to applying the provisions of the Arizona Constitution, Article IV, Part 2, Section 1 in an honest, independent and impartial fashion, and to upholding public confidence in the integrity of the redistricting process? Yes (**X**) No ()
2. Will your employment and/or personal circumstances permit you to attend meetings of the Independent Redistricting Commission in their entirety? Yes (**X**) No ()
3. Are you a registered Arizona voter? Yes (**X**) No ()
4. Have you been continuously registered for at least the past three years with the same political party or as unaffiliated with a political party? Yes (**X**) No () If no, attach explanation.

Indicate political registration for the past three years: Independent

5. During the past three years, have you:
- a. been appointed to, elected to, or a candidate for any other public office, including precinct committeeman or committeewoman, but not including school board member or officer? Yes () No (X)
 - b. served as an officer of a political party or as an officer of a candidate's campaign committee? Yes () No (X)
 - c. served as a registered paid lobbyist? Yes () No (X)

If your answer to any part of this question is "Yes," attach an explanation.

6. Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee to the Independent Redistricting Commission? Yes () No (X)

If your answer is "Yes," attach an explanation.

7. Are you now an officer, director, or majority stockholder, or otherwise engaged in the management, of any business enterprise? Yes () No (X)

If your answer is "Yes," give details by attachment, including the name of the enterprise, the nature of the business, the title and description of your position, the nature of your duties, and the term of your service.

8. If your parents, siblings, spouse, or children are employed or engaged in any business or profession, state (by attachment) their names and the name and address of their employer or the business in which they are engaged.

I do not have parents or siblings who are employed in the State of Arizona. My father, Dix Merrill, is employed as a sales manager for Hyline Paper, LLC located at 70 Senior Way, Salt Lake City, UT 84115. My sister, Shannon (Merrill) Moos, is a biology teacher at Viewmont High School located at 120 West 1000, North Bountiful, UT 84010. My sister Karalee (Merrill) Burton, is employed as an on-line educator for Western Governors University, working out of her home in northern Utah. My wife and children are not employed or engaged in any business or profession.

9. Have you filed your state or federal income tax returns for all years you were legally required to file them? Yes (X) No ()

If your answer is "No," explain by attachment.

10. Have you paid all state, federal and local taxes when due? Yes (X) No () If your answer is "No," explain by attachment.

11. Have you ever violated a court order including but not limited to an order for payment of child or spousal support? Yes () No (X)

If your answer is "Yes," explain by attachment.

12. Have you ever been expelled, terminated, or suspended from any employment or school or course of learning on account of plagiarism, cheating, or any other "cause" that might reflect in any way on your integrity? Yes () No (X)

If your answer is "Yes," explain by attachment.

13. Are you, in any jurisdiction, currently charged with or have you ever been arrested for, convicted of, or pleaded guilty to any felony, misdemeanor (excluding civil traffic violations), or violation of the Uniform Code of Military Justice? Yes () No (X)

If your answer is "Yes," explain by attachment.

14. If you performed military service, please indicate the date and type of discharge. If other than honorable discharge, explain by attachment. N/A

15. List and describe by attachment any litigation involving an allegation of fraud in which you are or were a defendant. N/A

16. In the past year, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, or terminated by an employer as a result of your alleged consumption of alcohol, prescription drugs, or use of illegal drugs? Yes () No (X)

If your answer is "Yes," explain by attachment the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

17. Have you failed to vote in any general election held during the past eight years? Yes () No (X)

If your answer is "Yes," explain by attachment.

18. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? Yes () No (X)

If your answer is "Yes," state the date you were requested to submit to such a test, type of test requested, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason you refused to submit to such a test.

19. Within the last five years, have you ever been formally reprimanded, demoted, disciplined, placed on probation, suspended or terminated by an employer? Yes () No (X)

If your answer is "Yes," state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

20. Has a judgment or finding that you failed to comply with the substantive requirements of any business or contractual arrangement, including but not limited to bankruptcy proceedings, ever been entered against you? Yes () No (X)

If your answer is "Yes," explain by attachment.

21. List by attachment all elected or appointed offices that you have held and/or for which you have been a candidate, and the dates.

None

22. Provide any additional information relative to your application or qualifications you would like to bring to our attention at this time.

