

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Thomas Russell Ferguson III
I have also used the name "Russ Ferguson"

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

United States Attorney, Western District of North Carolina,
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.

United States Attorney's Office
Western District of North Carolina
227 W. Trade Street, Suite 1650
Charlotte, North Carolina 28202

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

1984; Charlotte, North Carolina

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.

Georgetown University Law Center, 2006 – 2010
LL.M, Securities and Financial Regulation, 2010
J.D., 2009

Duke University, 2002 – 2006
A.B., 2006

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.

United States Attorney's Office
Western District of North Carolina
227 W. Trade Street, Suite 1650
Charlotte, N.C. 28202
U.S. Attorney (court-appointed), June 2025 – Present
Interim U.S. Attorney, March 2025 – June 2025
Paid

Womble Bond Dickinson (US) LLP
301 S. College Street, Suite 3500
Charlotte, N.C. 28202
Equity Partner, January 2021 – March 2025
Partner, January 2018 – December 2020
Associate, November 2012 – December 2017
Paid

NourishUp (formerly Loaves & Fishes / Friendship Trays)
901 Carrier Drive
Charlotte, N.C. 28216
Member, Board of Directors, 2016 – 2025
Chair, Development Committee, 2022 – 2025
Member, Executive Committee, 2021 – 2022
Unpaid

United States District Court for the Western District of North Carolina
Chambers of the Honorable Frank D. Whitney
401 W. Trade Street
Charlotte, N.C. 28202
Law Clerk, 2011 – 2012
Paid

United States Senate, Committee on the Judiciary
Dirksen Senate Office Building
Washington, D.C. 20510
Legislative Counsel, 2009 – 2010
Paid

United States Senate Credit Union
1310 Braddock Place
Alexandria, Virginia 22314
Member, Supervisory (Audit) Committee, 2011 – 2014
Unpaid

United States Attorney's Office
District of the District of Columbia

555 4th Street N.W.
Washington, D.C. 20001
Special Assistant United States Attorney, 2009 – 2010
Unpaid

Alston & Bird, LLP
1120 S. Tryon Street, #300
Charlotte, N.C. 28203
950 F Street N.W..
Washington, D.C. 20004
Summer Associate, 2008
Paid

The White House
Office of Counsel to the President
1600 Pennsylvania Ave N.W.
Legal Intern, 2007
Unpaid

United States Department of Justice
Environment and Natural Resources Division
950 Pennsylvania Ave N.W.
Washington, D.C. 20530
Confidential Assistant to Assistant Attorney General, 2006 – 2007
Paid

Bush-Cheney '04
P.O. Box 684
Arlington, Virginia 22216
Summer Intern, 2004
Unpaid

WBT Radio
One Julian Price Place
Charlotte, N.C. 28208
Overnight News Anchor, 2003 (summer)
Paid

Helping Hands Services of North Carolina, Inc.
Director, 1998 – 2025
400 N. Church St., Unit 222
Charlotte, N.C. 28202
Unpaid

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

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.

Super Lawyers, Litigation, 2024

Super Lawyers, Rising Stars, 2015 – 2023

Best Lawyers in America, 2018 – 2024

Business North Carolina Legal Elite, 2016 – 2019, 2024

Charlotte Business Journal 40 Under 40, 2017

Outstanding Individual Attorney *Pro Bono* Award, Mecklenburg County Bar, 2014

CALI Award, Federal White Collar Crime, Georgetown University Law Center, 2010

CALI Award, Securities Trading Regulation, Georgetown University Law Center, 2010

CALI Award, Copyright Law, Georgetown University Law Center, 2009

Robert S. Rankin American Government Award for Leadership and Academic Achievement, Duke University, 2006

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.

Mecklenburg County Bar

Board of Directors, 2015 – 2019

Executive Committee, 2017 – 2018

Chair, Business Law Section, 2019 – 2020

Vice Chair, Business Law Section, 2018 – 2019

Chair, Audit Committee, 2018 – 2019

Vice Chair, Audit Committee, 2017 – 2018

North Carolina Bar Association

Federal Magistrate Selection Committee

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.

District of Columbia, 2010

Reason for lapse: Administratively suspended for less than a month for non-payment in 2011 due to being away and not receiving mail.

North Carolina, 2009

Except as noted, there have been no lapses in membership.

- 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.

United States Supreme Court, 2021

United States Court of Appeals for the Eleventh Circuit, 2023

United States Court of Appeals for the Fourth Circuit, 2019

United States Tax Court, 2024

United States District Court for the Western District of North Carolina, 2012

United States District Court for the Middle District of North Carolina, 2013

United States District Court for the Eastern District of North Carolina, 2013

District of Columbia State Courts, 2010

North Carolina State Courts, 2009

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.

