

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Benjamin Michael Flowers

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

United States Circuit Judge for the Sixth Circuit

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.

Office: Post Office Box 8248
Cincinnati, Ohio 45249

Residence: Upper Arlington, Ohio

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

1987; Torrington, Connecticut

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.

2009 – 2012, The University of Chicago Law School; J.D., 2012

2005 – 2009, The Ohio State University; B.A., 2009

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.

2023 – present

Ashbrook Byrne Kresge Flowers LLC (formerly Ashbrook Byrne Kresge LLC)
Post Office Box 8248
Cincinnati, Ohio 45249

Partner

2023 – present
Ben Flowers LLC
Post Office Box 20464
Columbus, Ohio 43220
Sole Member

2023 – present
The Federalist Society
1776 I Street, NW, Suite 300
Washington, D.C. 20006
Speaker (have received honoraria while in private practice)

2019 – 2023
Ohio Attorney General's Office
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
Solicitor General (2019 – 2023)
Deputy Solicitor General (2019)

2015 – 2019
Jones Day
325 John H. McConnell Boulevard, Suite 600
Columbus, Ohio 43215
Associate

2018 – 2019
Moritz College of Law – The Ohio State University
55 West 12th Avenue
Columbus, Ohio 43210
Adjunct Professor

2014 – 2015
Supreme Court of the United States
One First Street, NE
Washington, D.C. 20543
Law Clerk to Justice Antonin Scalia

2011, 2013 – 2014
Sidley Austin LLP
One South Dearborn
Chicago, Illinois 60603
Associate (2013 – 2014)
Summer Associate (2011)

2012 – 2013

United States Court of Appeals for the Ninth Circuit
Richard H. Chambers Court of Appeals Building
125 South Grand Avenue
Pasadena, California 91105
Law Clerk to Judge Sandra Segal Ikuta

2010

The University of Chicago
1111 East 60th Street
Chicago, Illinois 60637
Research Assistant to Professor Rosalind Dixon

2010

United States District Court for the Northern District of Illinois
Everett McKinley Dirksen United States Courthouse
219 South Dearborn
Chicago, Illinois 60604
Extern to Judge Joan H. Lefkow

2009

The Chicago Hire Company
35 East Wacker Drive, Suite 620
Chicago, Illinois 60601
Temporary Worker, primarily assigned to Elm Street Plaza (1130 North Dearborn, Chicago, Illinois, 60610)

2008 – 2009

The Ohio State University College of Nursing
Newton Hall
1585 Neil Avenue
Columbus, Ohio 43210
Student Assistant, Dean's Office

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.

None.

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.

Best Brief Award by the National Association of Attorneys General (2023)

Best Brief Award (Public Brief) by the Ohio State Bar Association (2020)

The University of Chicago Law School

Degree conferred with High Honors (2012)

John M. Olin Prize to the Outstanding Graduate in Law and Economics (2012)

Order of the Coif (2012)

Kirkland and Ellis Scholar (2010)

Lynde and Harry Bradley Student Fellow, awarded by the Lynde and Harry Bradley Foundation (approximately 2010)

Kauffman Student Fellow, awarded by the Ewing Marion Kauffman Foundation (approximately 2010)

The Ohio State University

Research Distinction in Philosophy (2009)

Phi Beta Kappa (2009)

Degree conferred with Honors (2009)

Degree conferred *summa cum laude* (2009)

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 (2014)

Bankruptcy Judge Merit Selection Panel for the Southern District of Ohio, Panel Member (2024)

Commission on the Rules of Superintendence for Ohio Courts, At-Large Attorney (2024 – present)

Ohio State Bar Association (2018 – present)

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.

Ohio, 2016

Illinois, 2013. I briefly retired my Illinois license in either 2024 or 2025 because I was not practicing in Illinois, but I returned to active status in 2025 to preserve my right to practice there.

Except as otherwise stated, 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.

Supreme Court of the United States, 2017
United States Court of Appeals for the First Circuit, 2019
United States Court of Appeals for the Second Circuit, 2020
United States Court of Appeals for the Third Circuit, 2016
United States Court of Appeals for the Fourth Circuit, 2015
United States Court of Appeals for the Fifth Circuit, 2019
United States Court of Appeals for the Sixth Circuit, 2015
United States Court of Appeals for the Seventh Circuit, 2014
United States Court of Appeals for the Eighth Circuit, 2016
United States Court of Appeals for the Ninth Circuit, 2016
United States Court of Appeals for the Tenth Circuit, 2023
United States Court of Appeals for the Eleventh Circuit, 2023
United States Court of Appeals for the District of Columbia Circuit, 2019
United States Court of Appeals for the Federal Circuit, 2014
United States District Court, Northern District of Illinois (General Bar), 2014
United States District Court, Northern District of Ohio, 2018
United States District Court, Southern District of Ohio, 2018
United States District Court, Northern District of Texas, 2023
United States District Court, Eastern District of Michigan, 2025

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.

Brookside Golf & Country Club (2025 – present)

Center of Science and Industry (2025 – present)

Columbus Zoo (2015 – present)

International Affairs Scholars Program at The Ohio State University (2005 – 2009)

Law and Mind Sciences Association at The University Chicago Law School (unknown – 2012)

Northwest Swim Club (2025)

Ohio Farm Bureau (2024 – present)

Teneo (2025 – present)

The Federalist Society (approximately 2010 – present)

Member, Board of the Columbus Lawyers Chapter (approximately 2016 – present)

Member, Emerging Leaders Council (2019 – 2024)

Member, Madison Club (approximately 2015 – 2019, 2024 – present)

President, Columbus Lawyers Chapter (2016 – 2019, 2024 – 2025)

Undergraduate Philosophy Club at The Ohio State University (approximately 2006 – 2009)

President (May 2008 – March 2009)

Conference Chair (May 2008 – May 2008)

University of Chicago Law Review (2010 – 2012)

Executive Topics and Comments Editor (2011 – 2012)

Upper Arlington Civic Association (approximately 2021 – present)

b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. 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 the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of sex, race, religion, or national origin through formal membership requirements or the practical implementation of membership policies. My understanding is that Brookside Golf & Country Club may have been a men's only club early in the twentieth century, but it no longer is.

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 copies of all published material to the Committee.

I have done my best to identify and supply copies of all published materials. I have located the following:

Benjamin M. Flowers, abkf.com (2026). Copy supplied.

ABKF Files Federal Civil Rights Lawsuit Against the University of Cincinnati on Behalf of Former Journalism Department Head, abkf.com (Apr. 8, 2026). Copy supplied.

ABKF Secures Agreement Guaranteeing Religious Accommodations for Teacher, abkf.com (Mar. 24, 2026). Copy supplied.

ABKF Files Emergency Lawsuit in Supreme Court of Ohio to Block Governor's Unconstitutional Veto of Hemp Beverage Protections, abkf.com (Mar. 6, 2026). Copy supplied.

On Behalf of Professor Richard Epstein, ABKF Files Important Brief on Birthright Citizenship, abkf.com (Jan. 27, 2026). Copy supplied.

ABKF Files Amicus Brief Supporting Challenge to Inflation Reduction Act, abkf.com (Jan. 19, 2026). Copy supplied.

Judge Sandra Ikuta's Legacy of Service, National Review Online (Nov. 10, 2025). Copy supplied.

Departmentalism in the Age of Trump: My Speech to the Toledo Bar Association, Letters from a Syrup Farmer in Ohio (Substack) (Oct. 24, 2025). Copy supplied.

ABKF Secures Reversal of Summary Judgment in Ohio's 5th District, abkf.com (Oct. 22, 2025). Copy supplied.

ABKF Files Brief for RITE Urging the Supreme Court to Reform its Vote-Dilution Jurisprudence, abkf.com (Oct. 9, 2025). Copy supplied.

ABKF Files Brief for the U.S. Conference of Catholic Bishops in Support of Girls' and Women's Sports, abkf.com (Sept. 18, 2025). Copy supplied.

ABKF Defends Ohio's SAFE Act, abkf.com (Sept. 18, 2025). Copy supplied.

Supreme Court of Ohio Limits Use of Equitable-Renewal doctrine, abkf.com (Aug. 14, 2025). Copy supplied.

ABKF's Clients Successfully Invalidate Major FTC Rule, abkf.com (July 14, 2025). Copy supplied.

ABKF and America First Legal Announce Successful Resolution of Gerber v. Ohio Northern University (Hardin County Court of Common Pleas), abkf.com (June 27, 2025). Copy supplied.

ABKF Featured in WSJ, abkf.com (June 25, 2025). Copy supplied.

Shams Hirji Joins ABKF, abkf.com (June 16, 2025). Copy supplied.

Some Thoughts on the Future of Textualism (and Concerns About its Timid Application), Letters from a Syrup Farmer in Ohio (Substack) (June 13, 2025). Copy supplied.

ABKF Analyzes Constitutionality of Ohio Gambling Bill, abkf.com (June 2, 2025). Copy supplied.

Supreme Court of Ohio Issues Stay Order in Moe v. Yost, abkf.com (Apr. 29, 2025). Copy supplied.

ABKF files Supreme Court Brief on Behalf of Restoring Integrity and Trust in Elections, abkf.com (Apr. 15, 2025). Copy supplied.

ABKF files Supreme Court Brief on Behalf of United States Conference of Catholic Bishops, abkf.com (Mar. 11, 2025). Copy supplied.

With Richard A. Epstein, *Issue Brief: Why Failure-to-Market Claims Are Preempted Under Federal Law*, Pacific Research Institute Center for Medical Economics and Innovation (Feb. 2025). Copy supplied.

J.D. Vance is not a Flip-Flopper. He's the Rare Politician Willing to Reconsider His Positions, Cleveland.com (July 26, 2024). Copy supplied.

States as Laboratories (and the Death of Chevron), Letters from a Syrup Farmer in Ohio (Substack) (Jan. 22, 2024). Copy supplied.

A Jurisdictional Question: Limiting the Supreme Court's Appellate Jurisdiction to Cases Involving "Substantial" Constitutional Questions, Letters from a Syrup Farmer in Ohio (Substack) (Jan. 15, 2024). Copy supplied.