In addition to my unique legal understanding and qualifications, I have meaningful experience working on committees that have a fiduciary duty to represent the diverse needs of many constituents. For example, from January 2009 through February of this year, I served as a member of the Official Unsecured Creditors Committee for the reorganization of Tronox, Inc.

Tronox, upon filing for Chapter 11 reorganization, had liabilities valued at several hundreds of millions (if not billions) of dollars, ranging from liquidated judgments and contractual liabilities to unliquidated mass tort and environmental liabilities. I was a member of a seven person committee that served to represent various diverse interests to obtain a reasonable valuation of all liabilities and resolution of the same, while maintaining the viability of Tronox as an entity going forward after its emergent from bankruptcy. After almost two years of weekly committee meetings and multiple late night negotiation sessions, we were able to obtain a resolution supported by over ninety percent (90%) of the creditors. This was a remarkable accomplishment since Tronox had always intended to merely sell its assets to satisfy its liabilities. Instead, we worked to maintain a valuable company while satisfying the needs of several diverse (and hostile) interests. The bankruptcy court in the Southern District of New York affirmed the resolution and allowed Tronox to emerge with a successfully confirmed Chapter 11 Plan of Reorganization valued at approximately \$1.3 billion dollars.

Through this process, I learned how to work on committees, how to balance the needs of various and diverse constituents, and how to work in pressure situations to obtain a resolution favorable to all. I believe this experience would be of great value to the Independent Redistricting Committee.

BY SIGNATURE OF THIS APPLICATION:

If appointed to the Independent Redistricting Commission I understand I will be ineligible for Arizona public office or for registration as a paid lobbyist during my term on the Independent Redistricting Commission and for three years thereafter, pursuant to the Arizona Constitution, Article IV, Part 2, Section 1.

I have reviewed the constitutional requirements governing the Independent Redistricting Commission and attest that I meet those requirements.

I authorize investigation of all of my responses to this application and further authorize the references listed in the confidential section of this Application to give you any and all information concerning my qualifications they may have, personal or otherwise, and release all parties from all liability for any damages that may result from furnishing information to you.

I understand that the Commission which reviews my application may or may not conduct an interview, and may make its decision based on my responses to this Application and any due diligence.

The statements contained in this application are true and correct to the best of my knowledge.

SIGNATURE Anthony W Merrill DATE 11/15/11

STATE OF ARIZONA)
) ss.
County of Maricopa)

Subscribed and sworn to before me this 15th day of November, 2011, by

Anthony W. Merrill.

Notary Public Marsha M. Powers

My Commission Expires:



OPTIONAL SECTION

The Commission on Appellate Court Appointments strives for diversity in its appointments. Therefore, in this optional section, we ask you to consider providing us with information that will help us evaluate our progress in achieving this goal.

RACE/ETHNICITY: WHITE (Not Hispanic) NATIVE AMERICAN

HISPANIC ASIAN/PACIFIC ISLANDER

BLACK

GENDER: MALE FEMALE

APPLICATIONS MUST BE RECEIVED AT THE ADDRESS BELOW BY 5:00 P.M. ON NOVEMBER 15, 2011. LATE APPLICATIONS WILL NOT BE CONSIDERED. RETURN TO:

Commission on Appellate Court Appointments
Attn: Annette Corallo
1501 West Washington, Suite 221
Phoenix, Arizona 85007

ATTACHMENT A

Anthony Merrill Biographical Statement

Polsinelli Shughart

ANTHONY W. MERRILL
Shareholder

amerrill@polsinelli.com
Phoenix
Phone: 602.650.2310
Fax: 602.297.6579



Anthony Merrill's practice primarily involves state and federal trial court and appellate-level litigation with an emphasis on a wide range of complex disputes. Mr. Merrill is a leading member of the firm's Insurance Coverage/Bad Faith Litigation group, assisting clients throughout the country in seeking and obtaining coverage for commercial claims. Mr. Merrill specializes in insurance recovery for latent or "long-tail" property damage and bodily injury claims. With respect to environmental insurance matters, Mr. Merrill has assisted clients with the resolution of the multi-site environmental recovery claims involving defense and indemnity coverage for historic operations in the mining, chemical and explosives industries. He also represents clients in connection with disputes involving insolvent insurance carriers, reinsurance, specialty risk lines and asbestos-related insurance claims.