Law Alumni Board, Georgetown University Law Center, 2018 – Present

Keep Charlotte Beautiful, 2012 – 2019

Federalist Society

President, Charlotte Lawyer's Chapter, 2024 – 2025

Member, Steering Committee, Charlotte Lawyer's Chapter, 2012 – 2025

In addition, I have made financial contributions to charitable organizations over the

years. Such organizations may list me as a member by virtue of my financial contribution. I have not listed above any organization to which I gave funds and did not otherwise participate in programmatic activities.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate 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. 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:

“United States: The Importance of Understanding *Force Majeure* Clauses in Contracts Amid Recent Disasters,” *Mondaq Business Briefing*, October 15, 2024. Copy supplied.

“The Importance of Understanding *Force Majeure* Clauses in Contracts Amid Recent Disasters,” *JD Supra*, October 14, 2024. Copy supplied.

“Federal Horse Play in North Carolina,” *The Wall Street Journal*, March 31, 2015. Copy supplied.

“Barnes Should’ve Stayed in Race,” Letter to the Editor, *News and Observer*, February 5, 2014. Copy supplied.

“High Fives for the Way Police Tackled Challenges of DNC,” Letter to the Editor, *Charlotte Observer*, September 9, 2012.

“Blagojevich and Scalia,” *The American Spectator*, August 18, 2010. Copy supplied.

“His Swallowed Pride,” *The American Spectator*, June 24, 2010. Copy supplied.

“Obama’s Plenipotentiary,” *The American Spectator*, June 17, 2010. Copy supplied.

“Talk is Cheap,” *The American Spectator*, June 16, 2010. Copy supplied.

“After the Crash,” *The American Spectator*, February 15, 2010. Copy supplied.

“Lively Montford Drive Presents City with an Opportunity,” Letter to the Editor, *Charlotte Observer*, December 1, 2009.

“The check on Healthcare Is in the Mail,” *The American Spectator*, September 24, 2009. Copy supplied.

“Make Mayor a Full-Time Job,” *Charlotte Observer*, January 6, 2009. Copy supplied.

“City Will Continue to Profit from McCrory’s Legacy,” Letter to the Editor, *Charlotte Observer*, December 15, 2008. Copy supplied.

“What they’re saying,” *Charlotte Observer*, September 30, 2008. Copy supplied.

“Accelerate Yourself,” *The American Spectator*, September 30, 2008. Copy Supplied.

“Why Mess with CMS Magnet Schools That Are Working?,” Letter to the Editor, *Charlotte Observer*, September 28, 2008. Copy supplied.

“Bob Steel Is Right Choice for Wachovia, City,” Letter to the Editor, *Charlotte Observer*, July 13, 2008. Copy supplied.

“McCain’s Justices,” *The American Spectator*, May 28, 2008. Copy Supplied.

“Sweet Carolina,” *The American Spectator*, May 6, 2008. Copy supplied.

“As the World Churns,” *The American Spectator*, April 18, 2008. Copy supplied.

“Friending the Vote,” *The American Spectator*, March 4, 2008. Copy supplied.

“Pew 54, Where Are You?,” *The American Spectator*, January 23, 2008. Copy supplied.

“Wachovia’s Best Bet: Thompson as CEO,” Letter to the Editor, *Charlotte Observer*, May 15, 2008. Copy supplied.

“Students Advising Educators?,” *Charlotte Observer* Young Voices Forum, October 18, 2005. Copy supplied.

“Cell Phones in School,” *Charlotte Observer* Young Voices Forum, May 10, 2005. Copy supplied.

“Splitting Up CMS,” *Charlotte Observer* Young Voices Forum, March 1, 2005. Copy supplied.

“Airport Security is Excessive, Inconsistent,” Letter to the Editor, *Charlotte Observer*, December 24, 2004. Copy supplied.

“The Case for Bush,” *Duke University Chronicle*, November 2, 2004. Copy supplied.

“Voters Share Their Thoughts on Debate,” *Charlotte Observer*, October 9, 2004. Copy supplied.

“Voters Share Their Thoughts on Debate,” *Charlotte Observer*, October 6, 2004. Copy supplied.

“Who’ll Be The Choice of Next Generation,” *Charlotte Observer* Young Voices Forum, October 1, 2004. Copy supplied.

“Ronald Reagan as President,” *Charlotte Observer* Young Voices Forum, June 15, 2004. Copy supplied.

“The 9-11 Panel Hearings,” *Charlotte Observer* Young Voices Forum, April 20, 2004. Copy supplied.

“Underage, Binge Drinking,” *Charlotte Observer* Young Voices Forum, December 2, 2003. Copy supplied.

“Is America Safer Now?,” *Charlotte Observer* Young Voices Forum, September 16, 2003. Copy supplied.

“Is Jessica Lynch a Hero?,” *Charlotte Observer* Young voices Forum, August 5, 2003. Copy supplied.

“Is Charlotte Area Appealing?,” *Charlotte Observer* Young Voices Forum, April 29, 2003. Copy supplied.