Section 3 of the Fourteenth Amendment (and Some Stream-of-Consciousness Thoughts on Neutral Principles), Letters from a Syrup Farmer in Ohio (Substack) (Dec. 20, 2023). Copy supplied.

Summary Reversals: Rule 7.08(B)(3), Letters from a Syrup Farmer in Ohio (Substack) (Dec. 4, 2023). Copy supplied.

The General's Father (and His Opinion in Wills v. Cowper), Letters from a Syrup Farmer in Ohio (Substack) (Nov. 27, 2023). Copy supplied.

With Dave Yost, *The First Step Act and the Pardon Power*, Harv. J.L. & Pub. Poly Per Curiam (Fall 2023). Copy supplied.

The Bar's Role in Responding to Attacks on the Court, Harv. J.L. & Pub. Poly Per Curiam (Summer 2023). Copy supplied.

A Short Essay Proposing a Test for Unlawful Executive Legislation, 82 Ohio St. L. J. Online 203 (2021). Copy supplied.

Standing in Ohio – Preterm-Cleveland, Inc. v. Kasich, FedSoc Blog (Sept. 3, 2018). Copy supplied.

Switching to an Appointed Attorney General in Ohio Comes with Trade-Offs, Cleveland.com (June 26, 2018). Copy supplied.

An Essay Concerning Some Problems with the Constitutional-Doubt Canon, 74 Wash. & Lee L. Rev. Online 248 (2018).

With Shay Dvoretzky, *Jones Day's Review of Business-Related Cases in the Supreme Court's October Term 2016*, Jones Day (July 2017). Copy supplied.

Center for Christian Virtue, *Letter to Senators Brown and Portman Concerning Confirmation of Neil Gorsuch* (February 2017). Copy supplied.

With Chad A. Readler, *Equal Protection Challenges in Ohio: Easier than Ever?*, Law360 (Sept. 6, 2016). Copy supplied.

With Kevin King, *Remarks about Justice Scalia Cast Shadow on Ted Strickland's Candidacy*, Cleveland.com (Sept. 4, 2016). Copy supplied.

With Chad A. Readler, *Felix v. Ganley Chevrolet, Inc.*, Federalist Society State Court Docket Watch (Oct. 1, 2015). Copy supplied.

Split-Preemption: Market Segmentation and Generic Drugs, SSRN (approximately 2011). I removed this paper from SSRN long ago, and no longer have a copy of the published version.

Daily Mail after Ostergren: A New First Amendment Framework for Violations of Certain Types of Privacy (Draft Comment for Law Review), SSRN (approximately 2010). I removed this paper from SSRN long ago, and no longer have a copy of the published version.

2009 Undergraduate Philosophy Conference at the Ohio State University, Philosophy LOGOS, The Ohio State University (2009 – 2010). Copy supplied.

Rule A and Responsibility: A Defense of the Compatibility of Moral Responsibility and Causal Determinism, Ohio State University Knowledge Bank (2009), (also published in Vol. II *Sapere Aude: The Wooster Journal of Philosophical Inquiry* (2009)).

I previously maintained two blogs that I deleted over a decade ago, and to which I no longer have access:

“Honest Toil,” <https://www.honesttoil.blogspot.com> (approximately 2009 – 2011)

“Contrariana,” <https://www.contrariana.blogspot.com> (approximately 2007 – 2009)

b. Supply 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.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Mar. 25, 2026). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Feb. 12, 2026). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Dec. 11, 2025). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Nov. 20, 2025). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Oct. 30, 2025). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Aug. 21, 2025). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (June 26, 2025). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Apr. 3, 2025). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Mar. 13, 2025). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Changes to Rules* (Oct. 1, 2024). Copy supplied.

Commission on the Rules of Superintendence, *Proposed Rule Changes* (Feb. 27, 2024). Copy supplied.

c. Supply 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:

Letter to Hon. Chuck Grassley, Chairman and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Support for the Nomination of Katie Lane to be United States District Judge for the District of Montana (Mar. 11, 2026). Copy supplied.

Letter to Hon. Chuck Grassley, Chairman and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Support for the Nomination of Eddie LaCour to be United States District Judge for the Northern District of Alabama (Aug. 27, 2025). Copy supplied.

Letter from Nicholas Barry and Benjamin M. Flowers to Chairman of the Advisory Committee to Review the Law School Accreditation Process, Supreme Court of Ohio (Aug. 19, 2025). Copy supplied.

Letter to Hon. Chuck Grassley, Chairman and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Support for the Nomination of Chad Meredith to be United States District Judge for the Eastern District of Kentucky (July 20, 2025). Copy supplied.

Letter to Hon. Bill Cassidy, M.D., Chairman and Hon. Bernie Sanders, Ranking Member, Committee on Health, Education, Labor & Pensions, Letter of Support for the Nomination of Andrea Lucas to the Equal Employment Opportunity Commission (June 16, 2025). Copy supplied.

Letter to Hon. Chuck Grassley, Chairman and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Support from Current and Former State Solicitors General for Joshua Divine's Nomination to the United States District Court for the Eastern and Western Districts of Missouri (May 29, 2025). Copy supplied.

Letter to Hon. Chuck Grassley, Chairman and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Former and Current State Solicitors General Supporting the Nomination of Whitney Hermandorfer to the United States Court of Appeals for the Sixth Circuit (May 21, 2025). Copy supplied.

Letter to Hon. Chuck Grassley, Chairman and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Support by Current and Former State Solicitors General for the Nomination of T. Elliot Gaiser as Assistant Attorney General for the Office of Legal Counsel (May 12, 2025). Copy supplied.

Letter to Hon. Chuck Grassley, Chairman and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Support by Current and

Former State Solicitors General for the Nomination of D. John Sauer for Solicitor General of the United States (Jan. 3, 2025). Copy supplied.

Letter to Hon. Richard Durbin Chairman, and Hon. Lindsey Graham, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Former and Current State Solicitors General Supporting the Nomination of Ryan Y. Park for the United States Court of Appeals for the Fourth Circuit (July 29, 2024). Copy supplied.

Letter to Hon. Richard Durbin Chairman, and Hon. Lindsey Graham, Ranking Member, Committee on the Judiciary, United States Senate, Letter of Former and Current State Solicitors General Supporting the Nomination of Loren AliKhan for the U.S. District Court for the District of Columbia (May 31, 2023). Copy supplied.

Letter to Hon. Richard Durbin Chairman, and Hon. Chuck Grassley, Ranking Member, Committee on the Judiciary, United States Senate, Letter from Ohio Attorneys Supporting the Nomination of Rachel Bloomekatz to the United States Court of Appeals for the Sixth Circuit (June 9, 2022). Copy supplied.

I may have signed letters in support of other nominees, but I have not identified any that are publicly accessible online and I do not have access to copies of any such letters.

I briefly met with Speaker Mike Johnson on November 19, 2024, to discuss legislative options for preventing disruptions near houses of worship.

I submitted a public-records request to the Upper Arlington School District in 2025. Copy supplied.

I appeared before a committee of the Ohio General Assembly in May 2019 to address recent decisions on redistricting. To the best of my knowledge, the testimony was not transcribed or recorded, but it was reported in at least the following contemporaneous articles:

Darrel Rowland, *Court Offers Some Tips on Drawing Districts*, Columbus Dispatch (May 19, 2019). Copy supplied.

Ohio Democratic County Chairs Association, *Ohio Republicans Say Guidance Lacking on Drawing New Congressional Map* (May 18, 2019). Copy supplied.

Jim Siegel, *Ohio Republicans Say Guidance Lacking on Drawing New Congressional Map*, Columbus Dispatch (May 16, 2019), <https://www.dispatch.com/story/news/politics/state/2019/05/16/ohio-republicans-say-guidance-lacking/5137613007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z1176xxel1176xxv004478d--49--b--49--&gca-ft=158&gca-ds=sophi>.

d. Supply 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.

March 26, 2026: Panelist, "Federal Birthright Citizenship and Due Process," Federal Bar Association, Atlanta, Georgia. All speakers appeared virtually, but the event was held at King & Spalding LLP in Atlanta, Georgia. The topic concerned the Supreme Court's upcoming decision in *Trump v. Barbara*. I have no notes, transcript, or recording. The address of the Federal Bar Association is: 4250 N. Fairfax Drive Suite 301, Arlington, Virginia 22203.

February 11, 2026: Speaker, "Science in the Courts After *Skrmetti*," The Federalist Society, Florida State University College of Law, Tallahassee, Florida. The topic concerned the relevance and proper use of expert opinions in litigation. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

January 31, 2026: Panelist, "When Science Becomes Dogma: COVID-19, Gender Medicine, and Vaccines," The Federalist Society, Disney's Yacht & Beach Club Resort, Lake Buena Vista, Florida. The topic concerned the relevance and proper use of expert opinions in litigation, with a specific focus on its use in litigation relating to COVID-19, gender medicine, and vaccines. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

January 14, 2026: Speaker, "A Tribute to Judge Sandra Ikuta (1954 – 2025)," The Federalist Society, The Athenaeum at California Institute of Technology, Pasadena, California. The topic concerned Judge Ikuta's legacy, with a focus on what I learned from her as a law clerk. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

November 18, 2025: Speaker, "Departmentalism in the Age of Trump," The Federalist Society, Owen Brennan's, The Royal Canal, Memphis, Tennessee. The topic concerned departmentalism and the behavior of lower courts. I do not have the exact speech that I read at the event, but the remarks I gave are materially identical to those that appear on *Departmentalism in the Age of Trump: My Speech to the Toledo Bar Association*, Letters from a Syrup Farmer in Ohio (Substack) (October 24, 2025), which I have submitted in response to Question 12(a).

November 8, 2025: Panelist, "Science in the Courts After COVID and *Skrmetti*," The Federalist Society, The Washington Hilton, Washington, D.C. The topic concerned the relevance and proper use of expert opinions in litigation. A complete recording is available at this link: <https://www.youtube.com/watch?v=2T-1PN5pWGU>.

