

**UNITED STATES SENATE**  
**COMMITTEE ON THE JUDICIARY**  
**QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES**

1. **Name**: State full name (include any former names used).

Hampton Yeats Dellinger

2. **Position**: State the position for which you have been nominated.

Assistant Attorney General, Office of Legal Policy, U.S. Department of Justice

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Law Firm of Hampton Dellinger, PLLC  
4306 Peachway Drive  
Durham, NC 27705

4. **Birthplace**: State date and place of birth.

April 30, 1967; Oxford, Mississippi

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Yale Law School (1990-1993)  
J.D., May 1993

University of Michigan at Ann Arbor (1985-1989)  
B.A., May 1989

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

November 2020 - Present  
Law Firm of Hampton Dellinger, PLLC  
Founder  
4306 Peachway Drive  
Durham, NC 27514

April 2013 – November 2020  
Boies Schiller & Flexner  
Partner (initially Of Counsel)  
1401 New York Avenue, NW  
Washington, DC 20005

July 2008 – March 2013  
Robinson Bradshaw & Hinson  
Partner  
1450 Raleigh Road  
Chapel Hill, NC 27517

January 2008 – June 2008  
Candidate for Lt. Governor (NC)  
4306 Peachway Drive  
Durham, NC 27705

July 2003 – January 2008  
Womble Carlyle (now Womble Bond)  
Partner  
150 Fayetteville Street (now 555 Fayetteville Street)  
Raleigh, NC 27601

July 2001 – June 2003  
Member, Governor's Advisory Council on Hispanic/Latino Affairs  
116 W. Jones Street  
Raleigh, NC 27603

January 2001 – June 2003  
Legal Counsel, Office of the Governor  
116 W. Jones Street  
Raleigh, NC 27603

December 1999 – January 2001  
Deputy Attorney General, NC Department of Justice  
114 W. Edenton Street  
Raleigh, NC 27602

September 1999 – January 2001  
Duke Law School  
Adjunct Professor  
210 Science Drive  
Durham, NC 27708

October 1998 – December 1999  
Smith Helms Mulliss Moore  
Counsel  
434 Fayetteville Street  
Raleigh, NC 27601

September 1996 – October 1998  
Special Counsel, NC Department of Justice  
114 W. Edenton Street  
Raleigh, NC 27602

September 1994 – August 1996  
Wilmer, Cutler & Pickering (now Wilmer Hale)  
Associate  
2445 M Street  
Washington, DC 20037

September 1993 – September 1994  
Judge J. Dickson Phillips, Jr.  
Law Clerk  
323 E. Chapel Hill Street  
Durham, NC 27701

May 1993 – July 1993 (also December 1992 – January 1993)  
Parker Poe Adams & Bernstein  
Law Clerk  
One Exchange Plaza  
Raleigh, NC 27602

July – August 1992  
Tharrington, Smith & Hargrove  
Law Clerk  
209 Fayetteville Street Mall  
Raleigh, NC 27602

May – June 1992  
Patton Boggs & Blow  
Law Clerk  
2550 M Street, NW  
Washington, DC 20037

September 1991 – May 1993  
*Yale Law Journal*, Editor and Senior Editor  
127 Wall Street  
New Haven, CT 06511

July – August 1991  
Robinson, Bradshaw & Hinson  
Law Clerk  
1900 Independence Center, 101 N. Tryon Street  
Charlotte, NC 28246

May – June 1991  
Donovan Leisure  
Law Clerk  
1250 24<sup>th</sup> Street, NW  
Washington, DC 20037

Yale Law School, Class of '93 Student Representative (1990-91, 1991-92)  
127 Wall Street  
New Haven, CT 06511

June 1990 – September 1990  
Harvey Gantt for US Senate campaign  
Research and communications staff  
220 Hillsborough Street  
Raleigh, NC 27603

October 1989 – June 1990  
Mike Easley for US Senate campaign  
Press Secretary  
616 Wade Avenue  
Raleigh, NC 27605

July 1989 – December 1989  
Duke Law School  
Library Clerk and Book Mover  
210 Science Drive  
Durham, NC 27708

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I registered for the selective service. I have not served in the U.S. Military.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Leader in the Law, North Carolina Lawyers Weekly (2020)

North Carolina Legal Elite, Business NC Magazine (2012)

Award of Appreciation, North Carolina State AFL-CIO (2003)

US Court of Appeals for the 4<sup>th</sup> Circuit Judicial Conference, Permanent Member

Yale Law Journal, Editor and Senior Editor (1991-1993)

John A. Williams History Award, University of Michigan at Ann Arbor (1989)

University of Michigan – invited to participate in Freshmen Honors Program; graduated with High Honors; Academic Honors 1986, 1987, 1988; James B. Angell Scholar

Earl Riskey Award, University of Michigan at Ann Arbor, Intramural All-Around Campus Athlete of the Year (1989)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association

North Carolina Bar Association

U.S. Court of Appeals for the Fourth Circuit Judicial Conference, Permanent Member (since 2009)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

North Carolina, 1993

District of Columbia, 1995

I went to inactive status for my D.C. Bar membership from approximately 1997-2012 while my practice was primarily focused on North Carolina (or multi-state) matters.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Supreme Court of the United States (1998)  
U.S. Court of Appeals for the Fourth Circuit (1994)  
U.S. District Court for the District of Columbia (1994)  
U.S. District Courts for North Carolina (WDNC, MDNC, EDNC) (2003)  
All North Carolina State Courts (1994)

There have been no lapses in membership.

**11. Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Duke Faculty Club (2000 – Present)

I believe I have paid to attend events sponsored by a number of organizations although I did not necessarily become a group member. In addition, I have participated in worship in Durham, NC at First Presbyterian, Saint Joseph AME, and Eno River Unitarian Universalist Fellowship and have provided donations during their services.

I recall making financial contributions over the years to schools I have attended. I may have made other financial contributions to charitable, religious, or other organizations over the years but do not recall any specific donation and I did not participate in programmatic activities for such organizations.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminate on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To my knowledge, none of these organizations discriminates or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

**12. Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

*N.C. constitution argument to end UNC tuition discrimination*, WRAL.COM, Oct. 29, 2020. Copy supplied.