“Would You Be A Teacher?,” *Charlotte Observer* Young Voices Forum, January 21, 2003. Copy supplied.

“Capital Solution,” Letter to the Editor, *Raleigh News & Observer*, January 6, 2003. Copy supplied.

“Economic Cure,” Letter to the Editor, *Durham Herald-Sun*, January 5, 2003. Copy supplied.

“N.C. Desperately Needs A Lottery,” Letter to the Editor, *Greensboro News & Record*, December 31, 2002. Copy supplied.

“Through It All, CMS Came Through for Me,” Letter to the Editor, *Charlotte Observer*, August 20, 2002. Copy supplied.

“Bush Transcends Approval Ratings,” Letter to the Editor, *Charlotte Observer*, November 10, 2001. 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 a thorough review for reports, memoranda, and policy statements, including through a review of my personal files and searches of publicly available electronic databases. I have not located any.

- 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 a thorough review for testimony, official statements, or other communications relating, in whole or in part, to matters of public policy or legal interpretation. I have not located any.

- 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:

Charlotte *pro bono* Triage Event, September 18, 2025.

I gave brief remarks at a *pro bono* training event on the importance of *pro bono* work. I spoke without written remarks.

HealthCareGo, September 17, 2025.

I participated on a panel regarding healthcare fraud enforcement. I answered questions, but had no prepared remarks or outline.

Press Conference, September 9, 2025, *available at*

<https://www.wbtv.com/2025/09/09/live-stream-united-states-attorneys-office-fbi-discuss-deadly-charlotte-light-rail-stabbing/>

I gave a press conference on federal charges being brought in a case involving a stabbing on Charlotte's public transit.

North Carolina Gang Investigators Conference, August 19, 2025.

I gave opening remarks at the North Carolina Gang Investigators Conference. I spoke with an outline, a copy of which has been supplied.

Press Conference, June 30, 2025, *available at*

<https://www.youtube.com/watch?v=tzFmKjBnwxQ>.

I gave a press conference on healthcare fraud enforcement efforts.

"Conversation with Russ Ferguson," Mecklenburg County Bar Association White Collar Crime / Government Investigations Section, May 15, 2025.

I participated in a question-and-answer session regarding white collar crime enforcement. I did not have any notes and only responded to questions. There was no press coverage or transcript of which I am aware.

North Carolina Peace Officer's Memorial, May 6, 2025.

I spoke at the North Carolina Peace Officer's Memorial at the invitation of the North Carolina Attorney General. I spoke from an outline, which is supplied.

"Conversation with the U.S. Attorney," Mecklenburg County Bar Association Litigation Section, April 24, 2025.

I participated in a question and answer session regarding litigating with the U.S. Attorney's Office. I did not have any notes and only responded to questions. There was no press coverage or transcript of which I am aware.

National Crime Victims' Rights Week, April 8, 2025.

I spoke at National Crime Victims' Rights week on crime victims and our role in assisting such victims. I spoke from an outline, which is supplied.

“Bullet-Proofing the Boilerplate: Choice of Law, Forum Selection, and Arbitration Provisions,” Association of Corporate Counsel, March 14, 2024.

I gave a presentation with three other speakers on federal investigations and enforcement—civil and criminal. I spoke without notes and there was no press coverage or transcript of which I am aware; however, I have supplied a copy of the PowerPoint used.

“eDiscovery in the Western District of North Carolina,” Federal Bar Association, May 2012.

I gave a presentation with another speaker on eDiscovery in federal court for the Federal Bar Association. I spoke without notes and there was no press coverage or transcript of which I am aware; however, I have supplied a copy of the PowerPoint used.

Student Commencement Speech, Georgetown University Law Center, May 17, 2009, *available at* <https://www.youtube.com/watch?v=35D6C3Pw9uM>.

I was elected by my classmates to give the commencement speech at my law school graduation.

- 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 locate all interviews given to newspapers, magazines, or other publications, including by searching my own personal files and public databases. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

WHKY Radio, September 10, 2025, *available at* <https://drive.google.com/file/d/1uQXcjin322eneswHN5Z81zwi0Lfsn7MFM/view?usp=sharing>.

Newsmax, Wake Up America with Kelly Sadler, September 10, 2025. I have been unable to locate this interview.

Laura Ingraham, Fox News Channel, September 9, 2025, *available at* <https://www.foxnews.com/video/6378956516112>.

WBT Radio, August 4, 2025, *available at* <https://wbt.com/1448587/us-atty-russ-ferguson-in-studio/>.

“‘Why Me?’ NC Runaway Confronts Repeat Sex Trafficker on Her Ruined

Childhood,” *Charlotte Observer*, July 8, 2025. Copy supplied.

“FBI, U.S. Attorney in Charlotte Outline New Medicaid Fraud Schemes in Carolinas,” *Charlotte Observer*, July 2, 2025. Copy supplied.

WBT Radio, March 11, 2025, available at <https://wbt.com/1299019/3-11-25-1-on-1-w-us-atty-for-wnc/>.