October 24, 2025: Speaker, "Departmentalism in the Age of Trump," The Toledo Bar Association, Toledo Museum of Art Glass Pavilion, Toledo, Ohio. The topic concerned departmentalism and the behavior of lower courts. I do not have the exact speech that I read at the event, but the remarks I gave are materially identical to those that appear on *Departmentalism in the Age of Trump: My Speech to the Toledo Bar Association*, Letters from a Syrup Farmer in Ohio (Substack) (October 24, 2025), which I have submitted in response to Question 12a. I am additionally submitting two items—one law review article and one speech by Abraham Lincoln—provided to the audience.

September 19, 2025: Panelist, "DOGE & The Deep State: Executive Power in the Trump Administration," The Federalist Society, AT&T Hotel and Conference Center, University of Texas-Austin, Austin, Texas. The topic concerned the Department of Government Efficiency (DOGE) and the power of the Executive Branch to cut waste and promote efficiencies. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

July 7, 2025: Panelist, "Special Issues in Litigating State Constitutional Claims," Virtual Event Hosted by the Ohio State Bar Association. The topic concerned issues of Ohio law that arise frequently in challenges brought under the Ohio Constitution. A complete recording was previously available for purchase at this link:

<https://www.ohiobar.org/2021-live-cle-catalog/supreme-court-year-in-review---in-person-live-columbus-location/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

June 30, 2025: Panelist, "Platforms, Common Carriage, and the Future of Free Expression," The Federalist Society, National Union Building, Washington, D.C. The topic concerned the First Amendment protections and other legal protections afforded to social-media platforms. A complete recording is available at this link: <https://www.youtube.com/watch?v=maVLJ4FTNfs&t=536s>.

June 26, 2025: Speaker, "2024-2025 Supreme Court Round-Up," The Federalist Society, Law Offices of McCormick Barstow LLP, Fresno, California. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

June 20, 2025: Panelist, "Federal Courts Round Up," The Federalist Society, Detroit Athletic Club, Detroit, Michigan. The topic concerned recent important decisions in federal courts. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

May 30, 2025: Panelist, "Insights from Former State Attorneys," United States Chamber of Commerce, Washington, D.C. The topic concerned issues that arise in challenges to state legislation and regulation. I have no notes, transcript, or recording. The address of the United States Chamber of Commerce is: 1615 H Street NW, Washington, D.C. 20062.

May 21, 2025: Introductory Speaker, "The AI Imperative: How to Prepare Your Firm Today for Tomorrow's AI," The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. I provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

April 4, 2025: Panelist, "Department(alism) of Government Efficiency (and the Administrative State)," The Federalist Society, The Junto, Columbus, Ohio. The topic concerned DOGE and the Executive Branch's authority to eliminate waste and improve efficiencies. A complete recording is available at the following link: https://www.youtube.com/watch?v=jIjNvPz_hu4.

February 14, 2025: Participant, "Rocket Docket: Humphrey's Executor Challenge," The Federalist Society, Teleforum. The topic involved the future of the Supreme Court's decision in *Humphrey's Executor*. I have no notes, transcript, or recording, but a news report of the event is supplied. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

January 23, 2025: Interviewer, "Interpreting Ohio's Constitution: A Conversation with Justice DeWine," The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. I provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

January 21, 2025: Speaker, "SCOTUS's Administrative Law Decisions are Pro-Democracy Decisions," The Federalist Society, The University of Michigan Law School, Ann Arbor, Michigan. The topic involved a discussion of the Supreme Court's recent administrative law decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

November 19, 2024: Introductory Speaker, "What happened? 2024 Election Review: A Panel Discussion," The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 7, 2024: Speaker, "SCOTUS's Administrative Law Decisions are Pro-Democracy Decisions," Dayton Bar Association, The University of Dayton Law School, Dayton, Ohio. The topic involved a discussion of the Supreme Court's recent administrative law decisions. I have no notes, transcript, or recording. The address of the Dayton Bar Association is: 109 North Main Street, Suite 600, Dayton, Ohio 45402.

October 2, 2024: Speaker, "SCOTUS's Administrative Law Decisions are Pro-Democracy Decisions," The Federalist Society, The University of Cincinnati College of Law, Cincinnati, Ohio. The topic involved a discussion of the Supreme Court's recent administrative law decisions. I have no notes, transcript, or recording. The address of the

Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 25, 2024: Introductory Speaker, “Revisiting Coolidge A Century Later,” The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. I provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

March 26, 2024: Panelist, “The Nuts and Bolts of Supreme Court Practice,” Ohio State Bar Association, Columbus, Ohio. The topic of this event concerned advice regarding practice in the Supreme Court of Ohio. I have no notes, transcript, or recording. A complete recording was previously available for purchase at this link: <https://www.ohiobar.org/2024-cle-live-seminarsmeetings/the-importance-of-the-ohio-constitution-3c7840bf/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204

March 19, 2024: Panelist, “A Conversation about *Ohio v. EPA*,” The Federalist Society, University of Dayton Law School, Dayton, Ohio. I appeared virtually. The topic concerned the Supreme Court’s decision in *Ohio v. EPA*. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

March 13, 2024: Speaker, “Litigation Update: *Gerber v. Ohio Northern University*,” The Federalist Society, Webinar. The topic concerned ongoing litigation in *Gerber v. Ohio Northern University*, which was pending at the time in the Hardin County, Ohio Court of Common Pleas. A complete recording is available at this link: <https://www.youtube.com/watch?v=tVZm2TbXsYc>.

January 26, 2024: Panelist, “Judicial Independence and Trust: Has Article III Become Too Political?,” The Federalist Society, Ronald Reagan Presidential Library, Simi Valley, California. The topic concerned the independence and politicization of the judiciary. A complete recording is available at the following link: <https://fedsoc.org/conferences/2024-annual-western-chapters-conference?#agenda-item-panel-one-judicial-independence-and-trust-has-article-iii-become-too-political>.

January 22, 2024: Speaker, “Debating Digital Boundaries: The First Amendment and Social Media Censorship,” The University of Chicago Law School, Chicago, Illinois. The topic concerned the First Amendment rights of social-media companies. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

December 5, 2023: Speaker, “U.S. Supreme Court Update,” National Association of Attorneys General, Washington, D.C. I have no notes, transcript or video. The topic would have concerned proceedings before the Supreme Court. NAAG’s address is: 1850 M Street, N.W., 12th Floor, Washington, D.C. 20036.

October 26, 2023: Speaker, “Supreme Court Roundup feat. Benjamin Flowers,” The

Federalist Society, Cincinnati, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 20, 2023: Panelist, "Are Courts Too Political?," The Federalist Society, Bentonville, Arkansas. The topic concerned the alleged politicization of the judiciary. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 13, 2023: Panelist, "The Role of State Solicitors General," The Federalist Society, Versailles, Kentucky. The topic concerned the duties and responsibilities of state solicitors general. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 30, 2023: Panelist, "State Reactions to the Administrative State," The Federalist Society, Fernandina Beach, Florida. The topic concerned recent developments in administrative law, the relevance of these developments to American business, and state power. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 28, 2023: Speaker, "U.S. Supreme Court Preview with Solicitor General Benjamin Flowers," The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. The topic concerned recent and upcoming Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 23, 2023: Panelist: "The States, the Free Market, and Private Institutions," The Federalist Society, Houston, Texas. The topic would have concerned permissible state responses to conduct by private companies. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006

September 7, 2023: Panelist, "A Conversation with the State Solicitors General," 77th Judicial Conference of the Sixth Circuit, Cleveland, Ohio. The topic concerned the duties and responsibilities of state solicitors general. I have no notes, transcript, or recording. The address of the United States Court of Appeals for the Sixth Circuit is: Office of the Clerk, United States Court of Appeals for the Sixth Circuit, 540 Potter Stewart U.S. Courthouse, 100 East Fifth Street, Cincinnati, Ohio 45202.

August 2, 2023: Speaker, "A Review of the Supreme Court's 2022 Term - Quick Webcast," Virtual Event hosted by the Ohio State Bar Association, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. A complete recording was previously available at this link: <https://www.ohiobar.org/2023-cle-live-quickquicker-webcast2/a-review-of-the-supreme-courts-2022-term2/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

July 20, 2023: Speaker, "2022-2023 Supreme Court Round-Up," The Federalist Society, Law Offices of McCormick Barstow LLP, Fresno, California. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

June 16, 2023: Panelist, "State AG Challenges to Biden's Recent Title IX Regulation Efforts," The Federalist Society, Indianapolis, Indiana. The topic was ongoing and potential litigation to Title IX regulations by the Biden Administration. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

May 4, 2023: Panelist, "Free Markets, Free Speech, and Federalism: Are States Best Positioned to Regulate Big Tech," The Federalist Society, Washington, D.C. The topic concerned First Amendment issues and issues related to the States' authority to regulate large social media companies. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

April 21, 2023: Panelist, "Courage in the Legal Profession," The Federalist Society, Columbus, Ohio. The panel discussed ways that lawyers can exhibit courage in the legal profession. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

April 18, 2023: Panelist, "Solicitors General and the Supreme Court," National Constitution Center, Philadelphia, Pennsylvania. The topics included interpretive issues that arise from Supreme Court decisions. A complete recording is available at this link: https://www.youtube.com/watch?v=e8WN0AaG_3k.

April 10, 2023: Panelist, "Juice Worth the Squeeze: State Constitutional Law and the Role of State Solicitors General," Indiana University Maurer School of Law, Bloomington, Indiana. The topic concerned the duties and responsibilities of state solicitors general. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

April 3, 2023: Panelist, "Ohio Constitutional Interpretation," Ohio State Bar Association, Columbus, Ohio. The topic concerned interpretative issues relating to the Ohio Constitution. I have no notes, transcript, or recording. A complete recording was previously available for purchase at this link: <https://www.ohiobar.org/2023-cle-live-seminarsmeetings/the-importance-of-the-ohio-constitution-a222f96f/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

March 7, 2023: Speaker, "SCOTUS Review and Preview," Ohio Insurance Institute Continuing Legal Education Symposium, Columbus, Ohio. The topic included recent Supreme Court decisions and pending cases before that Court. I have no notes, transcript, or recording. The address of the Ohio Insurance Institute is: 172 East State

Street, Suite 201, Columbus, Ohio 43215.