*NC GOP once had it right on voting-by-mail and courts today should listen*, NC POLICY WATCH, June 3, 2020. Copy supplied.

*Discarded UNC plan dooms Silent Sam deal and any proposed campus return*, NC POLICY WATCH, Feb. 11, 2020. Copy supplied.

*How the U.S. Government is Failing Women's Soccer*, POLITICO, June 19, 2019. Copy supplied.

*If Silent Sam's fall was illegal, so too was its standing*, THE NEWS & OBSERVER, Aug. 8, 2018. Copy supplied.

*Symposium: Upending the long-settled law of politics*, SCOTUSBLOG, June 27, 2016. Copy supplied.

*When Muhammad Ali Took on America*, SLATE, June 6, 2016. Copy supplied (excerpts from article previously published in Reconstruction magazine).

*The Grass Ceiling: How to Conquer Inequality in Women's Soccer*, THE ATLANTIC, July 5, 2015. Copy supplied.

*Modernizing the New South: The Legacy of Judge Phillips' Late-Career, Late-Century Rulings in Shaw and VMI*, 92 N.C. L. REV. F. 1795 (2014). Copy supplied.

*Senior Dunn Scores as Tar Heels Top Bruins*, THE NEWS & OBSERVER, Sept. 6, 2013. Copy supplied.

*Righting Two Martin Luther King Memorial Wrongs*, THE ATLANTIC, Jan. 1, 2013. Copy supplied.

In 2012, I wrote several dispatches from the criminal trial of John Edwards that were posted on NBCNews.com and/or MSNBC.com. I do not have copies of those writings (which, as I recall provided reporting and legal analysis). But I believe they were similar to the views expressed in my essay for Atlantic.com on the Edwards prosecution (see below) and comments I made in response to reporters' questions.

*Some Debate Prep Advice for Obama, in the Spirit of Friday Night Lights*, THE ATLANTIC, Oct. 15, 2012. Copy supplied.

*The Tar Heel Top 5: North Carolina's Most Notable Campaigns*, THE ATLANTIC, Sept. 3, 2012. Copy supplied.

*How to Give a Convention Speech that Will Get You Re-Elected*, THE ATLANTIC, Aug. 24, 2012. Copy supplied.

*UNC women's soccer team gets set for NCAA games*, NEWS & OBSERVER, Nov. 11, 2012. Copy supplied.

*UNC, Duke women's soccer players friends and foes*, NEWS & OBSERVER, Oct. 18, 2012. Copy supplied.

*Why the John Edwards Trial Is a Bigger Deal Than You Think*, THE ATLANTIC, Apr. 11, 2012. Copy supplied.

*Closing Arguments Against Amendment One*, CHAPELBORO.COM, Apr. 11, 2012. Copy supplied.

*U.S. Senator D.G. Martin: What Might Have Been*, CHAPELBORO.COM, Jan. 16, 2012. Copy supplied.

From 2011 to 2012, I maintained a blog for ABC11 WTVD, entitled, *The John Edwards Trial Blog*. I recall five posts total, two of which I was able to locate (listed below). The views expressed in these posts were similar to the views expressed in my essay for Atlantic.com on the Edwards prosecution and comments I made in response to reporters' questions.

John Edwards Trial Blog, *The John Edwards – Mike Easley Connections*, ABC11 WTVD NEWS, Jan. 13, 2012. Copy supplied.

John Edwards Trial Blog, *Judge to Hear Motions in Edwards Case Friday*, ABC11 WTDV , Dec. 15, 2011. Copy supplied.

*Big Game. Big, Big, Big, Game.* CHAPELORO.COM, Oct. 12, 2011. Copy supplied.

*Last in Flight... at First*, CHAPELORO.COM, Sept. 28, 2011. Copy supplied.

*Seven Lessons from the Davis Firing*, CHAPELORO.COM, Aug. 1, 2011. Copy supplied.

*Dean Smith's Secret for Int'l Success Still Works*, CHAPELORO.COM, June 26, 2011. Copy supplied.

*Unpublished Authors Unite!* CHAPELORO.COM, June 2, 2011. Copy supplied.

*UNC Greats Heath and O'Reilly, Plus Coach Dorrance, on 2011 Women's World Cup*, CHAPELORO.COM, May 18, 2011. Copy supplied.

*CH Case Before US Supreme Court Raises Tough Questions*, CHAPELORO.COM, May 10, 2011. Copy supplied.

*Let's Go Beyond Civil War Markers at Town-Gown Border*, CHAPELORO.COM, May 2, 2011. Copy supplied.

Children's Story, *Thanks for Nothing: How Willie and Abe Saved Thanksgiving* (self-published, 2008). Available at [www.lulu.com](http://www.lulu.com).

Letter to the Editor, *Candidate Disagrees*, WILSON DAILY TIMES, May 6, 2008. Copy supplied.

Letter to the Editor, *Bringing Them Home*, News & Observer, May 5, 2008. Copy supplied.

*Why I'm Running for Lieutenant Governor*, HAMPTON DELLINGER FOR NORTH CAROLINA LIEUTENANT GOVERNOR (2008). Copy supplied.

*Hampton Dellinger and Walter Dalton: Major Differences on Major Issues*, HAMPTON DELLINGER FOR NORTH CAROLINA LIEUTENANT GOVERNOR (2008). Copy supplied.

*Working for Textiles*, NEWS & OBSERVER, Aug. 5, 2003. Copy supplied.

*Toeing the Legal Lines*, NATIONAL LAW JOURNAL, Dec. 2, 2002. Copy supplied.

*A fine pediatrician*, NEWS & OBSERVER, Jan. 12, 2000, Jan. 12, 2000. Copy supplied.

*Let SBI help police*, CHARLOTTE OBSERVER Sept. 4, 1999. Copy supplied.

*Risky contributions for business*, NEWS & OBSERVER (Feb. 19, 1999). Copy supplied.

*Words Are Enough: The Troublesome Use of Photographs, Maps and Other Images in Supreme Court Opinions*, 110 HARV. L. REV. 1704 (1997). Copy supplied.