WBTV, April 16, 2025, available at <https://www.wbtv.com/2025/04/17/charlottes-new-us-attorney-top-priority-is-fighting-gang-violence-protecting-kids/>.

WBTV, April 22, 2025, available at <https://www.wbtv.com/video/2025/06/02/how-us-attorney-western-district-north-carolina-is-bringing-fraudsters-justice/>.

WSOC, May 16, 2025, available at <https://www.wsoctv.com/news/local/ransacking-our-streets-new-us-attorney-outlines-priorities-western-north-carolina/3E3XF6M3AJHXBjVQ4BW5FFEUYA/>.

WFAE, *Charlotte Talks*, May 22, 2025, available at <https://www.wfae.org/show/charlotte-talks-with-mike-collins/2025-05-21/a-conversation-with-russ-ferguson-new-u-s-attorney-for-ncs-western-district>.

WCCB, May 28, 2025, <https://www.wccbcharlotte.com/2025/05/29/new-us-attorney-sits-down-with-gary-brode-to-discuss-plans-for-the-job/>
<https://www.wbtv.com/video/2025/06/02/how-us-attorney-western-district-north-carolina-is-bringing-fraudsters-justice/>.

WHKY Radio, May 15, 2025, available at <https://drive.google.com/file/d/1w55idVVIM1V9t0uxQFMhijGzfhmgOYL2/view?usp=sharing>.

WHKY Radio, June 12, 2025, available at <https://drive.google.com/file/d/1rDQeRMH6axY2J7rGK4rG4ILtR8f8Zm9K/view?usp=sharing>.

WBTV, July 31, 2025, available at <https://www.wbtv.com/video/2025/07/31/law-enforcement-agencies-preparing-national-night-out-events/>.

WHKY Radio, July 31, 2025. The radio station has been unable to recover this interview, which was regarding National Night Out.

WCNC, August 1, 2025, available at <https://www.wcnc.com/article/news/investigations/ballantyne-post-office-hotbed->

[for-stolen-checks-investigation/275-64650aeb-5649-45e8-a1d4-b4cfab31b7c5](https://www.fishbase.org/species/275-64650aeb-5649-45e8-a1d4-b4cfab31b7c5).

“ECL Group: Judge Approves Class Settlement of Cyberattack Suit,” *Class Action Prosector*, July 9, 2024. Copy supplied.

“Ophthalmology Practices Receive Early Settlement in Complex Class Action over ECL Group’s Flawed Response to Ransomware Attacks,” *Associated Press*, July 2, 2024. Copy supplied.

“71-Year-Old CPA Sentenced to 25 Years in \$1.3B Tax Case,” *Law360*, January 9, 2024. Copy supplied.

“5 Things: Pennsylvania and New Jersey Expand School Meal Programs,” *Food Management*, September 13, 2022. Copy supplied.

“Gregory Packaging Nets \$21.2M,” *North Carolina Lawyers Weekly*, October 10, 2022. Copy supplied.

“Gregory Packaging and Foodbuy Case Update,” *South Carolina Lawyers Weekly*, October 10, 2022. Copy supplied.

“Green Tax Break Promoter Indicted on Illegal Deductions,” *Palm Beach Daily Business Review*, *Broward Daily Business Review*, *Miami Daily Business Review*, March 3, 2022. Copy supplied.

“How the Office Dress Code is Changing Post-Covid-19,” *The Wall Street Journal*, June 7, 2021. Copy supplied.

“Rate-ful 8 Could Hand Judgment Debtors Hefty Interest Bills,” *North Carolina Lawyers Weekly*, March 29, 2021. Copy supplied.

“Pulp Friction: \$9.62M Verdict for Juice Maker Upheld,” *Virginia Lawyers Weekly*, *South Carolina Lawyers Weekly*, March 15, 2021. Copy supplied.

“The Oral History of Tailgate,” *Duke University Chronicle*, November 8, 2013. Copy supplied.

“Observer Readers’ Workout Playlist Suggestions,” *Charlotte Observer*, January 14, 2013. Copy supplied.

“Though Controversial, LL.M’s Can Lead to Specialized Legal Jobs,” *U.S. News & World Report*, February 6, 2012. Copy supplied.

CBS Sunday Morning, CBS News, January 16, 2011. Copy supplied.

Cavuto, Fox News Channel, June 18, 2010. Copy supplied.

Cavuto, Fox News Channel, September 28, 2009. Copy supplied.

Cavuto with Charles Payne, Fox News Channel, April 10, 2009. Copy supplied.

Rita Cosby Live & Direct, MSNBC, April 10, 2006. Copy supplied.

Rita Cosby Live & Direct, MSNBC, April 5, 2006. Copy supplied.

O'Reilly Factor, Fox News Channel, April 6, 2006. Copy supplied.