February 27, 2023: Panelist, "The Role of the Modern State Solicitor General: Current and Former SGs Weigh In," Virtual Event with The Federalist Society. The topic concerned the duties and responsibilities of state solicitors general. A complete recording can be accessed at the following link: https://www.youtube.com/watch?v=r9-ybPWI6_0.

December 20, 2022: Panelist, "Supreme Court Year in Review," Ohio State Bar Association, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I am submitting a Power Point presentation used during this event. A complete recording was previously available for purchase at this link: <https://www.ohiobar.org/2021-live-cle-catalog/supreme-court-year-in-review---in-person-live-columbus-location/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

December 6, 2022: Panelist, "Representing the Government on Appeal," Federal Bar Association, Cincinnati, Ohio. The topic concerned practical and strategic issues that arise when representing the government in appellate courts. I have no notes, transcript, or recording. The address of the Federal Bar Association is: 4250 N. Fairfax Drive Suite 301, Arlington, Virginia 22203.

October 21, 2022: Panelist, "Appellate Practice Series," Columbus Bar Association, Columbus, Ohio. The topic concerned tips on appellate practice. I have no notes, transcript, or recording. The address of the Columbus Bar Association is: 230 West Street, Suite 100, Columbus, Ohio 43215.

October 6, 2022: Speaker, "The Role of State Solicitors General," The Federalist Society, University of Pennsylvania, Philadelphia, Pennsylvania. The topic concerned the duties and responsibilities of state solicitors general. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 22, 2022: Speaker, "Supreme Court Round Up," The Federalist Society, Cincinnati, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 14, 2022: Speaker, "U.S. Supreme Court Roundup with Ben Flowers," The Federalist Society, Cleveland, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

August 24, 2022: Speaker, "Annual U.S. Supreme Court Review with Ohio State Solicitor Ben Flowers," The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW,

Suite 300, Washington, D.C. 20006.

August 18, 2022: Speaker, Address to the Highland County Republican Party. The topic involved miscellaneous legal issues and my interest in serving on the Supreme Court of Ohio. I have no notes, transcript, or recording. The address of the Highland County Republican Party is 200 West Main Street, Hillsboro, Ohio 45133.

August 13, 2022: Speaker, Address to the Ohio Young Republicans, Columbus, Ohio. The topic was the rule of law. I have no notes, transcript, or recording. The address of the Ohio Young Republicans listed on the website of the Ohio Secretary of State is: Alexander Pavloff, 4670 Treetop Drive, Copley, Ohio 44321.

June 3, 2022: Panelist, "Public Interest Law Firms and States: Ways to Advance our Common Goals," The Heritage Foundation Legal Strategy Forum, Nashville, Tennessee. The topic concerned partnerships between state attorneys general and private-sector firms. I have no notes, transcript, or recording. The address of the Heritage Foundation is 214 Massachusetts Avenue NE, Washington, D.C. 20002-4999.

April 4, 2022: Panelist, "The Ohio Constitution and Civil Proceedings," Ohio State Bar Association, Columbus, Ohio. The topic concerned issues that arise in civil litigation concerning the Ohio Constitution. I have no notes, transcript, or recording. A complete recording was previously available for purchase at the following link: <https://www.ohiobar.org/2022-live-cle-course-catalog/ohio-constitutional-law---in-person-live-columbus-location/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

March 14, 2022: Panelist, "A Discussion of the Role of State Solicitors General," The Federalist Society, Indianapolis, Indiana. The topic concerned the role of state solicitors general. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

December 21, 2021: Panelist, "Supreme Court Year in Review," Ohio State Bar Association, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. A complete recording was previously available for purchase at this link: <https://www.ohiobar.org/2021-live-cle-catalog/supreme-court-year-in-review---in-person-live-columbus-location/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

November 18, 2021: Panelist, "The Life and Times of a Solicitor General," The Federalist Society, Hillsdale College, Hillsdale, Michigan. The topic concerned the work of state solicitors general. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 27, 2021: Speaker, "The Supreme Court of Ohio, the Fourth Amendment, and Effective Advocacy," The Federalist Society, Capital University Law School, Columbus,

Ohio. The topic concerned advocacy in the Supreme Court of Ohio and a discussion of criminal-law decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 14, 2021: Speaker, "Columbus 2021 Supreme Court Preview," The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. The topic concerned recent Supreme Court decisions and upcoming Supreme Court arguments and decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 23, 2021: Speaker, "Supreme Court Roundup," The Federalist Society, University of Cincinnati College of Law, Cincinnati, Ohio. The topic concerned recent Supreme Court decisions. Notes supplied.

August 31, 2021: Panelist, "Supreme Court Roundup," The Federalist Society, Covington, Kentucky. The topic concerned recent decisions by the Supreme Court. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

June 23, 2021: Panelist, "Federalism or a Federal Standard? Fuel Economy and Greenhouse Gas Emissions Standards," The Federalist Society, Teleforum. The panel discussed federal regulation of fuel standards. The panel is available at the following link: <https://fedsoc.org/events/federalism-or-a-federal-standard-fuel-economy-and-greenhouse-gas-emissions-standards>.

June 4, 2021: Panelist, Panel at the Midwest Leadership Conference, The Federalist Society, Chicago, Illinois. I do not have records of the topic of this presentation. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

April 23, 2021: Speaker, "Litigation Update: *Ohio v. Yellen*," The Federalist Society, Teleforum. My remarks are available at the following link: <https://fedsoc.org/events/litigation-update-ohio-v-yellen>.

April 1, 2021: Panelist, "Advice for Young Lawyers," The Federalist Society, The Westin Columbus, Columbus, Ohio. The panel provided advice to young lawyers regarding the pursuit of a rewarding career. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

March 25, 2021, Panelist, "Advancing Federalism in a State Solicitor General's Office," Online Event for the D.C. Young Lawyers Chapter of The Federalist Society. The panel discussed the value of work in a state solicitor general's office. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

December 28, 2020: Panelist, "Supreme Court Year in Review," Ohio State Bar Association, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I am submitting a Power Point presentation used during this event. A complete recording was previously available for purchase at this link: <https://www.ohiobar.org/2021-live-cle-catalog/supreme-court-year-in-review---in-person-live-columbus-location/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

October 29, 2020: Speaker, "SCOTUS Review and Preview: What Should We Expect in the New Term?," Online Event for Columbus Lawyers Chapter of the Federalist Society. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 23, 2020: Speaker, "U.S. Supreme Court October Term 2019 Review," Online Event for Iowa Lawyers Chapter of the Federalist Society. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 17, 2020: Speaker, "Supreme Court Round Up," Online Event for Cincinnati Lawyers Chapter of the Federalist Society. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

December 20, 2019: Panelist, "Supreme Court Year in Review," Ohio State Bar Association, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. A complete recording was previously available for purchase at this link: <https://www.ohiobar.org/osba-catalog/supreme-court-year-in-review-3f235dd0/>. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

October 29, 2019: Speaker, "Defending the Rule of Law from the Heartland," The Federalist Society, Northwestern University Pritzker School of Law, Chicago, Illinois. The topic concerned the value of legal jobs in state attorneys general offices. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 29, 2019: Panelist, "The Future of the 21st Amendment: Cheers! Or Buzz Kill?," The Federalist Society, Chicago, Illinois. The topic concerned recent caselaw concerning the States' power to regulate the sale and importation of alcohol. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 28, 2019: Speaker, Address to a Class at the University of Cincinnati College of Law, The University of Cincinnati College of Law, Cincinnati, Ohio. The topic concerned miscellaneous legal issues. I have no notes, transcript, or recording. The address of the University of Cincinnati College of Law is: 2925 Campus Green Dr,

Cincinnati, OH 45221.

October 15, 2019: Panelist, Panel at The Ohio State University Philosophy Department, Columbus Ohio. The topic concerned the value of a philosophy degree and career opportunities for philosophy majors. I have no notes, transcript, or recording. A university report regarding the panel is supplied. The address of the Ohio State University Philosophy Department is 350 University Hall, 230 North Oval Mall, Columbus, Ohio 43210.

September 10, 2019: Speaker, "Supreme Court Roundup," The Federalist Society, The Athletic Club of Columbus, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

August 29, 2019: Speaker, "Supreme Court Round Up," The Federalist Society, Lebanon, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

August 29, 2019: Speaker, "Supreme Court 2018 Term in Review," The Federalist Society, University of Cincinnati College of Law, Cincinnati, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

April 5, 2019: Introductory Speaker, "Keynote by United States Solicitor General Noel Francisco," The Federalist Society, The Westin Columbus, Columbus, Ohio. I introduced then-Solicitor General Noel Francisco. I have no notes, transcript, or recording of my introductory remarks. A complete recording of then-Solicitor General Noel Francisco's speech is available at the following link: <https://www.youtube.com/watch?v=etlYG2PlwVI>. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

April 2019 (precise date unknown): Panelist, "U.S. Supreme Court Update," Ohio Attorney General Education Conference, Nationwide Conference Center, Lewis Center, Ohio. The topic concerned recent decisions by the Supreme Court of the United States. I have no notes, transcript, or recording. The address of the Ohio Attorney General's Office is: 30 East Broad Street, 17th Floor, Columbus, Ohio 43215.