*Muhammad Ali: The Boxer as Dissident*, RECONSTRUCTION (1994). Copy supplied.

*Ban advertising for N.C. lottery*, CHARLOTTE OBSERVER, Oct. 10, 1994. Copy supplied.

Blair Levin and Hampton Dellinger, *N.C. needs new weapons in cutthroat war for jobs*, CHARLOTTE OBSERVER, July 11, 1993. Copy supplied.

*Ban Cigarette Ads Targeting Kids*, YALE DAILY NEWS, Apr. 24, 1992, at 2. Copy supplied.

*Pro-Choice: March On to the Voting Booths*, YALE DAILY NEWS, Apr. 8, 1992, at 2. Copy supplied.

*A Hint of Elvis: Clinton is the Southern Son*, YALE DAILY NEWS, Mar. 25, 1992, at 2. Copy supplied.

*Law School Students Triumphant on (Basketball) Court*, YALE DAILY NEWS, Mar. 3, 1992, at 2. Copy supplied.

*Why You Should Never Go to Law School*, YALE DAILY NEWS, Feb. 12, 1992, at 2. Copy supplied.

*Blame Y Chromosomes for Political Impotence*, YALE DAILY NEWS, Jan. 29, 1992, at 2. Copy supplied.

*Sen. Jesse Helms Would Flunk English 125*, YALE DAILY NEWS, Jan. 14, 1992, at 2. Copy supplied.

*David Duke Needs and Art History Lesson*, YALE DAILY NEWS, Nov. 20, 1991, at 2. Copy supplied.

*Improved Education Should Mean Fun*, YALE DAILY NEWS, Nov. 8, 1991, at 2. Copy supplied.

*Michael Jordan: Spokesman for Our Time*, YALE DAILY NEWS, Oct. 23, 1991, at 2. Copy supplied.

*Thomas-Hill Debacle Hits Close to Home*, YALE DAILY NEWS, Oct. 23, 1991, at 2. Copy supplied.

*Money for Nothing*, CONSIDER MAGAZINE, Oct. 3, 1988. Copy supplied.

*If JOA fails, read Free Press while you can*, MICHIGAN DAILY (Jan. 29, 1988). Copy supplied.

*Bush's views and record don't qualify*, MICHIGAN DAILY (Dec. 11, 1987). Copy supplied.

*No candidates shine in presidential debate*, MICHIGAN DAILY (Dec. 3, 1987). Copy supplied.

*Students watch as Democrats, Republicans debate issues*, MICHIGAN DAILY (Dec. 2, 1987). Copy supplied.

*Student arranges senator's 'U' Visit*, MICHIGAN DAILY (Oct. 5, 1987). Copy supplied.

*Black law prof. stood for justice*, MICHIGAN DAILY (Sept. 11, 1987). Copy supplied.

*Students end stay in Washington*, MICHIGAN DAILY (Aug. 7, 1987). Copy supplied.

*Nation's capital follows hearings*, MICHIGAN DAILY (July 17, 1987). Copy supplied.

*Rep. calls for more taxes*, MICHIGAN DAILY (Sept. 14, 1987). Copy supplied.

*Poverty in Mexico surprises students*, MICHIGAN DAILY (Mar. 2, 1987). Copy supplied.

*Antenna picks up Soviet TV*, MICHIGAN DAILY (Feb. 17, 1987). Copy supplied.

*'U' profs call Soviet reforms ice-breaking*, MICHIGAN DAILY (Feb. 4, 1987). Copy supplied.

*Award-winning poet keynotes 1987 Hopwoods*, MICHIGAN DAILY (Jan. 22, 1987). Copy supplied.

*Congressman praises King*, MICHIGAN DAILY (Jan. 14, 1987). Copy supplied.

*Color of money green for pool hall*, MICHIGAN DAILY (Nov. 11, 1986). Copy supplied.

*Protestors condemn Reagan at rally*, MICHIGAN DAILY (Oct. 16, 1986). Copy supplied.

*Commuter buses pose problems*, MICHIGAN DAILY (Sept. 12, 1986). Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify any reports, memoranda, or policy statements I have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I am not aware of any responsive documents.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. I have located the following:

*Outside Counsel's Review and Assessment of Complaints Filed Against Charlotte's Mayor and City Council*, Dec. 3, 2020. Copy supplied.

*Statement by former North Carolina Deputy Attorney General Hampton Dellinger in Opposition to Anti-Sheriff Legislation*, June 25, 2019. Copy supplied.

Letter to UNC System President Margaret Spellings and UNC Chapel Hill Chancellor Carol Folt, *Response to September 18 and 19, 2017, Letters on Silent Sam's Removal*, Sept. 22, 2017. Copy supplied.

Letter to UNC System President Margaret Spellings and UNC Chapel Hill Chancellor Carol Folt, *Stop Violating Federal Civil Rights Laws and Remove Silent Sam*, Sept. 13, 2017. Copy supplied.

*Hampton Dellinger on Higher Education*, HAMPTON DELLINGER FOR LIEUTENANT GOVERNOR, 2008. Copy supplied.

*Statement by Hampton Dellinger, Democratic Candidate for Lt. Governor, in Support of “DIX 306” and “Dorothea 365”*, HAMPTON DELLINGER FOR LIEUTENANT GOVERNOR, July 2, 2007. Copy supplied.

*Dellinger Opposes Navy’s Proposed Outlying Landing Field (OLF)*, HAMPTON DELLINGER FOR LIEUTENANT GOVERNOR, Apr. 17, 2007. Copy supplied.

*A Golden Opportunity: Proposals to Assist North Carolina Seniors*, HAMPTON DELLINGER FOR LIEUTENANT GOVERNOR, Mar. 2007. Copy supplied.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. I frequently speak without notes or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have attached all that I could find. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

Speaker, *Catawba County Branch NAACP monthly meeting*, Conference Call (Apr. 11, 2021). Press coverage supplied. No transcripts or notes retained.