"DSG Talks Election Regulations," *Duke University Chronicle*, November 15, 2005. Copy supplied.

"Ferguson Aims to Make Life 'Easier,'" *Duke University Chronicle*, March 29, 2005. *Duke University Chronicle*, March 29, 2005. Copy supplied.

"Presidential Debate Set for Tonight at 6," *Duke University Chronicle*, March 28, 2005. Copy supplied.

"Inaugural Ceremonies Draw Little Attention on Duke Campus," *Duke University Chronicle*, January 21, 2005. Copy supplied.

"Anti-Bush Students Wear Politics on Their Backs," *Duke University Chronicle*, September 29, 2004. Copy supplied.

"Broadhead Discusses Student Concerns," *Duke University Chronicle*, September 22, 2004. Copy supplied.

"California's Recall: Your View?," *Charlotte Observer Young Voices Forum*, October 14, 2003. Copy Supplied.

"GOP Gets Ready to Take on Easley," *Raleigh News & Observer*, June 1, 2003. Copy supplied.

"ExecVP Race Pits Experience v. Youth," *Duke University Chronicle*, February 25, 2003. Copy supplied.

"Students Carry Goal Posts to Chapel after 1st Win since 1999," *Duke University Chronicle*, September 2, 2002. Copy supplied.

"Graduates Shaken, But Not Broken, by 9/11; Many Plans Hold Fast in Aftermath," *Charlotte Observer*, June 6, 2002. Copy supplied.

"Students Present Sept. 11 Memorial; U.S. Senate Candidate Elizabeth Dole Praises Teens' Leadership," *Charlotte Observer*, November 6, 2001. Copy

Supplied.

“Yards and Yards of Good Works,” *Charlotte Observer*, August 16, 2000. Copy supplied.

WBTV News, June 24, 2000. Interviewed about local volunteer work for senior citizens while in high school.

“Lending a Hand,” *Charlotte Magazine*, July 2000. Copy supplied.

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 have not run for public office.

I have held the following appointed positions at the United States Department of Justice:

U.S. Attorney, Western District of North Carolina, 2025 – Present

I was appointed by a unanimous decision signed by all U.S. district court judges in the district.

Interim U.S. Attorney, Western District of North Carolina, 2025

I was appointed by Attorney General Pam Bondi.

- 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.

General Counsel (volunteer), North Carolina Republican Party, 2019 – 2025

Delegate, Republican National Convention, 2020, 2024

Mecklenburg County Chair, Burr for Senate, 2016

Election Day Legal Team, Tillis for Senate, 2014, 2020

RNC and NCGOP Election Day Legal Team, 2008 – 2025

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;

The Honorable Frank D. Whitney, United States District Court for the Western District of North Carolina, 2011 – 2012.

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

I have not practiced alone.

- 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.

United States Attorney's Office
Western District of North Carolina
227 W. Trade Street, Suite 1650
Charlotte, NC 28202
Interim U.S. Attorney, March 2025 – June 2025
U.S. Attorney (court-appointed), June 2025 – Present

Womble Bond Dickinson (US) LLP
301 S. College Street, Suite 3500
Charlotte, NC 28202
Associate, November 2012 – December 2017
Partner, January 2018 – December 2020
Equity Partner, January 2021 – March 2025

United States Senate, Committee on the Judiciary
Dirksen Senate Office Building
Washington, DC 20510
Legislative Counsel, June 2009 – March 2010

United States Attorney's Office
District of Columbia
555 4th Street N.W.
Washington, DC 20001
Special Assistant United States Attorney, June 2009 – March 2010

- 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.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have not held judicial office.

b. Describe:

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

I began my career at the United States Attorney's Office for the District of Columbia. There, I prosecuted misdemeanor crimes, such as prostitution, drug possession, distribution of small amounts of drugs, and assault. After that, I worked for the Senate Judiciary Committee, working for the late Senator Tom Coburn on his committee staff, preparing him for hearings, negotiating legislation, and assisting constituents with judiciary issues. After that, I clerked for a district court judge in the Western District of North Carolina. I then entered private practice, where I had a broad litigation practice. I represented mostly corporate clients in lawsuits against other corporations, for claims such as breach of contract. I also represented companies and individuals in white collar criminal cases, such as mortgage fraud, tax fraud, and wire fraud.

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

During my time in private practice, I had a broad litigation practice. I represented clients in both civil and criminal litigation. On the civil side, I mostly represented corporations in lawsuits against other corporations. Typical claims included breach of contract or business torts. On the criminal side, I represented corporations and individuals being investigated or charged with white collar crimes, such as mortgage fraud, tax fraud, or wire fraud.

- 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.

One hundred percent of my practice has been in litigation since I was first licensed to practice law, with the exception of my time as Legislative Counsel for the U.S. Senate Judiciary Committee. I have appeared in court frequently, mostly in federal court, though I have appeared in North Carolina State Court, and in particular, the North Carolina Business Court, as well as before arbitrators in arbitrations. Over time, my practice has ebbed and flowed between civil litigation and criminal litigation, which mostly consisted of white-collar criminal defense. While it varied year-to-year, over time it was about an even split.