March 5, 2019: Introductory Speaker, "Affirmative Action in College Admissions: A Panel Discussion," The Federalist Society, the Moritz College of Law at the Ohio State University, Columbus, Ohio. I provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

January 24, 2019: Introductory Speaker, "Medicaid Work Requirements: A Debate," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President

of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

December 5, 2018: Panelist, "Supreme Court Year in Review," Ohio State Bar Association, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

November 8, 2018: Introductory Speaker, "2018 Election Review," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 11, 2018: Introductory Speaker, "Judge Sutton: 51 Imperfect Solutions," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 11, 2018: Moderator, "Justice Kavanaugh," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. I moderated a discussion about Justice Kavanaugh. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

June 14, 2018: Introductory Speaker, "Supreme Court of Ohio: Year in Review," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

March 29, 2018: Introductory Speaker, "Judge Kethledge, Ed Whelan, and Their Books," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

March 6, 2018: Introductory Speaker, "Introduction to Originalism and Federalism: Where Are the Courts Heading?," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. I introduced the moderator, Judge Gregory Katsas. A complete recording is available at the following link:
<https://www.youtube.com/watch?v=A1ZM0WAt-9U&t=64s>.

February 22, 2018: Moderator, "Judicial Nominations: The Senate's Perspective," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. I moderated a

discussion on the Senate's approach to judicial selection. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

February 13, 2018: Speaker, "Living in a Society where the Rule of Law is a Guiding Principle: A Tribute to the Late U.S. Supreme Court Justice Antonin Scalia," Ohioans for Justice, Columbus, Ohio. The topic concerned Justice Scalia's legacy. I have no notes, transcript, or recording. The address listed for Ohioans for Justice on the Ohio Secretary of State's website is: Daniel G. Hilson, 41 S. High Street, 21st Floor, Columbus, Ohio 43215.

January 23, 2018: Introductory Speaker, "Judicial Nominations from the White House's Perspective," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 27, 2017: Introductory Speaker, "30 Years on the Bench: A Conversation with Judge James L. Graham," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 27, 2017: Introductory Speaker, "Textualism After Antonin Scalia: A Tribute to the Late Great Justice," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 13, 2017: Introductory Speaker, "Supreme Court Review and Preview," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 7, 2017: Speaker, "A New Court: Recap of the Supreme Court 2016-17," The Federalist Society, Rock Bottom, Chicago, Illinois. The topic concerned recent Supreme Court decisions. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

May 4, 2017: Introductory Speaker, "Sanctuary Cities' Conspirator: An Afternoon with Ilya Somin," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address

of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

March 31, 2017: Introductory Speaker, "Fighting Federal Encroachment," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. I introduced the moderator, then-State Solicitor of Ohio Eric Murphy. A complete recording is available at the following link: <https://www.youtube.com/watch?v=x-TVJQPhcOk>.

February 24, 2017: Moderator, "Get to Know Judge Gorsuch," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. I moderated a discussion of Judge Gorsuch's personal and jurisprudential record. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

February 13, 2017: Speaker, "A Toast to the Constitution and Justice Antonin Scalia," The Fox in the Snow Café, Columbus, Ohio. The topic concerned the jurisprudential legacy of Justice Scalia. I have no notes, transcript, or recording. The event was hosted by Dave Yost, who is now Ohio Attorney General. His work address is: 30 E. Broad Street, 17th Floor, Columbus, Ohio 43215.

January 12, 2017: Introductory Speaker, "Resolved: Keep the FDA Away From My E-Cig," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

December 14, 2016: Panelist, "Supreme Court Year in Review," Ohio State Bar Association, Columbus, Ohio. The topic concerned recent Supreme Court decisions. I am submitting a PDF file containing Power Point slides used during this presentation. I have no transcript or recording. The address of the Ohio State Bar Association is: Ohio State Bar Association, 1700 Lake Shore Drive, Suite 100, Columbus, Ohio 43204.

December 7, 2016: Introductory Speaker, "Regulating Attorney Speech: A Debate," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

November 10, 2016: Introductory Speaker, "2016 Election Review," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. As then-President of the Federalist Society's Columbus Chapter, I likely provided introductory and closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 20, 2016: Panelist, "The Gavel Gap," The Federalist Society and the American Constitution Society, the Moritz College of Law at the Ohio State University, Columbus, Ohio. The topic concerned diversity among judges. I have no notes, transcript, or

recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

October 14, 2016: Moderator, "A Discussion with Judges DeWine and Fischer: Ohio Supreme Court Candidates," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. I moderated a discussion with Judges Pat DeWine and Pat Fischer. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

September 13, 2016: Introductory Speaker, "Supreme Court Review and Preview with Ohio State Solicitor Eric Murphy," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. I introduced the speaker, then-State Solicitor of Ohio Eric Murphy, and likely provided closing remarks. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

May 11, 2016: Speaker, Address to the Columbus Inns of Court, Precise Location Unknown, Columbus, Ohio. The topic concerned the legacy of Justice Scalia. Copy of the speech supplied.

March 29, 2016: Panelist, "Justice Antonin Scalia Remembered: The Legacy of a Supreme Court Legend," The Federalist Society, The Athletic Club of Columbus, Columbus Ohio. The topic concerned Justice Scalia, both as a man and a jurist. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

March 8, 2016: Panelist, "Panel Discussion: What is the Legacy Justice Antonin Scalia," The Federalist Society, Cincinnati, Ohio. The topic concerned the legacy of Justice Scalia. I have no notes, transcript, or recording. The address of the Federalist Society is: 1776 I Street, NW, Suite 300, Washington, D.C. 20006.

May 2009: Speaker, Remarks at the Undergraduate Philosophy Conference, The Ohio State University, Columbus Ohio. I introduced speakers and may have presented my paper, *Rule A and Responsibility* (which I have submitted) at an undergraduate philosophy conference. I have no notes, transcript, or recording. A university report regarding the conference is supplied. The address of the Ohio State University Philosophy Department is 350 University Hall, 230 North Oval Mall, Columbus, Ohio 43210

I have also spoken at other events for which I have no records regarding dates, and no notes, transcript, or recording:

As an associate at Jones Day, I sometimes presented to clients on matters relating to the Supreme Court, in presentations known as the "CLE Academy." The address of Jones Day is: 325 John H. McConnell Boulevard Suite 600 Columbus, Ohio 43215.

I spoke to Justice DeWine's class at the University of Cincinnati on at least one other occasion, but I do not have a record of the date. The topic concerned litigation strategies in the Supreme Court of Ohio.

In the summer of 2007, I attended a seminar put on by the Institute for Human Studies. The seminar was held at Bryn Mawr College in Philadelphia, Pennsylvania. During the seminar, I made a presentation on miscellaneous economic topics with other attendees. I have no notes, transcript, or recording. The address for the Institute for Humane Studies is: 3434 Washington Blvd, Arlington, Virginia, 22201.

I was a member, and at one point the President, of the Undergraduate Philosophy Club at The Ohio State University. In those roles, I sometimes addressed the club. I have no transcript or recording, and do not have any notes or outlines from which I spoke. A university report regarding a conference our club sponsored is supplied, as noted above. The address of the Ohio State University Philosophy Department is 350 University Hall, 230 North Oval Mall, Columbus, Ohio 43210.

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 copies of the clips or transcripts of these interviews where they are available to you.

The interviews for which I have records are available below. Where I did not have the date of the interview itself, I provided the date of the reporting of the interview.

Avalon Zoppo, *'Cared Deeply': 9th Circuit Judge Sandra Ikuta Dies at 71*, Law.com, Dec. 16, 2025, <https://www.law.com/nationallawjournal/2025/12/16/cared-deeply-9th-circuit-judge-sandra-ikuta-dies-at-71/>.

Hailey Konnath, *'Hardworking' 9th Circ. Senior Judge Sandra Ikuta Dies at 71*, Law360, Dec. 15, 2025. Copy supplied.

Erin Mulvaney, *These Small Conservative Law Firms are Raking in Business*, Wall St. J., June 25, 2025, <https://www.wsj.com/us-news/law/trump-small-conservative-maga-law-firms-2e7b29e7>.

Tiana Headley, *Trump Returns to Red State Appeals Lawyers to Fill Judgeships*, Bloomberg L., May 5, 2025. Copy supplied.

Eric Heisig, *Last Democrat on Ohio Supreme Court Adjusts to Going It Alone*, Bloomberg L., Jan. 28, 2025. Copy supplied.

The Federalist Society, *Ben Flowers at the 2023 National Lawyers Convention*, YouTube, Nov. 11, 2023, <https://youtube.com/shorts/kwTogfSp3M8?si=jAM8PACIdam8OUbA>.

Jack Windsor, *"Amendment would allow abortion all the way up until birth": former*

Ohio Solicitor General, Ohio Press Network, Nov. 2, 2023. Copy supplied.

Eric Heisig, *Solicitor General Chat: Ohio SG Ben Flowers Talks Departure*, Bloomberg Law, Oct. 2, 2023. Copy supplied.

Karen Kasler, *Ohio's Solicitor General Moves on After Arguing Big Cases Involving Abortion, Other State Policy*, Statehouse New Bureau, Sept. 29, 2023. Copy supplied.

Livestream, The Police Society Podcast, approximately September 2022. The recording is no longer available, and I have no transcript or recording, and do not have any notes or outlines from which I spoke.

SCOTUS 101, *Overruling Roe: Case in Point: The Legal Show on the Hottest Legal Cases in Politics and Culture*, June 24, 2022, <https://podcasts.apple.com/us/podcast/overruling-roe/id1282064006?i=1000567652803>.

What is the Major Questions Doctrine? A Discussion with Ohio Solicitor General Ben Flowers, Regulatory Oversight, Apr. 29, 2022. Transcript supplied.

Karen Kasler, *Ohio's State Solicitor Recalls Ginsburg/Scalia Friendship He Saw in Person*, The Statehouse News Bureau, Sept. 21, 2020. Copy supplied.

Jeff Bell, *Scalia Clerk Shares Softer Side of Justice Known for Fiery Opinions*, Columbus Bus. First, Jan. 22, 2016. Copy supplied.

Ben Flowers and John Wasserman: Former Undergraduates, Philosophy LOGOS, Ohio State University, 2009–2010. Copy supplied.

Briony Clare, *Details Surface on Admin's Meth Arrest*, Lantern, May 8, 2008. Copy supplied.