Panel, *Symbols of the Confederacy and White Supremacy: Removing Monuments to Hate in the Public Square*, NATIONAL CONSORTIUM ON RACIAL AND ETHNIC FAIRNESS IN STATE COURTS, Nov. 13, 2020. Webcast: <https://nationalcenterforstatecourts.app.box.com/s/hmk4nauftxzq36ur4idb1nhqpaajz0et>

Speaker, Festival of Legal Learning, *Controversial Public Monuments*, UNC SCHOOL OF LAW, Chapel Hill, N.C. Feb. 7, 2020. Event description supplied. No transcripts or notes retained.

Panelist, Sports & Entertainment Law Society Symposium, *USWNT/Equal Pay Movement*, DUKE LAW SCHOOL, Jan. 17, 2020. Event description supplied. No transcripts or notes retained.

Panelist, *Equal Play, Equal Pay*, WOMEN'S BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA, Oct. 3, 2019. No transcripts or notes retained.

Panelist, Fordham Sports Law Symposium, *Gender Equity in Sports*, FORDHAM LAW SCHOOL, New York, NY. No transcripts or notes retained.

*Hampton Dellinger Appears Before North Carolina State Board of Elections*, Raleigh, N.C., Sep. 26, 2016. Webcast: [https://www.youtube.com/watch?v=-x13P4x\\_iTQ](https://www.youtube.com/watch?v=-x13P4x_iTQ)

Interviewer, *Dellinger and Dellinger: Walter Dellinger Discusses His Legal Career with Someone Who Knows Him Well, Very Well*, NORTH CAROLINA BAR ASSOCIATION, Aug. 27, 2013. Excerpts available here: <https://www.youtube.com/user/NCBarAssociation/search?query=dellinger>

Interviewer, *Judge Jim Wynn, The Federal Appellate Judge Offers His Thoughts and Tips*, NORTH CAROLINA BAR ASSOCIATION. Aug. 20, 2013. Excerpts available here: <https://www.youtube.com/user/NCBarAssociation/search?query=dellinger>

Interviewer, *Top Cop: Anne Tompkins on Her Many Prosecutorial Roles*, NORTH CAROLINA BAR ASSOCIATION. Aug. 14, 2013. Excerpts available here: <https://www.youtube.com/user/NCBarAssociation/search?query=dellinger>

Interviewer, *Jay Bilas: Lessons the Litigator-Turned-Sports Media Star has Learned*, NORTH CAROLINA BAR ASSOCIATION, Sep. 9, 2013. Excerpts available here: <https://www.youtube.com/user/NCBarAssociation/search?query=dellinger>

Speaker, “*White collar*” *prosecution and defense bar, and judges*, THE EDWARD BENNETT WILLIAMS AMERICAN INN OF COURT, Washington, D.C., Nov. 2012. No transcripts or notes retained.

Interviewer, *UNC Women's Soccer NCAA Preview -- Nikki Washington and Hampton Dellinger*, CHAPELORO.COM, Nov. 10, 2011. Webcast: [https://www.youtube.com/watch?v=Hrq\\_REQH1Pc](https://www.youtube.com/watch?v=Hrq_REQH1Pc)

Broadcast, *Episode 2: The Kitchen is Open and the Menu is Politics*, CHAPELORO.COM, Aug. 31, 2011. No transcripts or notes retained. Episode description supplied.

Broadcast, *Episode 1: The Kitchen is Open and the Menu is Politics*, CHAPELORO.COM, Aug. 10, 2011. No transcripts or notes retained. Episode description supplied.

Radio Host, *Interview with four leading educators: John Wilson, Alex Quigley, Devon Barbaro, and Zack Hawkins*, WCHL ON DEMAND, July 22, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Interview with Pittsboro Mayor Randy Voller*, WCHL ON DEMAND, July 8, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Interview with business leaders across North Carolina*, WCHL ON DEMAND, July 1, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Interview with gallery owners, an art film documentarian, and a children's art teacher*, WCHL ON DEMAND, June 10, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Interview with gallery owners, an art film documentarian, and a children's art teacher*, WCHL ON DEMAND, June 10, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Hampton Dellinger and Steve Kirschner Look at Soccer in the Triangle*, WCHL ON DEMAND, June 3, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Hampton Tackles the Allure and Dangers of Football*, WCHL ON DEMAND, May 27, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Hampton talks with legendary federal appellate Judge Dick Phillips*, WCHL ON DEMAND, May 13, 2010. No transcripts or notes retained. Show description supplied.

Radio Host, *Hampton focuses on North Carolina's primary results and the resulting run-off*, WCHL ON DEMAND, May 6, 2010. No transcripts or notes retained. Show description supplied.

Campaign Ad, *Why*, May 4, 2008. Video available here:  
<https://www.youtube.com/watch?v=cNvPi8Bz5LM>

*Candidates Forum Sponsored by the League of Women Voters*, UNC-TV, Apr. 10, 2008. No transcripts or notes retained. News coverage supplied.

Campaign Ad, *Hampton Dellinger Statewide TV Ad*, Apr. 6, 2008. Video available here: <https://www.youtube.com/watch?v=QWMjP1Nkz-I>

Campaign Material, *Why NC's New #1 Biz Ranking is Great News But Still Not Good Enough*, HAMPTON DELLINGER FOR LIEUTENANT GOVERNOR, Feb. 11, 2008. Video: <https://www.youtube.com/watch?v=gUGJ-kgmXYQ>

Campaign Material, *Why Politics Matter*, HAMPTON DELLINGER FOR LIEUTENANT GOVERNOR, Feb. 11, 2008. Video:  
<https://www.youtube.com/watch?v=2zUSVuDvJzg>

Speech, *Meeting of the Rowan County Democratic Party*, Salisbury, N.C. (Mar. 25, 2008). No transcripts or notes retained.

Campaign Ad, *Hampton Dellinger Progressive Democrat*, Feb. 11, 2008. Video available here: [https://www.youtube.com/watch?v=DP9\\_0j-0GxA](https://www.youtube.com/watch?v=DP9_0j-0GxA)

*Debate Between Three Democratic Candidates for Lieutenant Governor*, Winston-Salem, N.C. (Feb. 8, 2008). No notes or transcripts retained. Press coverage supplied.