Mr. Merrill regularly consults and defends clients on matters regarding infectious disease outbreaks, including water-borne and airborne pathogens and pandemic preparation. Mr. Merrill assists clients in developing and implementing environmental remediation projects and resolving compliance issues arising under CERCLA, RCRA and the Clean Air Act. He also has successfully represented non-profit organizations in efforts to preserve the operation and management of a federally protected wild horse territory located within the state of Arizona.

Mr. Merrill is bilingual, proficient in both written and spoken Spanish. Prior to joining the firm, he worked for seven years as an associate in Environmental and Commercial Litigation practice groups in the Arizona office of a national law firm.

Memberships and Affiliations

Professional Affiliations

- Maricopa County Bar Association
 - Environmental Section
- American Bar Association
 - Insurance and Trial Practice Sections
- RIMS - Local and National Chapters
- Arizona Management Society
- J. Reuben Clark Law Society
- In Defense of Animals
- National Risk Management Society
- Arizona Central Risk Management Society

Civic Involvement

- Arizona Foundation for Legal Services & Education
 - Top *pro bono* attorney in Arizona, 2006
- In Defense of Animals
 - 2006 Horse Rescuer of the Year
- Volunteer Lawyers Program
 - Attorney of the Month, December 2006
 - Children's Law Center
 - 2005 Attorney of the Year
- Golden Gate Community Minor Guardianship Clinics
 - Coordinator, 2009-present

Departments

- Business
- Trial

Practice Areas

- Insurance Coverage/Bad Faith Litigation
- Environmental and Natural Resources

Education

- J.D., *cum laude*, Brigham Young University, 2003, *BYU Education and Law Journal*, Articles and Topics Editor; *BYU Law Review*, Staff Writer
- B.S., Brigham Young University, 2000

Admissions

- Arizona, 2003

Court Admissions

- U.S. District Court, District of Arizona, 2003
- U.S. Court of Appeals, Ninth Circuit, 2006

Spoken Languages

- Spanish

PUBLICATIONS & PRESENTATIONS

- 2011 **Insurance Claims for Environmental Liability, co-author**
*The Most Frequently Asked Questions in Environmental Law -
Maricopa County Bar Association, 2nd edition*
-
- September
2009 **Pandemic Influenza: Is Your Organization Prepared For The
Sleeping Giant to Awake?**
-
- July 2009 **How You Can Help, Hurt Your Pandemic Cover - Guarding Your
Business From the Ill Effects of a Pandemic: How to Choose the
Right Insurance**
Business Insurance
Co-Author
-
- June 2009 **Mitigation of Losses Suffered From a Pandemic: Lessons
Learned from the H1N1 Virus (Swine Flu)**
Bloomberg Law Reports; Insurance Law Volume 3, Nos. 18-21
Co-Author
-
- March 2008 **Electronic Discovery: What Are the Company's Obligations**
Presented as part of a CLE program for in-house counsel
-
- 2005 **Insurance Claim for Environmental Liability**
*Maricopa County Bar Association's Publication of the Most Commonly
Asked Questions in Environmental Law*
Co-author; 2005 edition
-
- February 2005 **Everything You Always Wanted to Know about Environmental
Insurance and Liability Buyouts (But Were Afraid to Ask)**
*Presented in conjunction with the Environmental & Natural Resources
Section of the State Bar of Arizona*
-

ATTACHMENT B

STATEMENT OF INTEREST

The redistricting process is essential to preserve a fair and competitive system for electing public officials over the next ten (10) years. I believe every elected official should be held accountable to the persons the official represents, not any particular political party or interest group. Arizona is a diverse state with many different ethnic and cultural groups, many different religious groups, and many other special interest groups. No one belief system defines Arizona. Each person should have a voice.

Elected officials should craft his/her particular message to reflect the needs and interests of our diverse state, not run in an artificial district that only reflects the views of a particular political party. I do not believe in political parties. I believe in people deciding on their representative based on their own values. Through the Independent Redistricting Committee, I would hope to create manageable districts that work for the people of Arizona based on logical geographic boundaries. The political process system works best at the local level when members of a community get together to discuss their concerns, resolve their differences based on reason in a spirit of friendship, and work towards a solution that benefits the community as a whole. Only competitive districts will ensure that our elected officials truly represent the diverse communities of Arizona.