Alex Drumm, *Valentine's Day Stories of Love, Loss*, Lantern, Feb. 12, 2007. Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

I have not held judicial office.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____

i. Of these cases, approximately what percent were:

jury trials: _____ %
bench trials: _____ %

ii. Of these cases, approximately what percent were:

civil proceedings: _____ %
criminal proceedings: _____ %

b. Provide citations for all opinions you have written, including concurrences and dissents.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

e. Provide a list of all cases in which certiorari was requested or granted.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in

which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. **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 held the following public offices:

Solicitor General of Ohio (2019 – 2023), Ohio Attorney General's Office, appointed March 2019 by Ohio Attorney General Dave Yost

Deputy Solicitor General of Ohio (2019), Ohio Attorney General's Office, appointed January 2019 by Ohio Attorney General Dave Yost

I have unsuccessfully pursued appointment to the following position:

Applicant for a seat on the Upper Arlington Tree Commission (three-year term) (2023, 2024), Upper Arlington, Ohio, application rejected.

Applicant for appointment to the Supreme Court of Ohio, for the vacancy created by now-Chief Justice Sharon Kennedy's elevation to Chief Justice. The Governor of Ohio, Mike DeWine, announced the appointment of a different candidate (now-Justice Joseph T. Deters) in December 2022.

- 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.

Volunteer, Legal War Room, Ohio Republican Party, Columbus, Ohio (Nov. 5, 2024). I fielded calls from election observers throughout Ohio, and either addressed their concerns or directed the callers to someone who could.

Informal Adviser, Dave Yost Campaign for Attorney General of Ohio, Ohio (approximately 2017 – 2018). I had no formal title or responsibilities, but I would discuss policy and legal questions with Mr. Yost if he wished to do so.

16. **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;

From 2012 to 2013, I served as a law clerk to the Honorable Sandra Segal Ikuta, Circuit Judge of the United States Court of Appeals for the Ninth Circuit.

From 2014 to 2015, I served as a law clerk to the Honorable Antonin Scalia, Associate Justice of the Supreme Court of the United States.

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

I have not practiced law 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;

2011, 2013 – 2014
Sidley Austin LLP
One South Dearborn
Chicago, Illinois 60603
Associate (2013 – 2014)
Summer Associate (2011)

2015 – 2019
Jones Day
325 John H. McConnell Boulevard, Suite 600
Columbus, Ohio 43215
Associate

2019 – 2023

Ohio Attorney General's Office
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
Solicitor General (2019 – 2023)
Deputy Solicitor General (2019)

2023 – present
The Federalist Society
1776 I Street, NW, Suite 300
Washington, D.C. 20006
Speaker (have received honoraria while in private practice)

2023 – present
Ashbrook Byrne Kresge Flowers LLC (formerly Ashbrook Byrne Kresge LLC)
Post Office Box 8248
Cincinnati, Ohio 45249
Partner

- 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 never served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

During my time as an associate at Sidley Austin from 2013 to 2014, I was a member of the Intellectual Property group. My work focused heavily on appellate matters, though I did some trial work as well, mostly in cases relating to patents.

At Jones Day, where I was an associate from 2015 to 2019, I was a member of the Issues & Appeals group. My practice focused primarily on appellate work, though I also performed a substantial amount of work on motions practice in trial courts.

During my time with the Ohio Attorney General's Office from 2019 to 2023, I focused primarily on appellate matters, though I also oversaw the Opinion unit of the Attorney General's Office (which issues legal opinions to county prosecutors and state agencies) and participated in some trial-court litigation, almost always in suits involving challenges to federal policies.

During my time at Ashbrook Byrne Kresge Flowers LLC (which was known as

Ashbrook Byrne Flowers LLC until January 1, 2025) from 2023 to the present, I have developed a diverse practice in which I litigate at the trial and appellate levels and advise clients on legal matters.

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

During my time as an associate at Sidley Austin from 2013 to 2014, my work was dedicated almost entirely to patent litigation at the appellate and trial levels. My clients were typically large businesses, though I also performed some *pro bono* work.

At Jones Day from 2015 to 2019, I continued to perform work largely for large companies, though I did some *pro bono* work for individuals and occasionally did Supreme Court work for smaller entities or government bodies. I did not specialize in any subject matter.

As Solicitor General and Deputy Solicitor General of Ohio from 2019 to 2023, I represented the State of Ohio (including its agencies and political subdivisions), again without specializing in any subject matter.

Since returning to private practice in 2023, I have remained a generalist, litigating and advising on issues across a broad array of subject matters. While I have represented large companies in this role, the majority of my work is dedicated to smaller, closely held businesses or entities along with individuals.

- 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.

I have frequently appeared in court, including especially in appellate courts, where I have argued dozens of cases. The percentages below reflect an estimate regarding the percent of my work spent in courts and on matters across my legal career.

- i. Indicate the percentage of your practice in:

1.	federal courts:	59%
2.	state courts of record:	35%
3.	other courts:	0%
4.	administrative agencies:	1%

- ii. Indicate the percentage of your practice in:

1.	civil proceedings:	75%
2.	criminal proceedings:	25%

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.

As primarily an appellate attorney, I have not served as sole or chief counsel in any case tried to verdict or judgment. In my role as Solicitor General, I represented the State of Ohio in federal district courts, including as counsel of record. Since my return to private practice, I have developed a trial practice and have litigated cases in federal and state trial courts in Ohio.

i. What percentage of these trials were:

- | | | |
|----|-----------|----|
| 1. | jury: | 0% |
| 2. | non-jury: | 0% |

e. Describe your practice, if any, before the Supreme Court of the United States. Supply 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 done my best to identify and supply copies of all the briefs and oral argument transcripts that I have been able to access. I have not listed cases where I appeared on behalf of a party only to file a waiver of the party's right to respond to a petition for a writ of certiorari. Additionally, I have not included multistate amicus briefs authored or led by other States that Ohio joined while I was in the Ohio Attorney General's Office, unless I served as counsel of record or was listed as co-counsel.

I have served as counsel of record and presented oral argument on behalf of a party in the following cases before the Supreme Court:

Ohio Adjutant Gen.'s Dep't v. Fed. Lab. Relations Auth., 598 U.S. 449 (2023).
Shoop v. Twyford, 596 U.S. 811 (2022).
Ohio v. Dep't of Labor, Occupational Safety and Health Admin., 595 U.S. 109 (2022).

I have served as counsel of record for either a party or amici curiae in the following cases before the Supreme Court:

Yukins v. Tanner, No. 17-729.
Davis v. Bradshaw, No. 18-7188.
Russell v. Eppinger, No. 18-6450.
Goff v. Ohio, No. 18-8016.
Henderson v. Collins, No. 18-8194.
Shoop v. Issa, No. 18-1181.
Carter v. Jackson-Mitchell, Nos. 18A719, 18-8682.
Householder v. Ohio A. Philip Randolph Institute, Nos. 18A1165, 18A1242, 19-70.
Ahmed v. Shoop, No. 18-9331.
Bryan v. Shoop, No. 18-9372.

Jackson National Life Insurance Co. v. Lindenberg, Nos. 19-4, 19-13.
Bonnell v. Shoop, No. 18-9468.
In re Bryan, No. 18-9659.
Arizona v. Sackler, No. 22O151.
State Nat'l Bank of Big Spring v. Mnuchin, No. 18-307.
Yost v. Planned Parenthood Sw. Ohio Region, No. 19-677.
In re Bonnell, No. 19-6863.
Ohio v. Ford, Nos. 19A753, 19-1191.
Morgan v. White; White v. Morgan, Nos. 19-1023, 19-8117.
Skipper v. Byrd, Nos. 19A689, 19-992.
Schmitt v. LaRose, Nos. 19A518, 19-974.
Brnovich v. Democratic Nat'l Comm., 594 U.S. 647 (2021).
California v. Texas, 593 U.S. 659 (2021).
Freeman v. Wainright, No. 20-490.
Soto v. Ohio, Nos. 19A797, 19-7834.
Thompson v. DeWine, Nos. 19A1054, 20-1072.
Coleman v. Bradshaw, No. 20-7536.
Allen v. Mitchell, No. 20-5362.
Hennes v. DeWine, No. 20-5243.
Bays v. Shoop, No. 20-5563.
Wainwright v. Sexton, No. 20-588.
Broom v. Shoop, No. 20-6419.
Republican Party of Pa. v. Boockvar, Nos. 20-542, 20-574.
New Hampshire v. Massachusetts, No. 22O154.
Texas v. Pennsylvania, No. 22O155.
Wogenstahl v. Shoop, No. 20-6113.
Shoop v. Cassano, No. 21A34, 21-679.
Lange v. California, 594 U.S. 295 (2021).
Am. Med. Ass'n v. Becerra, Nos. 20-429, 20-454, 20-539.
Hanna v. Shoop, No. 21-5025.
Libertarian Party of Ohio v. Crites, No. 21-226.
Franklin v. Shoop, No. 21-5860.
Halland v. Brackeen; Texas v. Halland, 599 U.S. 255 (2023).
Volkswagen Aktiengesellschaft v. Ohio ex rel. Yost, No. 21-312.
Arizona v. City and County of San Francisco, No. 20-1775.
Hill v. Shoop, No. 21-6428.
Hughbanks v. Shoop, No. 21-6285.
McNeill v. Shoop, No. 21-6688.
Ahmed v. Shoop, Nos. 21A496, 21-7850.
Shoop v. Cunningham, No. 21-1587.
Chinn v. Shoop, No. 22-5058.
Mich. State Univ. v. Balow, Nos. 21A826, 22-93.
Univ. of Toledo v. Wamer, No. 22-123.
Ohio v. CSX Transp., Inc., No. 22-459.
Ahmed v. Shoop, No. 22-7574.
Ohio v. Yellen, Nos. 22A652, 22-880.