- i. Indicate the percentage of your practice in:
 - 1. federal courts: 85%
 - 2. state courts of record: 10%
 - 3. other courts: 5%
 - 4. administrative agencies: 0%

- ii. Indicate the percentage of your practice in:
 - 1. civil proceedings: 55%
 - 2. criminal proceedings: 45%

- 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 tried 33 cases to verdict. I was first chair or sole counsel in 31 of those cases, and second chair for two of them. One of the jury trials for which I was first chair lasted for three months in federal court.

- 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 been counsel of record in the Supreme Court or argued orally before the Supreme Court of the United States.

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.

1. Foodbuy, LLC v. Gregory Packaging, Inc.

Case No. 3:16-CV-00809

United States District Court for the Western District of North Carolina

The Honorable Judge Frank D. Whitney

2016 – 2022

I was lead counsel and first chair at trial in this lawsuit, representing Gregory Packaging, Inc. Gregory Packaging was the defendant—sued by Foodbuy for about \$1 million in unpaid invoices. Gregory Packaging, however, countersued for overcharging, ultimately winning a \$9.2 million judgment against Foodbuy after a bench trial. Foodbuy appealed on several issues, and the Fourth Circuit affirmed the district court entirely. However, Gregory Packaging cross-appealed, arguing Foodbuy committed unfair and deceptive trade practices, and the damages should be trebled. I was lead counsel on the brief and argued the appeal. Ultimately, Gregory Packaging won its appeal, and the case was remanded to the district court, which ordered a judgment of over \$21 million.

Principal Co-Counsel:

Kurt Lindquist
Lindquist Law Group
Chapel Hill, North Carolina
704-264-7742

Emily Doll
Lowe's In-House Counsel
1000 Lowes Blvd.
Mooresville, N.C. 28817
803-767-0773

Patrick Spaugh
Womble Bond Dickinson (US) LLP
301 S. College Street, Suite 3500

Charlotte, N.C. 28202
704-331-4962

Primary Opposing Counsel:

Mark Nebrig
Moore&VanAllen
100 N. Tryon St., Suite 4700
Charlotte, N.C. 28202

2. United States v. Fisher

Case No. 1:21-CR-00231
United States District Court for the Northern District of Georgia
The Honorable Judge Timothy C. Batten, Jr.
2020 – 2025

I was lead counsel at this criminal jury trial, which lasted 44 trial days over the course of three months. The indictment charged a \$450 million tax loss tax fraud centered around the deduction permitted for conservation easements. The case involved many novel issues of tax law and had extensive motion practice before trial. Jury deliberations were tumultuous and ultimately a juror known to favor acquittal was removed by the district court; the jury thereafter returned a guilty verdict. The case is currently pending on appeal.

Principal Co-Counsel:

Claire Rauscher
Mike Ingersoll
Womble Bond Dickinson (US) LLP
301 S. College Street, Suite 3500
Charlotte, N.C. 28202
704-331-4961
704-350-6359

Luke Cass
Womble Bond Dickinson (US) LLP
2001 K Street N.W., Suite 400 South
Washington, D.C. 20006
202-857-4426

Rhett Dehart
Womble Bond Dickinson (US) LLP
5 Exchange Street
Charleston, S.C. 29401

843-720-4665

Brett Switzer
Berman Fink Van Horn
3475 Piedmont Road N.E.
678-510-2552

James Quander
Womble Bond Dickinson (US) LLP
One West Fourth Street
Winston-Salem, N.C. 27101
336-721-3508

Principal Counsel for Co-Defendant Sinnott:

Don Samuel
Kristen Novay
Amanda Clark-Palmer
Garland Samuel & Loeb
3151 Maple Drive, N.E.
Atlanta, GA 30305
404-262-2225

Principal Counsel for Co-Defendant Weibel:

Guinevere M. Moore
Ajay Gupta
Moore Tax Law Group
2205 W. Armitage Suite 1
Chicago, IL 60647
312-549-9990

Molly Parmer
Parmer Law
One Atlantic Center
1201 W. Peachtree Street N.W., Suite 2300
Atlanta, GA 30309
404-795-5060

Principal Opposing Counsel:

Grace Albinson
Cleary Gottlieb
One Liberty Plaza
New York, N.Y. 10006
212-225-2000

Nicholas Schilling
Office of Legal Policy
U.S. Department of Justice
950 Pennsylvania Ave N.W., Room 4228
Washington, D.C. 20530
202-305-4439

Jessica Craft
Parker Tobin
Rich Rolwing
U.S. Department of Justice, Tax Division
150 M Street N.E.
4 Constitution Square
Washington, D.C. 20002
202-514-2901

3. Montero-Garcia v. McMillan Montero

Case No. 3:13-CV-00411
United States District Court for the Western District of North
Carolina
The Honorable Judge Max O. Cogburn, Jr.
2013 – 2014

I represented the Plaintiff as sole counsel, suing under the Hague Convention on the Civil Aspects of International Child Abduction. I represented a father from the Dominican Republic whose children were abducted by his wife to the United States. I was the only counsel for my client at trial, after which the Court granted the petition, and the children were returned to the Dominican Republic.