Speech, *Dinner recognizing Cameron Morrison, C.B. Deane, and R.W. Goodman*, Rockingham, N.C. (Nov. 8, 2007). Press coverage supplied. No transcripts or notes retained.

Speech, *Proposal to raise North Carolina's compulsory school before the Buncombe County Democratic Women's club*, Asheville, N.C. (Apr. 19, 2007). Press Release supplied.

Forum, *Many Issues, Many Voice, One Movement (Or What to Do When Representative Democracy Isn't Representing the People)*, (Dec. 8, 2007). No transcript or notes retained. Event report supplied.

*Series of 6 Debates for Democratic candidates for lieutenant governor*, Asheville, N.C. (Jan. 19, 2007). No transcripts or notes retained. Press coverage supplied. Excerpts available here: <http://bluenc.com/content/dellingers-debate-performance>

*Swearing in of Jane Powell Gray*, Raleigh, N.C. (Feb. 2, 2002). No transcript or notes retained. Press coverage supplied.

*Swearing in of Albert Diaz*, Charlotte, N.C. (Dec. 17, 2001). No transcript or notes retained.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all interviews given, including through a review of my personal files, and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

Adam Orr, *Gaston County Commissioners Clearly Understood They Had Authority to Relocate a Courthouse Confederate Monument*, USA TODAY, Mar. 11, 2021. Copy supplied.

Michael Gordon, *Lawsuit Targets Confederate Monuments at Courthouses*, THE CHARLOTTE OBSERVER, Nov. 14, 2020. Copy supplied.

Bruce Henderson, *As Raleigh Statues Fall, Calls Rise for Charlotte to Remove its Confederate Monuments*, CHARLOTTE OBSERVER, June 19, 2020. Copy supplied.

Anne Peterson, *U.S. Women's Team Players Have Options After Setback in Court*, THE ASSOCIATED PRESS, May 5, 2020. Copy supplied.

*Leaders in the Law*, NORTH CAROLINA LAWYERS WEEKLY, 2020. Copy supplied.

Meg Kelly, *Fact Check: Are U.S. Women's Soccer Players Really Earning Less Than Men?*, THE WASHINGTON POST, July 10, 2019. Copy supplied.

*Should All Confederate Statues be Taken Down*, STATEN ISLAND ADVANCE, Aug. 24, 2018. Copy supplied.

Jane Stancill, *UNC System Officials and State Leaders on Silent Sam: 'Mob rule' Won't Be Tolerated*, NEWS & OBSERVER, Aug. 21, 2018. Copy supplied.

Neil Davidson, *Apology Owed to Female Players Over Turf Decision*, Lawyer Says, June 14, 2018. CANADIAN PRESS. Copy supplied.

David Donovan, *Supreme Court vacates important COA ruling in defamation case*, NORTH CAROLINA LAWYERS WEEKLY, Mar. 20, 2018. Copy supplied.

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**13. Public Office, Political Activities and Affiliations:**

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I was appointed by North Carolina Attorney General Mike Easley to serve as Special Counsel to the Attorney General, 1996-1999 and, later, as a Deputy Attorney General (1999-2001). I was appointed by Governor Mike Easley to serve as Chief Legal Counsel for the Office of the Governor (2001-2003).

In 2000, I considered running for Attorney General, and opened a campaign committee, but opted not to and closed the committee.

In 2008, I unsuccessfully sought the Democratic nomination for Lt. Governor. My intention had been to run for an open seat for Attorney General in 2008 but the incumbent opted to seek another term.

In 2011, I was nominated by members of Durham's Democratic Party to fill a vacancy on the Durham County (NC) Board of Commissioners. The nomination was non-binding and the Board chose to name an interim, placeholder person (i.e. someone who agreed not to seek election to a full term).

In 2020, I considered running for the North Carolina Court of Appeals and opened a campaign committee, but opted not to and closed the committee.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I am a registered Democrat and have attended certain Democratic party events but have never held a party office.

I volunteered or was paid a modest amount for work I performed for the following campaigns: David Price for Congress, Deputy Press Secretary (1986); Mike Easley for U.S. Senate, Press Secretary (1990); Harvey Gantt for U.S. Senate and/or NC Democratic Party, policy researcher (1990); Mike Easley for Attorney General, policy researcher/media (1992). My primary work for those campaigns related to policy and media relations. I have also assisted as a volunteer with voter education and protection efforts organized by the North Carolina Democratic Party (NCDP) during early vote and on election day over the years. In 2020, I assisted both the NCDP and the Biden – Harris campaign with voter protection and related legal efforts in North Carolina.

14. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I served as a law clerk to the Honorable J. Dickson Phillips, Jr., United States Court of Appeals for the Fourth Circuit (1993-1994).

- ii. whether you practiced alone, and if so, the addresses and dates;

I began a solo practice (Law Firm of Hampton Dellinger, PLLC) in November 2020. I work out of my personal residence. My practice consists of litigation, regulatory matters, and investigations.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

April 2013 – November 2020  
Boies Schiller & Flexner  
Partner (initially Of Counsel)  
1401 New York Avenue, NW  
Washington, DC 20005 and

July 2008 – March 2013  
Robinson Bradshaw & Hinson  
Partner  
1450 Raleigh Road  
Chapel Hill, NC 27517

July 2003 – January 2008  
Womble Carlyle (now Womble Bond)  
Partner  
150 Fayetteville Street  
Raleigh, NC 27601

January 2001 – June 2003  
Legal Counsel, Office of the Governor  
116 W. Jones Street  
Raleigh, NC 27603

December 1999 – January 2001  
Deputy Attorney General, NC Department of Justice  
114 W. Edenton Street  
Raleigh, NC 27602

September 1999 – January 2001  
Duke Law School  
Adjunct Professor  
210 Science Drive  
Durham, NC 27708

October 1998 – December 1999  
Smith Helms Mulliss Moore  
Counsel  
434 Fayetteville Street  
Raleigh, NC 27601

September 1996 – October 1998  
Special Counsel, NC Department of Justice  
114 W. Edenton Street  
Raleigh, NC 27602

September 1994 – August 1996  
Wilmer, Cutler & Pickering (now Wilmer Hale)  
Associate  
2445 M Street (now 1875 Pennsylvania Ave)  
Washington, DC 20037

September 1993 – September 1994  
Judge J. Dickson Phillips, Jr.  
Law Clerk  
323 E. Chapel Hill Street  
Durham, NC 27701

May 1993 – July 1993 (also December 1992 – January 1993)  
Parker Poe Adams & Bernstein  
Law Clerk  
One Exchange Plaza (now 301 Fayetteville Street)  
Raleigh, NC 27602

July – August 1992  
Tharrington, Smith & Hargrove  
Law Clerk  
209 Fayetteville Street Mall  
Raleigh, NC 27602

May – June 1992  
Patton Boggs & Blow  
Law Clerk  
2550 M Street, NW  
Washington, DC 20037

July – August 1991  
Robinson, Bradshaw & Hinson  
Law Clerk  
1900 Independence Center, 101 N. Tryon Street  
Charlotte, NC 28246

May – June 1991  
Donovan Leisure  
Law Clerk  
1250 24<sup>th</sup> Street, NW  
Washington, DC 20037

- iv. Whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

Since 2020, I have assisted clients as a sole practitioner. For several matters, I have worked with either in-house attorneys or attorneys at other law firms, or both. My practice is focused on potential or on-going litigation in state and federal courts, and on regulatory and administrative matters at the local, state, and federal levels including COVID-19 related legal advising. Along with co-counsel, I have served as an outside investigator looking into complaints against certain elected local officials.

From 2013 – 2020, I worked at a law firm with offices in several United States cities (and London) working principally on civil litigation in federal and state courts including private class actions and matters involving state and federal regulators. I advised certain candidates and elected officials on campaign compliance and election law matters. And I worked on a limited number of matters with a criminal justice or law enforcement component. I also worked on pro bono matters noted in response to Question 23.

From 2003 – 2013, I worked for regional law firms in North Carolina and my practice was focused mainly on civil litigation in North Carolina state and federal courts. I also advised sexual assault survivors and family members on civil and criminal issues related to the assaults.

From 2001 – 2003, I managed the judicial vetting process for the Governor of North Carolina, oversaw the work of the General Counsel for departments and agencies reporting to the Governor, and served as the Office's legal liaison with the North Carolina Attorney General's office, Native American tribes, federal officials (such as United States Attorneys), and foreign consulates in North Carolina.

From 1996-2001 (except for 1999 when I worked for regional law firm in North Carolina), I was a member of the senior management team in the North Carolina Attorney General's office working on major matters in the office including state and federal litigation in North Carolina and multi-state cases involving State AGs from across the nation including the Microsoft antitrust litigation.

From 1994-1996, I worked on state and federal court litigation matters for a law firm based in Washington, DC.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

As a solo practitioner, my clients have been individuals, companies, and a municipality. Areas I have been involved with include contracts, consumer protection, constitutional and civil rights law, campaign finance and election law, land use and tax credits.

At the regional and national law firms, my clients were primarily companies and other entities, such as non-profits, as well as individuals. My practice touched on many areas of law that result in investigations or litigation including: antitrust, campaign finance and elections, constitutional, consumer, contract, criminal, data security and privacy, False Claims Act, intellectual property, tax and torts.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Except for the time (2001-2003) I served as Legal Counsel in the North Carolina Governor's office, most of my work has been disputes-related. While I have done some investigations (either for a company's internal use or as an outside investigator), more of my work has been as a litigator in the public or private sectors either handling matters directly or overseeing others.

- i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 40% |
| 2. state courts of record:  | 40% |
| 3. other courts:            | 0%  |
| 4. administrative agencies: | 20% |

- ii. Indicate the percentage of your practice in:

- |                          |     |
|--------------------------|-----|
| 1. civil proceedings:    | 80% |
| 2. criminal proceedings: | 20% |

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have been directly involved in approximately ten cases that have reached final judgment at the trial level. In four of the cases I was lead counsel. In the others, I was co-counsel. Additionally, I have handled several matters at the appellate level where other attorneys oversaw the case at trial.

- i. What percentage of these trials were:
  - 1. jury: 10%
  - 2. non-jury: 90%
  
- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not argued orally before the Supreme Court and have not filed a merits brief.

Petition for Writ of Certiorari, *West v. Lynn*, No. 97-1829 (1988)

Petition for Writ of Certiorari, *CPC Int'l Inc. v. Archer Daniels Midland Co.*, No. 94- (Dec. 21, 1994)

Amici brief (for Lawyers' Committee for Civil Rights Under Law, ACLU, Women's Legal Defense Fund, National Women's Law Center, and National Council of La Raza), *Adarand Constructors, Inc. v. Pena*, No. 93-1841 (Dec. 6, 1994)

15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:
- a. the date of representation;
  - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
  - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

Abby Wambach and Players on National Teams Participating in the FIFA Women's World Cup Canada 2015 vs. Canadian Soccer Association and FIFA

2014-18923-I

Human Rights Tribunal of Ontario

Adjudicator Jo-Anne Pickel

2014-2015

Summary: I organized a legal effort brought on behalf of the world's best women's soccer players to challenge gender discrimination at the 2015 World Cup. The suit was withdrawn as the tournament neared and FIFA threatened to cancel the event if the players prevailed. The litigation achieved several goals including an increase in prize money, the use of goal line technology, a finding that FIFA could be subject to another nation's courts, and a commitment by FIFA to play subsequent women's World Cups on natural grass. A discussion of the suit by ESPN's legal analyst is available [here](#).

Co-Counsel: Colleagues with the Washington, DC office of Boies, Schiller & Flexner including Everett "Rocky" Collis (now in business; 310-773-9909) and Joshua M. Stein (now with Fenwick & West LLP, 650-335-4954)

Catherine Mercier of Osler Hoskin & Harcourt (now with Singleton & Urgquhart | 150 King St | Toronto, ON | 416-585-8600)|

David Wright of Ryder Wright Blair and Holmes LLP | 333 Adelaide St | Toronto, ON | 416-340-9070

Opposing Counsel: Joseph Arvay (now deceased) of Farris LLP | 700 W Georgia Street | Vancouver, BC | 604-684-9151

Corporate Express Office Products, Inc. v. North Carolina Division of Purchase and Contract and Office Depot, Inc.

North Carolina Office of Administrative Hearings (and later NC Superior Court)

No. 06 DOA 0112

Hon. Beecher Gray

2005-2006

Summary: I served as lead counsel for the lowest price bidder (Corporate Express) on the State of North Carolina's office supplies contract worth \$120 million dollars. The contract was wrongfully awarded by the State's procurement agency to a higher priced bidder (Office Depot). After intensive discovery, which revealed a conflict-of-interest between the State's outside consultant and the higher-priced bidder, the bid protest was tried to an Administrative Law Judge who ruled in my client's favor resulting in substantial savings to taxpayers.

Co-counsel: Chris Graebe of Womble Carlyle (now with Graebe Hanna & Sullivan PLLC | 4350 Lassister Rd | Raleigh, NC 27609 | 919-863-9090)

Opposing Counsel: Donald R. Teeter and Susan R. Lundberg | N.C. Department of Justice | 116 W. Jones Street | Raleigh, NC 27602 | 919-716-6400

Hayden “Jay” Silver of Kilpatrick Townsend (now with Womble Bond Dickinson | 555 Fayetteville St | Raleigh, NC 27601 | 919-755-2100)

Dale Brown and Beverly Matthews v. Washington Lawyers Committee

No. 95CA001287

District of Columbia Superior Court

Judge Richard S. Saltzman

1994-1996

I represented a civil rights organization sued for alleged discrimination against two staff members. The lawsuit was tried to a jury. The jury found no liability with regard to one plaintiff and awarded a nominal amount to the other plaintiff. The *Legal Times* ranked the case as one of the “Ten Most Important” in D.C. courts in an annual survey.

Co-Counsel: James E. Coleman, Jr. of Wilmer Cutler and Pickering (now Duke Law School | (919) 613-7057)

Opposing Counsel: Robert L. Bell of Washington, D.C. (apparently retired)

Eli Global, LLC and Greg Lindberg. v. James A. Heavner

No. 12PA17

Supreme Court of North Carolina

2017-2018

After the North Carolina Court of Appeals re-instated a defamation lawsuit, I entered the case on behalf of the defendant. I successfully petitioned the state Supreme Court to review the lower court ruling. The Supreme Court unanimously vacated the Court of Appeals in an important victory for free speech.

Co-Counsel: Richard M. Hutson |2530 Meridian Parkway | Durham, NC 27702 | (919) 683-1516  
Joseph Blocher of the Duke Law School | 210 Science Drive | Durham, NC 27708 | (919) 613-7018

Opposing Counsel: Matthew Leerberg of Smith Moore Leatherwood LLP (now with Fox Rothschild | 434 Fayetteville Street | Raleigh, NC 27611 | (919) 755-8759

NAACP, et al. v. Gaston County, et al.

Case No. 20-CVS-3996

Gaston County Superior Court

Judge depending on assignment

2020 – Present

Along with other volunteer lawyers, I am representing organizations and individuals seeking judicial determination on whether a Confederate monument standing in front of a working courthouse violates provisions of the North Carolina Constitution.

Co-Counsel:

Cheryl D. Comer | 1542 Union Road | Gastonia, NC 28054

Cheyenne Chambers and Abraham Rubert-Schewel of Tin Fulton Walker & Owen, PLLC | 301 East Park Ave | Charlotte, NC 28203 | (704) 338-1220

Stuart M. Paynter and Gagan Gupta of The Paynter Law Firm | 106 S. Churton Street | Hillsborough, NC 27278 | (919) 245-3116

Opposing Counsel: Bradley K. Overcash of Parker Poe | 620 Tryon Street | Charlotte, NC. 28202 | (704) 372-9000

State of North Carolina v. William Henry Anderson, Jr.

Case No. 96-1218

North Carolina Court of Appeals (affirmed by NC Supreme Court)

Opinion by the Hon. John C. Martin (also on behalf of Judges Lewis and Wynn)

1996-1997

I served as lead counsel for the State of North Carolina on appeal and upheld the first-degree murder conviction of a dangerous armed felon sentenced to life imprisonment.

Opposing Counsel: Staples Hughes | N.C. Appellate Defenders Office | 123 West Main Street | Durham, NC 27701

Wendell J. Williamson v. Myron B. Liptzin, M.D.

Case No. 99-183; 141 N.C. App. 1; 539 S.E.2d 313 (2000)

North Carolina Court of Appeals (affirmed by NC Supreme Court)

1999-2000

The plaintiff was a UNC law student who killed two people in downtown Chapel Hill. After being found not guilty by reason of insanity, plaintiff filed a medical negligence case against a campus student health psychiatrist who had treated him. A jury sided with Williamson and ordered Dr. Liptzin to pay more than \$500,000 in damages. I did not represent Dr. Liptzin at trial but, because I believed the jury verdict could negatively impact both psychiatrists and their patients, I thought it important for the judgment to be overturned. I helped organize Dr. Liptzin's appeal efforts, including the participation of state and national medical associations as amici (see [here](#)), and participated heavily in the briefing. The judgment was reversed by a unanimous panel of the Court of Appeals.

Co-Counsel: Matthew W. Sawchak of Smith Helms (now with Robinson Bradshaw | 434 Fayetteville Street | Raleigh, NC 27601 | 919-328-8800

James G. Exum, Jr. of Smith Helms (now retired but emeritus partner with Fox Rothschild LLP | 230 N. Elm Street | Greensboro, NC 27401 | 336-378-5385)

Opposing Counsel: Seth R. Cohen now with Deuterman Law Group | 3524 Lawndale Drive | Greensboro, NC 27408 | 866-908-8152

United States and State of North Carolina v. Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas Healthcare System

Case No. 3:16-cv-00311-RJC

United States District Court for the Western District of North Carolina

The Honorable Robert J. Conrad

2016-2018

My law firm and several others represented the Charlotte-Mecklenburg Hospital Authority (d/b/a Atrium Health f/k/a Carolinas Healthcare) in broad-ranging litigation arising from Atrium's contracts with major commercial insurance companies. In addition to the governmental case, there were multiple related class actions.

The government litigation included several years of intensive discovery and, ultimately, a settlement in 2018. The class actions were litigated in state and federal court and included decisions in favor of the hospital authority by the North Carolina Supreme Court in December 2020 and the Fourth Circuit in March 2021.

Co-Counsel: James P. Cooney | Womble Bond | 301 South College Street | Charlotte, NC 28202 (704) 331-4980

Opposing Counsel: John R. Read and Karl Knutsen of the Antitrust Division in the U.S. Department of Justice | 450 5<sup>th</sup> Street, N.W. | Washington, D.C. 20530 | (202) 307-0468

K.D. Sturgis with the North Carolina Department of Justice | 114 W. Edenton Street | Raleigh, NC 27603 | (919) 716-6000

United States ex rel. Thornton v. SAIC and Bendix (a division of AlliedSignal)

No. 3:94-cv-0749

U.S. District Court, N.D. Texas, Dallas Division

Judge Robert Maloney

1995-1996

I served as lead counsel for a company and co-counsel with U.S. Attorney's office in a bench trial where we successfully defended a False Claims Act settlement against objection by an individual qui tam plaintiff.

Co-Counsel: Thelma Quince Colbert | U.S. Attorney's Office (N.D.Tex) | 1100 Commerce Street | Dallas, TX 75242 | (214) 659-8600

Opposing Counsel: Lawrence T. Bowman of Cozen O'Connor (now with Kane Russell Coleman & Logan PC | 901 Main Street | Dallas, TX 75202 | (214) 777-4200

United Therapeutics Corp. v. VS Lexington Ins. Co.

2012CVS2652

North Carolina Business Court

Hon. John R. Jolly

2012-2013

Represented a biotechnology company that incurred substantial losses due to accidental destruction of company drug products. When insurance company refused to pay policy claim, company filed suit which ultimately resulted in major settlement.

Co-Counsel: R. Steven DeGeorge of Robinson Bradshaw | 101 N. Tryon Street | Charlotte, NC 28246 | (704) 377-2536

Opposing Counsel: Leslie Packer of Ellis & Winters | 4131 Parklake Avenue | Raleigh, NC 27612 | (919) 865-7000

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

In the mid-1990s, I was part of a group of volunteer attorneys who assisted the NAACP as the group successfully dealt with severe revenue shortfalls and brought in new leadership including Myrlie Evers-Williams.

As Chief Legal Counsel for the Governor's office on 9/11, and in its aftermath, I worked with local, state, and federal public safety officials to obtain reliable information and act on it in order to reassure North Carolinians that safety risks and threats were being addressed and minimized.

I also oversaw the identification and vetting of a talented, diverse group of potential judges (with a marked increase of women candidates) for consideration and appointment by the Governor including Al Diaz (now on the Fourth Circuit), Yvonne Mims Evans (now a member of the NC Innocence Inquiry Commission), and G.K. Butterfield (now in Congress). I also served on the state's Hispanic-Latino Advisory Committee and served as the point person for the Governor's office on legal matters involving Native America tribes as well as with federal officials.

In the North Carolina Attorney General's office, I assisted with negotiations between tobacco companies, growers, public health advocates, and states that resulted in the Master Settlement Agreement (MSA). I assisted a task force seeking to address damage and threats to churches and

houses of worship. I advocated for the creation of a charitable foundation funded by company assets if Blue Cross Blue Shield NC converted from a non-profit to a for-profit company. I helped draft a Patients' Bill of Rights, assisted with major environmental settlements and legislation, and participated in crime prevention programs.

Upon leaving the public sector, I challenged government decisions that wasted taxpayer dollars or were otherwise ill advised. For example, I successfully represented the lowest-price bidder for a \$120 million office supplies contract that was wrongfully denied the award. When some state lawmakers sought to overturn the litigation victory through legislation, I briefly registered as a lobbyist for the low-bidder (Corporate Express) in order to oppose the effort.

I have been informed that my name appears in a government database as a lobbyist for Limited Brands on a federal matter in the mid 2000s. I do not recall registering and do not believe I was required to do so. As I recall, Limited Brands was involved in tax litigation in North Carolina state courts and a company representative may have asked me to summarize the litigation for a Congressional staffer in case it was relevant to Congressional consideration of tax-related legislation.

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

The Law of Politics: An Introduction to Campaign Finance and Election Law  
Duke Law School (1999-2001)

Relying mainly on government agency publications and US Supreme Court opinions, I took students through the range of legal issues that can arise from the time a candidate announces she or he is running for office to possible post-election recounts. I am not able to locate the syllabi but readings included the following as sources: materials from the Federal Election Commission (FEC), the Federal Communications Commission (FCC), State Boards of Election, and SCOTUS decisions such as *Buckley v. Valeo*.

Street Law Clinical Program  
Wilbur Cross High School (1991-1992)

I taught basic legal concepts to high school students with a particular focus on practical areas such as housing, employment, and contract laws. There was not a syllabus.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I have no arrangements in the future to be compensated for any financial or business interest.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service? If so, explain.

No.

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

**Please see my SF-278 as provided by the Office of Government Ethics.**

21. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

My spouse Jolynn Dellinger is an academic who regularly teaches courses at UNC Chapel Hill and Duke University. Her principal focus is on privacy law and policy, along with ethics and technology. I do not anticipate any conflict-of-interest issues related to her work but she occasionally does speak publicly about issues touching on her areas of expertise.

My father Walter Dellinger is a member of the Presidential Commission on the Supreme Court.

During my nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics officer to identify these and any other potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional work load, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

Describe pro bono work in paragraph form. If your career has been spent in public service, explain how you went above your specific role to serve the public or specific groups of disadvantaged citizens.

Throughout my career, I have provided a meaningful amount of legal representation and advice free-of-charge including to individual victims of discrimination, to players subject to gender discrimination at the 2015 World Cup, and to community members seeking a judicial determination on the constitutionality of Confederate monuments. In addition to these matters, all discussed above, I have worked to increase opportunities for registered voters to cast ballots (through, for example, weekend voting and extended precinct hours).