Raglin v. Shoop, Nos. 22A75, 22-6150.
Chrisman v. Est. of Zakora, No. 22-614.
Ohio v. D.R., No. 22-864.
Everglades Coll., Inc. v. Cardona, No. 22A867.
Jackson v. Ohio, Nos. 22A671, 22-978.
Trump v. Anderson, 601 U.S. 100 (2024).
Murthy v. Missouri, 603 U.S. 43 (2024).
Moody v. NetChoice, LLC, 603 U.S. 707 (2024).
Jacobsen v. Mont. Democratic Party, Nos. 23A1136, 24-220.
Free Speech Coalition, Inc. v. Paxton, 606 U.S. 461 (2025).
Oklahoma Statewide Charter Sch. Bd. v. Drummond; St. Isidore of Seville Catholic Virtual Sch. v. Drummond, 605 U.S. 165 (2025).
Little v. Hecox; West Virginia v. B.P.J., Nos. 24-38, 24-43.
Yost v. Brown, No. 24A970.
Allen v. Singleton, Nos. 25A109, 25-273, 25-274.
Janssen Pharms., Inc. v. Kennedy, Nos. 25A514, 25-749, 25-751.
Trump v. Barbara, No. 25-365.

Additionally, I have been listed as counsel for either a party or amicus curiae in the following cases before the Supreme Court:

Lombardo v. United States, Nos. 17A467, 17-998.
Air and Liquid Systems Corp. v. DeVries, 586 U.S. 446 (2019).
Henry v. Weiss, No. 17-1210.
Merck Sharp & Dohme Corp. v. Albrecht, 587 U.S. 299 (2019).
Yovino v. Rizo, 586 U.S. 181 (2019).
Tenn. Wine and Spirits Retailers Ass'n v. Byrd, No. 18-96.
Return Mail, Inc. v. U.S. Postal Serv., 587 U.S. 618 (2019).
R.J. Reynolds Tobacco Co. v. Block, No. 17-443.
R.J. Reynolds Tobacco Co. v. Monroe, No. 17-675.
Lozman v. City of Riviera Beach, 585 U.S. 87 (2018).
Alice Corp. Pty Ltd. v. CLS Bank Int'l, 573 U.S. 208 (2014).
Biden v. Nebraska, 600 U.S. 477 (2023).
Dep't of Educ. v. Brown, 600 U.S. 551 (2023).
Arizona v. Mayorkas, Nos. 22A544, 22-592.
Missouri v. Biden, Nos. 22A900, 22-1248.

I have edited or reviewed Supreme Court briefs in cases where I was not listed as counsel, including:

Ohio v. EPA, 603 U.S. 279 (2024).

17. **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. *Youngstown City Sch. Dist. v. Ohio*, 161 Ohio St.3d 24 (2020) (Chief Justice O'Connor, Justices Kennedy, French, Fischer, DeWine, Donnelly, Stewart) (Representation: 2019 – 2020)

I briefed and argued this case before the Supreme Court of Ohio on behalf of the State of Ohio and the Ohio Department of Education. In so doing, I successfully defended a major education-reform bill against a state constitutional challenge. Among other things, the education-reform law subjected persistently failing school districts to the “operational, managerial, and instructional control” of a CEO appointed by an “academic-distress commission.” The challengers argued that the law was passed in violation of the Ohio Constitution’s three-consideration rule, which requires that all bills be read on three days in each house before being passed. Ohio Const., art. II, §15(C). The challengers further argued that the reform law violated Article VI, Section 3 of the Ohio Constitution, which empowers the State to regulate public schools, reserving to city school boards certain limited powers. The Supreme Court of Ohio rejected both arguments and upheld the law in full.

Co-counsel:

Michael J. Hendershot
Ohio Attorney General’s Office
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
607-316-0487

Opposing counsel:

James E. “Ted” Roberts
Roth Blair Roberts Strasfeld & Lodge
100 East Federal Street, Suite 600
Youngstown, Ohio 44503
330-744-5211

2. *Preterm-Cleveland v. McCloud*, 994 F.3d 512 (6th Cir. 2021) (en banc) (Chief Judge

Cole, Judges Batchelder, Moore, Clay, Gibbons, Sutton, Griffin, Kethledge, White, Stranch, Donald, Thapar, Bush, Larsen, Nalbandian, Readler) (Representation: 2019 – 2021)

I briefed and orally argued this case before the *en banc* Sixth Circuit on behalf of the defendants-appellants. In this case, the Sixth Circuit rejected a constitutional challenge to an Ohio law prohibiting doctors from knowingly performing Down-syndrome selective abortions. The court held that the law did not violate the right to abortion that was then protected by *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833 (1992). On that basis, it reversed a preliminary injunction the district court had issued. The plaintiffs-appellees did not appeal the decision further.

Co-counsel:

Stephen P. Carney
Ohio Attorney General's Office
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-507-0966

Opposing counsel:

Jessie Hill
Case Western Reserve University School of Law
George Gund Hall
11075 East Blvd.
Cleveland, Ohio 44106
216-368-0553

3. *Hill v. Shoop*, 11 F.4th 373 (6th Cir. 2021) (en banc) (Chief Judge Sutton, Judges Merritt, Moore, Cole, Clay, Gibbons, Griffin, Kethledge, White, Stranch, Donald, Thapar, Bush, Larsen, Nalbandian, Readler) (Representation: 2019 – 2022)

I briefed and presented oral argument before the en banc Sixth Circuit on behalf of Tim Shoop, Warden of the Chillicothe Correctional Institution. In this habeas case, we argued that a convicted murderer (Danny Hill) was not entitled to habeas relief based on his claim to have been intellectually disabled and thus ineligible for execution under *Atkins v. Virginia*, 536 U.S. 304 (2002). The Sixth Circuit agreed, and for that reason affirmed a district-court decision denying habeas relief to Hill. Hill later sought review in the Supreme Court of the United States. I filed a brief in opposition, and the Supreme Court declined to review his case.

Co-counsel:

Michael J. Hendershot
Ohio Attorney General's Office

30 East Broad Street, 17th Floor
Columbus, Ohio 43215
607-316-0487

Opposing counsel:

Vicki Ruth Adams Werneke
6444 North Harvard Avenue
Oklahoma City, Oklahoma 73132
405-206-3673

4. *Ohio v. Dep't of Labor, Occupational Safety and Health Admin.*, 595 U.S. 109 (2022)
(Representation: 2021 – 2022)

I represented Ohio and presented oral argument before the Supreme Court on behalf of a coalition of States (Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia and Wyoming). The coalition that I led sought and obtained a stay of the “vaccine mandate” that OSHA promulgated in late 2021. *COVID-19 Vaccination and Testing; Emergency Temporary Standard*, 86 Fed. Reg. 61402 (Nov. 5, 2021). The Court determined that OSHA exceeded its statutory authority in promulgating the rule. After determining that the equities justified a stay, the Court stayed the vaccine mandate.

Co-counsel:

May Davis (now known as May Mailman)
Independent Women’s Law Center
1802 Vernon Street, NW, #1027
Washington, D.C. 20009
785-447-0436

Opposing counsel:

Elizabeth B. Prelogar
Cooley LLP
1299 Pennsylvania Avenue, NW, Suite 700
Washington, D.C. 20004
202-776-2115

5. *Shoop v. Twyford*, 596 U.S. 811 (2022) (Representation: 2020 – 2022).

I briefed and presented oral argument on behalf of Tim Shoop, Warden of the Chillicothe Correctional Institution. In this habeas case, we argued that the United States Court of Appeals for the Sixth Circuit erred by affirming a district court’s order compelling the

Warden to bring a convicted murderer (Raymond A. Twyford III) to The Ohio State Medical Center for neurological imaging. The district court purported to rely on the All Writs Act. The Supreme Court agreed with my argument and reversed the Sixth Circuit, holding that, because Twyford failed to show how the evidence he sought to uncover through imaging would be useful to his habeas case, the All Writs Act afforded the district court no power to order his transportation.

Co-counsel:

Zachery P. Keller
Ohio Attorney General's Office
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
607-316-0487

Opposing counsel:

David O'Neil
Debevoise & Plimpton LLP
801 Pennsylvania Avenue, NW
Washington, D.C. 20004
202-383-8040

6. *TWISM Enters., LLC v. State Bd. of Registration for Professional Engineers and Surveyors*, 172 Ohio St.3d 225 (2022) (Chief Justice O'Connor, Justices Kennedy, Fischer, DeWine, Donnelly, Stewart, Brunner) (Representation: approximately 2021 – 2022)

I represented Attorney General Dave Yost as an *amicus curiae*, both in briefing and at oral argument. I successfully urged the Supreme Court of Ohio to hold that courts are never required to defer to a state agency's interpretation of state law. This decision predated and presaged the Supreme Court of the United States' decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), which similarly held that federal courts are never required to defer to federal agencies' interpretations of federal law.

Co-counsel:

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Counsel for Appellee State Board of Registration for Professional Engineers and Surveyors:

Michael J. Hendershot

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Counsel for Appellant TWISM Enterprises:

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916-503-9060

7. *Ohio Adjutant Gen.'s Dep't v. Fed. Lab. Relations Auth.*, 598 U.S. 449 (2023)
(Representation: 2021– 2023).

I briefed and argued this case before the Supreme Court on behalf of the Ohio National Guard, the Ohio Adjutant General, and the Ohio Adjutant General's Department. The case presented the question whether the Federal Labor Relations Authority had jurisdiction over alleged unfair labor practices by my clients. I persuaded the Supreme Court to hear the case notwithstanding the absence of a circuit split on the issue. Over a dissent from Justice Alito, the Supreme Court held that the Federal Labor Relations Authority had jurisdiction over the unfair practices alleged.

Co-counsel:

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Opposing counsel:

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1799 Cloverlawn Court
McLean, Virginia 22101
765-318-6835

8. *In re: Danny Hill*, 81 F.4th 560 (6th Cir. 2023) (en banc) (Chief Judge Sutton, Judges Moore, Clay, Gibbons, Griffin, Kethledge, Stranch, Thapar, Bush, Larsen, Nalbandian, Readler, Davis, Mathis) (Representation: 2022 – 2023).