Principal Opposing Counsel:

Irene King
King Collaborative Family Law
1927 South Tryon Street
Suite 106
Charlotte, N.C. 28203
704-343-1995

Kristen Finlon
Gardner Skelton
3746 N. Davidson Street
Charlotte, N.C 28205
704-390-7032

4. Alliance Ophthalmology, PLLC v. ECL Group, Inc.

Case No. 1:22-CV-296, 1:22-CV:468

United States District Court for the Middle District of North Carolina

The Honorable Judge Catherine C. Eagles

2021 – 2024

I was lead counsel in a class action representing a class of ophthalmologists against a service provider. After substantive motions practice and a judicial settlement conference with a Magistrate Judge, the case settled through a creative, highly complex settlement agreement. The district court judge approved the settlement, calling it the most complicated she had seen in her career, and she took senior status that same year.

Primary Co-Counsel:

Matthew Tilley

Patrick Spaugh

Womble Bond Dickinson (US) LLP

301 S. College Street, Suite 3500

Charlotte, N.C. 28202

704-350-6361

Opposing Counsel:

Matthew Leerberg

Fox Rothschild LLP

P.O. Box 27525

Raleigh, N.C. 27611

919-755-8759

5. Hayward v. Blueworks

Case No. 3:20-CV-710

United States District Court for the Western District of North Carolina

The Honorable Judge Max O. Cogburn, Jr.

2020 – 2025

I represented the Plaintiff in a false advertising case against a Chinese company that made generic parts for swimming pools. I was the principal drafter of many of the motions that made up the heavy motions practice in that case and participated in all strategy decisions with the client. I was second chair at the trial, where I took on most of the oral arguments before the judge and examined

the principal expert.

Principal Co-counsel:

Erik Paul Belt
Alexander L. Ried
Anne E. Shannon
McCarter & English LLP
265 Franklin Street
Boston, MA 02110
617-449-6506

James H. Donoian
McCarter & English, LLP
825 Eighth Ave, 31st Floor
New York, NY 10019
212-609-6817

Chad Ewing
Womble Bond Dickinson (US) LLP
301 S. College Street, Suite 3500
Charlotte, N.C. 28202
704-331-4996

Principal Opposing Counsel:

Jennifer Seraphine
Turner Boyd Seraphine LLP
155 Bovet Road
Suite 600
San Mateo, CA 94402
650-265-6018

Christina Trimmer
Shumaker, Loop & Kendrick, LLP
101 South Tryon Street, Suite 2200
Charlotte, NC 28280
704-945-2151

Matthew L. Tomsic
Rayburn Cooper & Durham, P.A.
227 W. Trade Street, Suite 1200
Charlotte, N.C. 28202
704-334-0891

6. In re Grand Jury Subpoena

Case No. 1:22-CV-03031 (N.D. Ga); 23-10155, 23-10901 (11th Cir.)
United States District Court for the Northern District of Georgia
The Honorable Judge J.P. Boulee
2023 – 2025

A case that proceeded under seal because of grand jury secrecy, I represented a corporate client opposing the production of documents sought under the crime-fraud exception to the attorney-client privilege. I was primary counsel in this case at the district court and at the Eleventh Circuit, where I argued the appeal. A petition for *writ of certiorari* is currently pending at the United States Supreme Court, where it has been responded to by the Solicitor General of the United States. I was not counsel at the Supreme Court stage because, by that time, I was Interim United States Attorney.

Principal Co-Counsel:

Claire Rauscher
Mike Ingersoll
Womble Bond Dickinson (US) LLP
301 S. College Street, Suite 3500
Charlotte, N.C. 28202
704-331-4961
704-350-6359

Principal Opposing Counsel:

Grace Albinson
Cleary Gottlieb
One Liberty Plaza
New York, N.Y. 10006
212-225-2000

Brian Syverson
U.S. Department of Justice Tax Division
P.O. Box 972
Washington, D.C. 20044
202-307-6508

7. United States v. John Wayne Perry
Case No. 3:12-CR-00239-11
United States District Court for the Western District of North Carolina
The Honorable Judge Graham C. Mullen

2012 – 2016

I represented the Defendant in this white-collar criminal case that alleged mortgage fraud. I sat second chair at trial, but examined and cross-examined key witnesses, such as the appraiser of the property and the government's IRS agent witness. I also participated and drafted much of the pre-trial briefing, such as litigating what evidence could be presented under Fed. R. Evid. 404(b). The trial resulted in a hung jury and therefore a mistrial.

Principal Opposing Counsel:

Maria K. Vento
U.S. Attorney's Office – Western District of North Carolina
227 West Trade Street, Suite 1650
Charlotte, N.C. 28202
202-494-4327

8. Chisolm v. Epps

Case Nos. 3:15-CV-00291; 3:16-CV-00078
United States District Court for the Western District of North Carolina
The Honorable Judge Graham C. Mullen
2015 – 2016

I represented Mr. Tauheed Epps, a rapper known as 2Chains, in a defamation suit brought against him. The case was removed from state court and dismissed on my motion by the district court. In that proceeding, Plaintiff was *pro se*. However, she later filed another lawsuit, this time represented by counsel, alleging Mr. Epps released a song about the Plaintiff. I filed a motion to dismiss, which was granted by the District Court.

Principal Co-Counsel:

Clark Goodman
Hall Booth Smith, P.C.
1215 N Community House Road, Suite 750
Charlotte, N.C. 28277
980-859-0383

Principal Opposing Counsel:

Matthew Villmer
Villmer Caudill, PLLC
518 E 37th Street

Charlotte, N.C. 28205
704-216-8555

9. Southern Environmental Law Center v. North Carolina Railroad Co.
Case No.: 2019CVS500268 (N.C. Business Court); 453A20 (N.C. Supreme Court)
The Honorable Judge Michael L. Robinson (N.C. Business Court)
2019 – 2021

I represented the North Carolina Railroad Company in a case brought under the Public Records Act to declare the railroad a private company although the Railroad is entirely owned by the state. The Railroad prevailed at summary judgment based on the legislative history of the Public Records Act and legislation establishing the Railroad. The case was appealed directly to the North Carolina Supreme Court, which affirmed the ruling in favor of the Railroad.

Principal Opposing Counsel:

Kimberley Hunter
Ramona McGee
Southern Environmental Law Center
136 E. Rosemary Street, Suite 500
Chapel Hill, N.C. 27514
919-967-1450

10. United States v. Chirag Tomar
Case No. 3:24-CR-00076
United States District Court for the Western District of North Carolina
The Honorable Judge Kenneth D. Bell
2023 – 2025

I was lead counsel representing Mr. Tomar, an Indian national who was arrested at the Atlanta airport on a criminal complaint for wire fraud conspiracy and money laundering conspiracy and transferred to the Western District of North Carolina. The case involved two detention hearings and some unique issues regarding cryptocurrency. Eventually, Mr. Tomar pled guilty, but the sentencing was highly contested and Mr. Tomar was sentenced to 60 months, which was below the guidelines range and the government's request (which was 121-151 months).

Principal Opposing Counsel:

Matthew T. Warren
U.S. Attorney's Office – Western District of North Carolina
227 West Trade Street, Suite 1650
Charlotte, N.C. 28202
704-344-6222

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.)

I have represented Gregory Packaging, Inc. in a number of disputes that were settled prior to any lawsuit being filed. I also represented that company in the purchase of a company and facility in Virginia, although I was not primary counsel for the transaction. I also represented an energy company in a grand jury investigation regarding the disposal of coal ash that never progressed to a filed case. As discussed in response to Question we, I have also engaged in *pro bono* work, including representing individuals in federal actions under the Hague Convention for international child abduction, representing non-profits *pro bono* in disputes, assisting the homeless in obtaining identification documents and other legal process, and assisting individuals in small claims court.

I have not performed lobbying activities.

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.

I have not taught a course at a university or college, or in any other setting. I have made some presentations to lawyers seeking Continuing Legal Education credit, which are included in the response to Question 12(d) above.

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.

When I resigned from my law firm, the firm retained \$10,000 of my capital contribution to cover taxes. I am not expecting any deferred income or future benefits. 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 with the court? If so, explain.

None.

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 OGE-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).

Please 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.

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any 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 workload, 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.

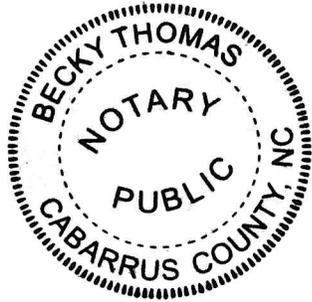
Throughout my career, I have been committed to *pro bono* service. In fact, in 2014, I received the *pro bono* award from my local bar for Outstanding Individual Attorney. Only one attorney each year receives that award. That year, I spent more than 100 hours on a case under the Hague Convention on the Civil Aspects of International Child Abduction, which is summarized in response to Question 15. I have also participated in events that create wills for first responders and members of the military. I have represented non-profits *pro bono* in disputes; I have assisted the homeless in obtaining identification documents and other legal process; and I have assisted individuals in small claims court.

AFFIDAVIT

I, Russ Ferguson, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

October 3, 2025
(DATE)

Russ Ferguson
(NAME) 



Becky Thomas
(NOTARY)