I briefed and presented oral argument before the *en banc* Sixth Circuit on behalf of Tim Shoop, Warden of the Chillicothe Correctional Institution. This case presented the question whether Danny Hill's second-in-time habeas petition was "second or

successive” and thus subject to exacting gatekeeping requirements of 28 U.S.C. §2244(b)(2). After a three-judge panel held that his petition was not second or successive, we sought and obtained en banc review. The en banc court held that the petition was second or successive and that Hill therefore had to meet the statutory gatekeeping requirements. It returned the case to the three-judge panel for the panel to decide whether those requirements were satisfied. After the en banc decision, I had no further involvement in this matter.

Co-counsel:

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Opposing counsel:

Sharon Anne Hicks
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Cleveland, OH 44113
216-522-4856

9. *Ohio v. Becerra*, 87 F.4th 759 (6th Cir. 2023) (Judges Moore, Thapar, and Larsen) (Representation: 2021 – 2023).

I briefed and orally argued this case before the Sixth Circuit on behalf of a coalition of States: Ohio, Alabama, Arkansas, Florida, Kansas, Kentucky, Missouri, Nebraska, Oklahoma, South Carolina, and West Virginia. Our appeal sought reversal of a district-court opinion denying a motion to preliminarily enjoin the U.S. Department of Health and Human Services’ 2021 rule governing the Title X program. That program funds family-planning projects but bars the use of Title X funds “in programs where abortion is a method of family planning.” 42 U.S.C. §300a-6. We argued that the 2021 rule violated Title X by, among other things, eliminating program-integrity requirements designed to keep Title X funds from being used in programs where abortion is a method of family planning. After the district court denied a motion to preliminarily enjoin the rule, we appealed. The Sixth Circuit partially reversed. It held that the States would likely prevail in showing that the 2021 rule’s elimination of program-integrity requirements was inconsistent with Title X. The Court reversed the denial of a preliminary injunction as to this part of the rule, enjoining its operation in Ohio. I litigated the initial request for a preliminary injunction in district court. Because I had returned to private practice by the time the decision issued, I had no further involvement with the case after the Sixth Circuit issued its decision.

Co-counsel:

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Opposing counsel:

Courtney Dixon
Venable LLP
600 Massachusetts Avenue, NW
Washington, D.C. 20001
202-344-4977

10. *State ex rel. Oxford Fin. LLC v. Clary*, Case No. 2024-0406 (Ohio) (Chief Justice Kennedy, Justices Fischer, DeWine, Donnelly, Stewart, Brunner Deters) (Representation: 2024)

On behalf of Oxford Finance LLC, I filed this original action in the Supreme Court of Ohio, seeking a writ of prohibition and a peremptory writ. The writ was filed against a judge on the Cuyahoga County Court of Common Pleas, who entered an order barring Oxford Finance from enforcing a \$70 million loan in a receivership case. We contended that the trial court lacked jurisdiction to enter this order because Oxford Finance was not a party to the litigation and because the loan was not owed by the entity in receivership. The trial-court judge responded by vacating the entry barring Oxford Finance from enforcing the loan, and Oxford Finance dismissed the original action. In addition to representing Oxford Finance in the Supreme Court of Ohio, I represented it in connection with relevant trial-court proceedings.

Co-counsel:

Gregory P. Amend
Lewis Brisbois Bisgaard & Smith LLP
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Akron, Ohio 44311
330-272-0051

Opposing counsel (for Judge Timothy W. Clary):

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Cuyahoga County Prosecutor's Office
8th Floor Justice Center
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Cleveland, Ohio 44113
216-443-8071

Opposing counsel (for Proposed Intervenor Hana2.0 Property Group LP):

Robert A. Zimmerman
Benesch, Friedlander, Coplan & Aronoff LLP
127 Public Square, Suite 4900
Cleveland, Ohio 44114
216-363-4500

18. **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.)

Throughout my legal practice, I have counseled public and private clients on countless legal issues, frequently litigating in state and federal court. As Solicitor General of Ohio, I regularly represented the State, submitting briefs and making arguments in Ohio's most important cases before the Supreme Court of the United States, the Supreme Court of Ohio, and the United States Court of Appeals for the Sixth Circuit. In that role, I argued three cases before the Supreme Court of the United States and three before the *en banc* Sixth Circuit. Since returning to practice, I have counseled many individuals, businesses, and not-for-profit entities. And while I have continued my appellate practice, I have also developed a practice litigating trial cases for defendants and plaintiffs alike. I take particular pride in the cases my colleagues and I have litigated for closely held Ohio businesses. I have not performed lobbying activities.

19. **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 copies to the committee.

During the Spring 2018, Autumn 2018, and Spring 2019 Semesters, I co-taught a class at the Moritz College of Law at The Ohio State University entitled "Appellate Practice IV." My co-instructor each term was then-Judge Jeffrey S. Sutton. The course instructed students on appellate advocacy and helped prepare them for moot court competitions. Syllabus from the 2018 – 2019 year supplied.

20. **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 am serving as an attorney on two contingency-fee matters. If confirmed, I will work with my

partners and co-counsel to divest myself of any ongoing interest in that litigation upon my taking the bench. I also expect to receive a return of capital in Ashbrook Byrne Kresge Flowers LLC.

As a general matter, if confirmed, I will reach an agreement with my partners to ensure that I have no continuing financial interest in any legal matters.

21. **Outside Commitments During Court 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.

No.

22. **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).

When my nomination is formally submitted to the Senate, I will file my Financial Disclosure Report and supplement this Questionnaire with a copy of that Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements 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.

Three categories of cases are most likely to present conflict issues.

First, a small number of conflicts could arise in cases related to my work in private practice. Conflicts could also arise in cases related to my work in the Ohio Attorney General's Office. If confirmed, I would recuse myself from any proceeding in which, as a government attorney, I participated as a counsel, adviser, or material witness or had expressed an opinion concerning the merits. *See* 28 U.S.C. § 455(b)(3). I would also recuse myself from any matter in which, during my time in private practice, either I or a lawyer with whom I was then practicing had participated. *See* 28 U.S.C. § 455(b)(2).

Second, I am counsel on two contingency-fee matters. Both are pending in state court and thus exceptionally unlikely to create conflicts, though I intend to divest myself of any interest in these matters before taking the bench. Regardless, I would recuse myself from

any matter in which I had a financial interest, or any other interest that could be substantially affected by the outcome of the proceeding. 28 U.S.C. § 455(b)(4).

Third, as my financial disclosure records will show, I own stock in Proctor & Gamble. I intend to divest myself of these and any other conflict-creating financial interests so as to prevent conflicts. Regardless, I would recuse myself from any matter in which I had a financial interest, or any other interest that could be substantially affected by the outcome of the proceeding. 28 U.S.C. § 455(b)(4).

I will evaluate any other real or potential conflict, or relationship that could give rise to appearance of conflict, on a case-by-case basis and determine appropriate action with the advice of parties and their counsel, including recusal where necessary.

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

If confirmed, I would carefully review and address any potential conflicts of interest under the standards set forth in 28 U.S.C. § 455 and Canon 3C of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances. I would further consult any judicial decision or Judicial Conference opinions applying the rules to particular cases or circumstances.

25. **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.

Throughout my career, I have served the disadvantaged and engaged in other forms of public service. From 2019 to 2023, I served in the Ohio Attorney General's Office, where I worked alongside my colleagues to protect and defend the U.S. Constitution, the Ohio Constitution, and to defend the rule of law. Earlier in my career, I served the public as a judicial law clerk (2012 to 2013, and 2014 to 2015). I have also served as an adjunct law professor (from approximately 2018 to 2019).

During my time at Ashbrook Byrne Kresge Flowers, LLC, I have performed *pro bono* work. Two matters stand out. First, in 2026, I represented *pro bono* a public-school teacher in a dispute with the school district. We informed the district that it was not accommodating the teacher's religion. We resolved the dispute amicably, without litigation, and the matter took approximately five hours of work. In 2024, I represented *pro bono* Professor James Lindgren, filing an amicus brief on his behalf before the Supreme Court of the United States in *Trump v. Anderson*, No. 23-719 (U.S.). I spent approximately 18 hours on that matter. In addition to these matters, beginning in 2024, I have volunteered my time serving as a member of the Commission on the Rules of Superintendence for Ohio Courts.

I performed substantial *pro bono* work during my time at Jones Day. I argued three appeals *pro*

bono, dedicating what I would estimate to be more than 100 hours total between those cases. I also assisted other attorneys on their *pro bono* cases by, for example, reviewing their briefs or serving as a moot court judge. I also provided mentorship to younger attorneys through programs in which Jones Day was involved.

26. **Selection Process:**

a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

There is no selection commission of which I am aware that had any involvement in this process.

When I learned that Chief Judge Sutton was taking senior status, on or about February 20, 2026, I contacted Senators Moreno and Husted expressing my interest in an appointment. Soon thereafter, the Senators' staff members contacted me to request materials and to schedule an interview.

On February 23, 2026, the White House Counsel's Office emailed me to say that I had been recommended as a candidate for Chief Judge Sutton's seat. In the same email, I was asked to provide dates on which I would be available for an interview. I responded the same day, and my interview was scheduled for March 4, 2026.

I interviewed virtually with both senators separately on February 27, 2026.

I interviewed with the White House Counsel's Office on March 4, 2026. Since then, I have been in contact with officials from the White House Counsel's Office and the Justice Department's Office of Legal Policy regarding the nomination.

On April 9, 2026, President Trump called to inform me that he had selected me for a nomination. I have continued to have contact with members of the White House Counsel's Office and the Justice Department's Office of Legal Policy regarding the nomination.

b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AFFIDAVIT

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



04/16/2026 03:32 PM EDT

April 16, 2026

(DATE)

Benjamin Michael Flowers

(NAME)

STATE OF OHIO
COUNTY OF WARREN

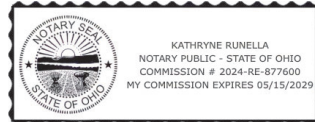
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Kathryne Runella

(NOTARY) Kathryne Runella



04/16/2026 03:34 PM EDT



Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX®