

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Donald Beaton Verrilli, Jr.

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

Solicitor General of the United States

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 of the White House Counsel
The White House
Washington, DC 20500

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

1957; New Rochelle, NY

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.

Columbia University School of Law, August 1980 – May 1983, J.D. May 1983
Yale University, September 1975 – May 1979, B.A. May 1979
Syracuse University in Florence, Italy, September – December 1977 (no degree)

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.

Office of the White House Counsel
The White House
Washington, DC 20500
February 2010 – present
Deputy Counsel to the President (June 2010 – present)
Senior Counsel to the President (February – May 2010)

United States Department of Justice
950 Pennsylvania Avenue N.W.
Washington, DC 20530

February 2009 – January 2010
Associate Deputy Attorney General

Jenner & Block
1099 New York Avenue N.W.
Washington, DC 20001
(while at Jenner & Block, I served as an officer of the Bruce J. Ennis Foundation and was involved in selecting recipients of the Bruce J. Ennis Fellowship for First Amendment Law)

July 1988 – January 2009
Partner (January 1991 – January 2009)
Associate (July 1988 – December 1990)

Georgetown University Law Center
600 New Jersey Avenue N.W.
Washington, DC 20001
Spring semesters: 1992 – 2008, except 2005
Adjunct professor of law

American University Washington College of Law
4801 Massachusetts Avenue N.W.
Washington, DC 20016
Spring semester 1995
Adjunct professor of law

Office of the White House Counsel
The White House
Washington, DC 20500
May 1994 – July 1994
Special Counsel to the President

Ennis Friedman & Bersoff
1200 Seventeenth Street N.W.
Washington, DC 20036
September 1986 – June 1988
Associate

Columbia University School of Law
435 West 116th Street
New York, NY 10027
September 1985 – August 1986
Samuel Rubin Research Fellow

Supreme Court of the United States
One First Street N.E.
Washington, DC 20543
July 1984 – August 1985
Law Clerk to the Honorable William J. Brennan, Jr.

U.S. Court of Appeals for the DC Circuit

333 Constitution Avenue N.W.
Washington, DC 20001
June 1983 – July 1984
Law Clerk to the Honorable J. Skelly Wright

Cravath, Swaine & Moore
825 Eighth Avenue
New York, NY 10016
May – June 1983
Summer Associate

Wilmer, Cutler & Pickering (now WilmerHale)
1675 Pennsylvania Avenue N.W.
Washington, DC 20006
May – July 1982
Summer Associate

Burns & Fox
360 Lexington Avenue
New York, NY 10017
September 1981 – May 1982
Law clerk (part-time)

Cadwalader, Wickersham & Taft
One World Financial Center
New York, NY 10281
May – August 1981 (summer associate)
September 1979 – August 1980 (paralegal)

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

I have not served in the military, and I did not register for the selective service, because that registration was suspended during the time I would have otherwise been eligible.

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.

Frederick Douglass Human Rights Award, Southern Center for Human Rights, 2006

Arthur Von Briesen Award, National Legal Aid and Defenders Association, 2004

James Kent Scholar, Columbia Law School, 1983

Editor-in-Chief, Columbia Law Review, 1982-1983

I received an award from the Federal Bar Association in 1994 for pro bono amicus assistance provided in support of two Assistant United States Attorneys who were challenging judicially-imposed sanctions on the ground that they were unjustified. *Means v. Chilcutt*, No. 93-1663 (S. Ct. 1994).

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. I have held no offices.

Federal Communications Bar Association. I have held no offices.

District of Columbia Bar Association. I have held no offices.

New York State Bar Association. I have held no offices.

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.

July 27, 1987 – New York, no lapses

October 2, 1989 – District of Columbia, no lapses

- 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, October 1, 1990

United States Court of Appeals for the First Circuit, September 12, 1989

United States Court of Appeals for the Second Circuit, August 24, 1994

United States Court of Appeals for the Third Circuit, August 29, 2003

United States Court of Appeals for the Fourth Circuit, June 3, 1988

United States Court of Appeals for the Fifth Circuit, March 3, 1997

United States Court of Appeals for the Sixth Circuit, July 7, 1989

United States Court of Appeals for the Seventh Circuit, May 9, 2005

United States Court of Appeals for the Eighth Circuit, October 21, 1996

United States Court of Appeals for the Ninth Circuit, October 28, 1998

United States Court of Appeals for the Tenth Circuit, March 9, 1999

United States Court of Appeals for the Eleventh Circuit, September 20, 1991

United States Court of Appeals for the District of Columbia Circuit, January 3, 1994

United States Court of Appeals for the Federal Circuit, December 14, 2001

United States District Court for the District of Columbia, March 5, 1990

United States District Court for the District of Maryland, November 16, 1990

United States District Court for the Southern District of New York, July 11, 2006

United States District Court for the Eastern District of New York, September 28, 2006

United States District Court for the Western District of Michigan, April 10, 2003

United States Court of Federal Claims, May 29, 2007

No lapses in membership for any of the above memberships.

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.

Edward Coke Appellate Inn of Court, 2006 – present. I have held no offices.

Human Rights First (formerly Lawyers Committee for Human Rights), member Washington, DC Advisory Council. I served on the council for a number of years during the 1990s and possibly the early 2000s. I do not recollect and do not have records reflecting the exact period of service, and would note that I am erroneously listed as a member on the organization's website and in the 2007 annual report.

American Constitution Society for Law and Policy. I do not know whether I am formally a member of this body but I have made contributions to the organization. I have held no offices.

Holy Trinity Roman Catholic Church, Washington, DC, 1994 – present. I am a member of the congregation. I have held no offices.

Columbia Law School Board of Visitors, New York, NY, 2005 – present. I have held no offices.

Supreme Court Historical Society (since approximately 2000). I have held no offices.

I have made financial contributions to charitable organizations over the years. I have not included in the list above any organizations to which I gave funds and did not otherwise participate in programmatic activities.

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

Not to my knowledge.

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

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

The list below consists of materials I have identified from my recollection, from my files, and from search of Internet databases. A copy is supplied for each item. Despite my searches, there may be other items I have been unable to identify, find, or remember.

Courtside Column, with Paul Smith, Julie Carpenter, Katherine Fallow, Matthew Hellman, and Joshua Block, 24 COMM. LAW. 27 (Winter 2007).

Courtside Column, with Paul Smith, Julie Carpenter, Katherine Fallow, Matthew Hellman, and Michelle Groman, 24 COMM. LAW. 23 (Fall 2006).

Courtside Column, with Paul Smith, Julie Carpenter, and Katherine Fallow, 24 COMM. LAW. 38 (Spring 2006).

Courtside Column, with Paul Smith, Julie Carpenter, and Katherine Fallow, 23 COMM. LAW. 34 (Winter 2006).

Courtside Column, with Paul Smith, Julie Carpenter, Daniel Mach, and Katherine Fallow, 22 COMM. LAW. 29 (Winter 2005).

Analysis of *Smith v. City of Jackson, Mississippi*, Jenner & Block Website (Sept. 30, 2004).

Analysis of *Dura Pharmaceuticals v. Broudo*, Jenner & Block Website (Sept. 30, 2004).

Courtside Column, with Paul Smith, Julie Carpenter, and Katherine Fallow, 22 COMM. LAW. 25 (Summer 2004).

Financial, Securities, & Telecom: Key Cases Before the Supreme Court, WASHINGTON LEGAL FOUNDATION, Vol. 18 No. 52 (Dec. 5, 2003).

Environment and Employment Law: Key Cases Before the Supreme Court, WASHINGTON LEGAL FOUNDATION, Vol. 18 No. 50 (Nov. 14, 2003).

Courtside Column, with Paul Smith, Julie Carpenter, and Deanne Maynard, 21 COMM. LAW. 26 (Summer 2003).

Courtside Column, with Paul Smith, Julie Carpenter, and Deanne Maynard, 21 COMM. LAW. 29 (Spring 2003).

Courtside Column, with Paul Smith, Jodie Kelley, Julie Carpenter, and Deanne Maynard, 20 COMM. LAW. 24 (Fall 2002).

Courtside Column, with Paul Smith, Jodie Kelley, and Julie Carpenter, 20 COMM. LAW. 36 (Summer 2002).

Courtside Column, with Paul Smith, Jodie Kelley, and Julie Carpenter, 20 COMM. LAW. 30 (Spring 2002).

Courtside Column, with Paul Smith, Jodie Kelley, and Julie Carpenter, 19 COMM. LAW. 38 (Winter 2002).

Courtside Column, with Paul Smith and Nory Miller, 19 COMM. LAW. 43 (Spring 2001).

Courtside Column, with Paul Smith and Nory Miller, 18 COMM. LAW. 39 (Winter 2001).

Playboy and City of Erie: Shift Toward Balancing?, with Deanne Maynard, 18 COMM. LAW. 12 (Fall 2000).

Courtside Column, with Bruce Ennis and Paul Smith, 17 COMM. LAW. 23 (Winter 2000).

The Realists' Guide to Redistricting: Avoiding the Legal Pitfalls, with J. Gerald Hebert, Paul Smith, and Sam Hirsch, Monograph published by American Bar Association Section on Administrative Law (2000).

Courtside Column, with Paul Smith and Bruce Ennis, 17 COMM. LAW. 26 (Summer 1999).

Courtside Column, with Bruce Ennis and Paul Smith, 17 COMM. LAW. 20 (Spring 1999).

Turner Broadcasting and the First Amendment, with Michelle Goodman, 15 COMM. LAW. 7 (July 1997).

The Realists' Guide to Redistricting: Avoiding the Legal Pitfalls, with J. Gerald Hebert, Paul M. Smith, Sam Hirsch, and Heather Gerken (1997).

Note: Eighth Amendment and the Right to Bail: Historical Perspectives, 82 COLUM. L. REV. 328 (1982).

From 1982 to 1983, I served as editor-in-chief of the Columbia Law Review.

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

None.

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

The list below consists of materials I have identified from my recollection, from

my files, and from search of Internet databases. Despite my searches, there may be other items I have been unable to identify, find, or remember.

On April 8, 2008, I testified before the United States Senate Committee on the Judiciary, Subcommittee on the Constitution on the Adequacy of Representation in Capital Cases. A transcript of my testimony is provided.

May 13, 2002, Letter to U.S. Senate Judiciary Chairman Patrick Leahy opposing legislation proposed in response to the Supreme Court decision *Ashcroft v. The Free Speech Coalition*. A copy is provided.

On December 6, 2001, I testified before the United State House of Representatives, Subcommittee on Commercial and Administrative Law and the Subcommittee on Courts, the Internet, and Intellectual Property of the Committee on the Judiciary on the proposed settlement of NextWave's licenses with the Federal Communications Commission. A transcript of my testimony is provided.

On February 3, 1989, I testified before the Judicial Proceedings Committee of the Maryland State Senate in support of Senate Bill 75, a bill that would preclude imposition of the death penalty on the mentally retarded. A transcript of my testimony is provided.

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

The list below consists of speeches or talks I have identified from my recollection, from my files, and from search of Internet databases. Despite my searches, there may be other speeches or talks I have been unable to identify, find, or remember.

Nov. 18, 2009. Panelist, "The State of the State Secrets Privilege: Obama Administration Policy and Practice," American University Washington College of Law. Audio of the discussion is available at http://www.wcl.american.edu/podcast/podcast.cfm?uri=http://www.wcl.american.edu/podcast/audio/20091130_WCL_SSSP-2.mp3&email.

Nov. 21, 2008. Panelist, "The Attacks Upon Statutory Damages and the 'Making Available' Right: The Possible Aftereffects on Big and Small Business Litigation Strategies," Fordham Intellectual Property, Media & Entertainment Law Journal Conference. A transcript is provided.

Oct. 7, 2008. Panelist, 2008-2009 Supreme Court Preview, Colorado Lawyers Chapter, American Constitution Society. The organization's address is: 1333 H Street NW, 11th Floor, Washington, DC 20005. I have no notes, transcript or

recording. I served on a panel discussing significant cases on the Supreme Court's docket for the October 2008 term. A summary of the remarks is provided.

Aug. 14, 2008. Panelist, "*Viacom v. Google*: Implications for User Generated Content," West Legalworks Webcast. A copy of the presentation is provided.

June 13, 2008. Panelist, "(In)effective Assistance of Counsel for Criminal Defendants: Constitutional Standards and Practical Solutions," American Constitution Society Annual Convention. Video of the panel is available at <http://www.acslaw.org/node/6784>.

May 20, 2008. Panelist, "Supreme Court Update," *InsideCounsel's* SuperConference. *InsideCounsel's* address is: 222 South Riverside Plaza, Suite 620, Chicago, IL 60606. I have no notes, transcript, or recording. I served as a panelist commenting on the most significant decisions, released and pending, of the Supreme Court's term.

Apr. 28, 2008. Panelist, "Don Verilli [sic] on Lethal Injection," American Constitution Society, University of Chicago Law School chapter. The organization's address is: 1111 East 60th Street, Chicago, IL 60637. I spoke to the student chapter of the American Constitution Society on the *Baze v. Rees* case. I have no notes, transcript or recording.

Mar. 28, 2008. Panelist on intellectual property issues involving user-generated content, Fordham University Intellectual Property Law and Policy Conference. A transcript of the event is provided.

Mar. 19, 2008. Opening Address, Women's Bar Association of the District of Columbia, event on Women of Color in law firms. The organization's address is: 2020 Pennsylvania Avenue NW, Suite 446, Washington, DC 20006. I have no notes, transcript, or recording. I gave brief opening remarks at the outset of the conference. A quotation from my remarks is provided.

Mar. 13, 2008. Second Annual Fordham Law and Information Society Lecture, Intellectual Property and the Internet. Lecture notes are provided.

Mar. 12, 2008. Guest lecturer at an intellectual property law class taught by Professor Scott Hemphill at Columbia Law School. The organization's address is: Columbia Law School, 435 West 116th Street, New York, NY 10027. I have no notes, transcript or recording. I spoke about the copyright liability and Digital Millennium Copyright Act issues raised in *Viacom v. YouTube*.

Jan. 15, 2008. Moderator, "Book discussion On Free Speech With Anthony Lewis," American Constitution Society. The organization's address is: 1333 H Street NW, 11th Floor, Washington, DC 20005. I interviewed Anthony Lewis about his book, *Freedom For The Thought That We Hate*. I have no notes, transcript or recording. We discussed the First Amendment issues raised in his book.

Nov. 21, 2007 (approximately). I spoke to an intellectual property law class at the University of North Carolina Law School. The organization's address is: University of North Carolina Law School, Van Hecke-Wettach Hall, 160 Ridge Road, CB #3380, Chapel Hill, NC 27599-3380. I have no notes, transcript or recording. I gave a presentation and took questions on the copyright liability and Digital Millennium Copyright Act issues raised by the *Viacom v. Google* case.

Nov. 14, 2007. Speaker, Intellectual Property Workshop, University of Michigan Law School (hosted by Professor Jessica Litman). The organization's address is: The University of Michigan Law School, 625 South State Street, Ann Arbor, MI 48109-1215. I have no notes, transcript or recording. I gave a presentation and took questions on the copyright liability and Digital Millennium Copyright Act issues raised by the *Viacom v. Google* case.

Nov. 7, 2007. Panelist, "*Strickland v. Washington*: How Effective is the Right to Effective Assistance of Counsel?" Library of Congress Law Library and Constitution Project. A webcast is available at: www.loc.gov/today/cyberlc/feature_wdesc.php?rec=4233.

Sept. 18, 2007. Speaker, "Copyright and Fair Use / Fair Dealing in the Digital Age," Media Law Resource Center, London Conference. The organization's address is: Media Law Resource Center, 520 Eighth Avenue, North Tower, 20th Floor, New York, NY 10018. I have no notes, transcript, or recording. I gave a presentation on the copyright liability and Digital Millennium Copyright Act issues raised by the *Viacom v. Google* case. An agenda for the event is provided although I am not listed on the agenda.

Sept. 14, 2007. Moot Court Judge, "Guantanamo Detainees and the Military Commissions Act," William & Mary School of Law. Video available at: <http://www.c-spanvideo.org/program/GuantanamoDet>.

June 7, 2007. Speaker, Jenner & Block reception for judicial interns. The firm's address is: 1099 New York Avenue NW, Washington, DC 20001. I have no notes, transcript or recording. I have no recollection of the topic on which I spoke.

June 2007. Panelist on IP Law, Columbia Law School Reunion. The organization's address is: Columbia Law School, 435 West 116th Street, New York, NY 10027. I have no notes, transcript, or recording. I served on a panel and discussed the copyright liability and Digital Millennium Copyright Act issues raised by the *Viacom v. Google* case.

Apr. 12-13, 2007. Panelist on intellectual property issues involving user-generated content, Fordham University Intellectual Property Law and Policy Conference. Transcript provided for Part A and B of panel entitled "Unauthorized Use of Works on the Web: What Can Be Done? What Should Be Done?"

Mar. 16, 2007. Panelist, "What Goes Up Must Come Down: Copyright and Process in the Age of User-Posted Content." The Progress & Freedom

Foundation. Audio of the discussion is available at:
<http://www.pff.org/events/pastevents/031607usercontentsites.asp>.

Feb. 15, 2007. Panel on the topic of appellate advocacy and appellate practice, “How To Be An Effective Appellate Advocate” at Columbia Law School. The organization’s address is: Columbia Law School, 435 West 116th Street, New York, NY 10027. Judge Sutton of the U.S. Court of Appeals for the Sixth Circuit and Andrew Levander were also on the panel. I have no notes, transcript or recording.

Nov. 2006. Speaker, Southern Center for Human Rights annual dinner. The organization’s address is: Southern Center for Human Rights, 83 Poplar Street NW, Atlanta, GA 30303. I have no notes, transcript or recording. I gave brief remarks expressing thanks for receiving the organization’s Frederick Douglass Award.

Oct. 4, 2006. Welcome address at Vault Legal Diversity Job Fair hosted at Jenner & Block’s Chicago office. The organization’s address is: Vault Inc., 75 Varick Street, 8th Floor, New York, NY 10013. I have no notes, transcript, or recording, but select quotes from my remarks are provided.

Aug. 2006. Speaker, “Jenner & Block Fifth Annual Diversity Dinner.” The firm’s address is: 1099 New York Avenue NW, Washington, DC 20001. I have no notes, transcript or recording.

Apr. 21, 2006. Introduction of keynote speaker, Michelle Coleman Mayes, at Vault and the Minority Corporate Counsel Association Legal Diversity Job Fair in New York City. The organization’s addresses are: Vault Inc., 75 Varick Street, 8th Floor, New York, NY 10013; and Minority Corporate Counsel Association, 1111 Pennsylvania Avenue NW, Washington, DC 20004. I have no notes, transcript, or recording. I gave a brief introduction of Ms. Mayes at the start of the job fair.

Apr. 19, 2006. Panelist, *InsideCounsel*’s SuperConference. The organization’s address is: Inside Counsel, 222 South Riverside Plaza, Suite 620, Chicago, IL 60606. I have no notes, transcript or recording. I served as a panelist commenting on the most significant decisions, released and pending, of the Supreme Court’s term.

Mar. 19-23, 2006. Panelist, “Lessons from the Past: How Can the Telecom Rewrite be Crafted to Avoid Potential Delays Cause by All Those Hungry Lawyers?” TelecomNEXT Conference, Las Vegas, Nevada. The organization’s address is: TelecomNEXT 607 14th Street NW, Suite 400, Washington, DC 20005-2164. I have no notes, transcript or recording. I served on a panel discussing possible legislative changes to the 1996 Telecommunications Act.

Jan. 13, 2006. Web Seminar, “*Merrill Lynch v. Dabit and Beyond*: The Supreme Court Looks at Securities Fraud,” The Washington Legal Foundation. A webcast of the seminar is available at:
http://208.112.47.239/communicating/webseminar_detail.asp?id=103

Nov. 10, 2005. Panelist, "Practical Tips for Appellate Litigation and FCC Advocacy, Federal Communications Bar Association. The Federal Communications Bar Association's address is: 1020 19th Street NW, Suite 325, Washington, DC, 20036-6101. I have no notes, transcript or recording. I served on a panel discussing appellate advocacy. A program of the seminar is provided.

Oct. 5, 2005. Webcast, "*MGM v. Grokster*," Association of Corporate Counsel's Information Technology Law and eCommerce Committee, located at <http://phx.corporate-ir.net/phoenix.zhtml?c=129735&p=irol-EventDetails&EventId=1121951>. A transcript is also provided.

Sept. 13, 2005. Panelist, "IP in a post-*Grokster* World, Future of Music Coalition," Future of Music Summit, Washington, DC. Video of this discussion is available at: <http://www.tvworldwide.com/showclip.cfm?ID=6134&clip=2>.

July 20, 2005. CLE Program, "The *Grokster* Decision: Is This When the Music Stops?" Practicing Law Institute. Practicing Law Institute's address is: 810 Seventh Avenue, 21st Floor, New York, NY 10019. I have no notes, transcript or recording. I discussed the Supreme Court's June 2005 decision in *MGM Studios, Inc. v. Grokster*.

July 19, 2005. Panelist, "What Does the Grokster Decision Mean for Congress, the Courts and the Marketplace?" Advisory Committee to the Congressional Internet Caucus. Video of the discussion is available at <http://www.netcaucus.org/events/2005/grokster/video.shtml>.

June 24, 2005. Panelist, "MGM Studios v. Grokster." Pepperdine University School of Law, Sixth Annual Technology Law Conference. Pepperdine University School of Law's address is: 24255 Pacific Coast Highway, Malibu, CA 90263. I have no notes, transcript, or recording. I discussed the issues raised by *MGM Studios, Inc. v. Grokster*.

June 22, 2005. Speaker, "Supreme Court Update: Analysis and Predictions." SuperConference 2005. Corporate Legal Times. Corporate Legal Times is now named "Inside Counsel" and located at 222 South Riverside Plaza, Ste 620, Chicago, IL 60606. I have no notes, transcript, or recording. I served as a panelist commenting on the most significant decisions, released and pending, of the Supreme Court's term.

May 2, 2005. Panelist, "P2P Technology and the Law," Association of the Bar of the City of New York, Committee on Information Technology Law. The organization's address is: Association of the Bar of the City of New York, Committee on Information Technology Law, 42 West 44th Street New York, NY, 10036. I have no notes, transcript, or recording. I served on a panel and discussed the issues raised by *MGM Studios, Inc. v. Grokster*.

Apr. 27, 2005. Panelist, "Copyright in Cyberspace," the Media Institute Communications Forum. The organization's address is: Media Institute, 2300 Clarendon Boulevard, Suite 602, Arlington, VA 22201. I have no notes, transcript or recording. I served on a panel and discussed the issues raised by *MGM Studios v. Grokster*.

Dec. 2004. Acceptance speech following receipt of Arthur von Briesen Award, National Legal Aid & Defender Association. The organization's address is: National Legal Aid & Defender Association, 1140 Connecticut Avenue NW, Suite 900, Washington, DC 20036. I have no notes, transcript, or recording. I gave brief remarks giving thanks for being chosen as the recipient of the award.

Sept. 15, 2004. Panelist, Supreme Court Preview, Washington Legal Foundation. I served on a panel discussing the significant cases on the Supreme Court's docket for the October 2004 term. A webcast of the panel is available at: <http://iiscast.wlf.org/vod/12004supremecourtpre000/archiveA.html>.

Apr. 20, 2004. Panelist on media ownership issues, National Association of Broadcasters Convention. The organization's address is: National Association of Broadcasters, 1771 N Street NW, Washington, DC 20036. I have no notes, transcript, or recording. A description of the panel is provided, and is available at: "Powell Supports Ferree's DTV Idea, Warns Against Alternatives," COMMUNICATIONS DAILY, Jan. 26, 2005.

Apr. 1, 2004. Panelist, "Section 2 and Refusals to Deal After *Trinko*," American Bar Association, Section of Antitrust Law, Spring Meeting. The organization's address is: American Bar Association, 321 N. Clark St., Chicago, IL 60654-7598. I have no notes, transcript, or recording. I served on a panel and discussed the antitrust implications of the Supreme Court's decision in *Verizon Communications v. Trinko*.

Oct. 24, 2003. Keynote address, ABA Death Penalty Project's "Strengthening the Guiding Hand of Counsel: Reforming Capital Defense Systems" symposium, Hofstra University School of Law. The organization's address is: American Bar Association, 740 15th Street NW, Washington, DC 20005-1019. I have no notes, transcript or recording. I spoke about my experience litigating *Wiggins v. Smith*.

Oct. 21, 2003. Speaker, Chicago Inn of Court, "Supreme Court Practice – Preview of this Term's Key Cases. The organization's address is: Chicago-American Inn of Court, 10 South LaSalle, Suite 3600, Chicago, IL, 60603. I have no notes, transcript or recording. I spoke at the Inn of Court meeting on the significant cases on the Supreme Court's docket for the October 2003 term.

Oct. 16-17, 2003. Speaker, "Minimizing Liability," Lawyers for Libraries Conference of the American Library Association, San Francisco, CA. The organization's address is: American Library Association, 50 E. Huron, Chicago IL 60611. I have no notes, transcript or recording. I spoke on liability issues facing libraries.

Sept. 23, 2003. Panelist, Supreme Court Preview, Washington Legal Foundation. The organization's address is: Washington Legal Foundation, 2009 Massachusetts Avenue NW, Washington, DC 20036. I have no notes, transcript, or recording. I served on a panel discussing the significant cases on the Supreme Court's docket for the October 2003 term. An article describing this event is provided, and is located at: "New U.S. Docket Holds Little for Risk Managers," Business Insurance, Oct. 13, 2003.

May 13, 2003. Speaker, "Minimizing Liability," Lawyers for Libraries Conference of the American Library Association, Chicago, Illinois. The organization's address is: American Library Association, 50 East Huron, Chicago IL 60611. I have no notes, transcript or recording. I spoke on liability issues facing libraries.

Apr. 3, 2003. Panelist, "The Intersection of Bankruptcy and Regulation: Implications of NextWave," American Bar Association, Section of Business Law Spring Meeting. The organization's address is: American Bar Association, Section of Business Law, 321 North Clark Street, Chicago, IL 60654-7598. I have no notes, transcript, or recording. I served on a panel and discussed the implications of the Supreme Court's decision in *Federal Communications Commission v. NextWave*.

Feb. 27, 2003. Speaker, "Minimizing Liability," Lawyers for Libraries Conference of the American Library Association, Washington, DC. The organization's address is: American Library Association, 50 East Huron, Chicago IL 60611. I have no notes, transcript or recording. I spoke on liability issues facing libraries.

Sept. 17, 2002. Panelist, Supreme Court Preview, Washington Legal Foundation. The organization's address is: Washington Legal Foundation, 2009 Massachusetts Ave., NW, Washington, DC 20036. I have no notes, transcript, or recording. I served on a panel discussing the significant cases on the Supreme Court's docket for the October 2002 term. An article describing this event is provided, and is located at: "NextWave Counsel Calls Litigation Settlement 'Exceedingly Unlikely,'" GlobalWireless.com, Sept. 20, 2002.

July 12, 2002. Speaker, "Supreme Court and Local Competition" seminar. The organization's address is: Federal Communications Bar Association, 1020 19th Street NW, Suite 325, Washington, DC, 20036-6101. I have no notes, transcript, or recording. Chicago Chapter of the Federal Communications Bar Association.

June 11, 2002. Panelist, "The Future of Telecommunications Regulation Conference," The American Enterprise Institute. The organization's address is: American Enterprise Institute for Public Policy Research, 1150 Seventeenth Street NW, Washington, DC 20036. I have no notes, transcript, or recording. I do not specifically recall the subject of my panel presentation but I believe it involved a discussion of how competition in the telecommunications market would evolve in light of legal changes.

Apr. 7-11, 2002. Panelist, "First Amendment Issues," National Association of Broadcasters Annual Convention, Las Vegas, Nevada. The organization's address is: 1771 N Street NW, Washington, DC 20036. I have no notes, transcript or recording. I served on a panel discussing broadcast media First Amendment issues.

Mar. 14, 2002. After-dinner speech at the Columbia Law Review annual banquet. The organization's address is: Columbia Law School, 435 West 116th Street, New York, NY 10027 I have no notes, transcript or recording. The general theme

of the talk was the importance of commitment to the values of the legal profession and the importance of avoiding cynicism.

Sept. 30, 2001. Panelist, Telecommunications Panel, ABA Section of Administrative Law and Regulatory Practice Conference. I have no notes, transcript, or recording.

Aug. 7, 2001. Panelist, "The Anti-Violence Agenda," AEJMC annual convention. The organization's address is: 234 Outlet Pointe Boulevard, Suite A, Columbia, SC 29210. I have no notes, transcript, or recording. I do not recall the specific subject of the panel.

Apr. 24, 2001. Panelist, National Association of Broadcasters Convention. The organization's address is: 1771 N Street NW, Washington, DC 20036. An article indicates that this panel discussed regulation. I have no notes, transcript, or recording. An article describing this event is provided, and is located at: "NAB Notebook," COMMUNICATIONS DAILY, Apr. 26, 2001.

Oct. 24, 2000. Panelist, Panel on "Competition, Convergence and the Constitution: Will Marketplace Changes Affect First Amendment Standards for the Electronic Media?" at Freedom Forum, National Association of Broadcasters Education Foundation conference entitled The Electronic Media and the First Amendment in the 21st Century. The organization's address is: 1771 N. St. NW, Washington, DC 20036. I have no notes, transcript, or recording. I served on a panel discussing changes in First Amendment law in response to changes in the media marketplace.

Sept. 27, 2000. Panelist, "Telecommunications, Four More Years?" The 2000 Election and the FCC, Federalist Society Telecommunications & Electronic Media Practice Group, Washington, DC. The organization's address is: 1015 18th Street NW, Suite 425, Washington, DC 20036. A transcript is provided.

Apr. 2000. Panelist, National Association of Broadcasters Convention. The organization's address is: 1771 N Street NW, Washington, DC 20036. An article indicates that I spoke at this convention. I have no notes, transcript, or recording. An article describing this event is located at: "Yahoo's Yang Warns NAB Not to Slow Convergence in Washington," COMMUNICATIONS DAILY, Apr. 13, 2000.

Sept. 15, 1998. Panelist, Supreme Court Preview, The Washington Legal Foundation. The organization's address is: Washington Legal Foundation, 2009 Massachusetts Avenue NW, Washington, DC 20036. I have no notes, transcript, or recording. I served on a panel discussing the significant cases on the Supreme Court's docket for the October 1998 term.

Aug. 7, 1997. Panelist on State Legislative Redistricting Issues, The National Conference of State Legislatures. Video is available at: <http://www.c-spanvideo.org/program/StateLegis>.

Sept. 9, 1994. Panelist, "The Supreme Court, Racial Politics and the Right to Vote: *Shaw v. Reno* and the Future of the Voting Rights Act," American

University Conference, panel entitled “Rehnquist Court and Voting Rights.”
Video is available at: <http://www.c-spanvideo.org/program/Rehnqu>.

Aug. 13, 1991. Panelist on Term Limits, National Conference of State Legislatures, 1991 Annual Convention – Term Limits. The organization’s address is: National Conference of State Legislatures, 444 North Capitol Street NW, Suite 515, Washington, DC 20001. I have no notes, transcript, or recording. I served on a panel and discussed constitutional issues raised by legislative imposition of term limits.

Panelist, Progressive Career Panel, American Constitution Society, DC Lawyers Chapter. The organization’s address is: American Constitution Society, 1333 H Street NW, 11th Floor, Washington, DC 20005. I have no notes, transcript or recording. I am not certain of the date but I believe the panel took place in the fall of 2004 or 2005.

I spoke on a panel at the National Association of Criminal Defense Lawyers or the National Legal Aid & Defender Association on the *Wiggins v. Smith* case. I have no notes, transcript or recording. I do not recall the date of the presentation but it may have been in 2004 or 2005. The addresses of these organizations are: National Association of Criminal Defense Lawyers, 1660 L Street NW, 12th Floor, Washington, DC 20036; National Legal Aid & Defender Association, 1140 Connecticut Avenue NW, Suite 900, Washington, DC 20036.

I spoke on a panel at the DC Criminal Practice Institute, on the *Wiggins v. Smith* case and the Sixth Amendment right to effective assistance of counsel. I have no notes, transcript or recording. I do not recall the date of the presentation but it may have been November 2003. The organization’s address is: The Public Defender Service for DC, 633 Indiana Avenue NW, Washington, DC 20004.

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

The list below consists of interviews I have identified from my recollection, from my files, and from search of Internet databases. A copy is supplied for each interview. Despite my searches, there may be other interviews I have been unable to identify, find, or remember.

SETH STERN & STEPHEN WERMIEL, JUSTICE BRENNAN: LIBERAL CHAMPION, pp. 500, 506 and accompanying endnotes at pp. 641, 642 (2010).

“The Anointed,” POLITICO.COM, July 23, 2010.

“White House Lawyer to Teach at Harvard Law,” THE BOSTON GLOBE, May 8, 2010.

“A Rookie Sets a Precedent and Maybe Saves a Life,” THE NATIONAL LAW JOURNAL, Jan. 4, 2010.

“Jenner’s Justice,” THE NATIONAL LAW JOURNAL, February 9, 2009.

“Secretary Clinton’s Far East,” THE WASHINGTON POST, Feb. 9, 2009.

“Supreme Court Veteran and Renowned Litigator Donald Verrilli to Join DOJ as Associate Deputy Attorney General,” JENNER & BLOCK PRESS RELEASE VIA PR NEWswire, Feb. 4, 2009.

“Death Row Appeal Involves Right to Lawyer,” USA TODAY, Jan. 14, 2009.

“HRC Honors Jenner & Block for Long-standing Commitment to LGBT Civil Rights,” JENNER & BLOCK, EQUAL TIMES, Fall 2008.

“Power Lawyers: The 100 Most Influential Attorneys in Entertainment,” HOLLYWOOD REPORTER, July 25, 2008.

“Court Braces for Death Appeals,” LEGAL TIMES, Apr. 21, 2008.

“Splintered Court OKs Death Protocol,” THE NATIONAL LAW JOURNAL, Apr. 21, 2008.

“High Court Deems Lethal Injections Constitutional,” CONNECTICUT LAW TRIBUNE, Apr. 21, 2008.

“Justices Uphold Lethal Injection in Kentucky Case,” THE NEW YORK TIMES, Apr. 17, 2008.

“Supreme Court Upholds Kentucky's Lethal Injections,” THE NATIONAL LAW JOURNAL, Apr. 16, 2008.

Interview on All Things Considered, “Justices Rule Lethal Injection is Constitutional,” NATIONAL PUBLIC RADIO, Apr. 16, 2008.

Religion and Ethics NewsWeekly, “COVER: Lethal Injection,” PUBLIC BROADCASTING SERVICE, Mar. 28, 2008.

“For Two Veteran Advocates, A Tough Week at the Supreme Court,” LEGAL TIMES, Jan. 14, 2008.

Press Conference following arguments in *Baze v. Rees*, CSPAN, Jan. 7, 2008, video available at: <http://www.c-spanvideo.org/videoLibrary/search-results.php?key%5B%5D=verrilli>.

“Justices Weigh Lethal Injection,” STATELINE, Jan. 7, 2008.

“Kentucky Case Puts Lethal Injection to Test,” THE TIMES UNION (ALBANY, NY), Jan. 6, 2008.

“Supreme Court to Hear Death Penalty Case,” UPI, Jan. 6, 2008.

“Supreme Court May Shift in Cases Over Bad Lawyering,” LEGAL TIMES, Nov. 13, 2007.

“Viacom: Copyright Detection or Not, Lawsuit Still On!,” MARKETING PILGRIM, Oct. 17, 2007.

“September Target Date to Block Copyrighted Videos,” ASSOCIATED PRESS FINANCIAL WIRE, July 28, 2007.

“Youtube Says September is Target Time to Block Copyrighted Videos,” ASSOCIATED PRESS, July 27, 2007.

“At the High Court, Sometimes It’s Personal,” LEGAL TIMES, July 9, 2007.

“Supreme Effort,” THE AMERICAN LAWYER, July 2007.

“YouTube and its Dis-Contents,” CORPORATE COUNSEL, May 1, 2007.

Renee Montagne, “Viacom, Google Tussle Over YouTube Content,” NATIONAL PUBLIC RADIO, Mar. 23, 2007.

“Intellectual Property: The Quest to Redefine Copyright Fairness,” NATIONAL JOURNAL’S TECHNOLOGY DAILY, Mar. 16, 2007.

“Program Owners Trying to Push Rights Enforcement onto Websites,” TELEVISION A.M., Mar. 9, 2007.

“Broadening Diversity Scholarships’ Reach Helps Students and the Firm,” EQUAL TIME BY JENNER & BLOCK, Spring 2007.

“Death Penalty Disquiet Echoes Earlier Time,” LEGAL TIMES, July 10, 2006.

Interview by Nina Totenberg, “Justices Open Door for Death Row Challenges,” NATIONAL PUBLIC RADIO, June 13, 2006.

“Missouri Inmates Have Stake in Case,” THE KANSAS CITY STAR, Apr. 27, 2006.

“Lawyers See Litigation as Inevitable in Wake of New Act,” TR DAILY, Mar. 24, 2006.

“Public Minded,” THE AMERICAN LAWYER, Jan. 2006.

“People & Stories of 2005,” CORPORATE LEGAL TIMES, Dec. 2005.

“Family Lawyers are Suing Judges Over Casework,” THE NATIONAL LAW JOURNAL, Oct. 31, 2005.

“Family Feud Erupts Over Court Picks,” LEGAL TIMES, Oct. 24, 2005.

“Experts Expound on High Court’s Future,” CORPORATE LEGAL TIMES, Sept. 2005.

“Legal Matters: Supreme Team,” BILLBOARD.COM, July 9, 2005.

“Supreme Court hands Hollywood Huge Win; In Ruling Against Grokster, Streamcast,” VIDEO BUSINESS, July 4, 2005.

“High Court: P2P Services May be Sued for Infringement,” BACK STAGE, June 30, 2005.

“Studios Win Right to Sue File Sharers,” RECORDER, June 28, 2005.

“Hollywood Wins Internet Piracy Battle,” CNNMONEY.COM, June 27, 2005.

“Supreme Court Ruling,” VOICE OF AMERICA NEWS, June 27, 2005.

“Today’s U.S. Supreme Court Ruling on File-Sharing Software,” NATIONAL PUBLIC RADIO, June 27, 2005.

NewsHour with Jim Lehrer: “Day of Decisions,” PUBLIC BROADCASTING SERVICE, June 27, 2005.

“Whose rights were trampled?,” SUPERVISION, June 1, 2005.

“Intellectual Property: Friends, Foes of Grokster Assess Supreme; Court Hearing,” NATIONAL JOURNAL’S TECHNOLOGY DAILY, Mar. 29, 2005.

“Court Surfs File-Sharing, Cable Cases,” THE NATIONAL LAW JOURNAL, Mar. 28, 2005.

“Entertainment Industry Blasts Grokster,” COMMUNICATIONS DAILY, Jan. 26, 2005.

“Disparate Cast Lobbies Court To Restrict File Sharing,” THE WASHINGTON POST, Jan. 26, 2005.

“Peer Support Groups: MPAA, RIAA Field Army For P2P Court Battle,” DAILY VARIETY, Jan. 26, 2005.

“Intellectual Property: Entertainment Industry Highlights Support in Grokster Case,” NATIONAL JOURNAL’S TECHNOLOGY DAILY, Jan. 25, 2005.

Interview by Regan Morris, LAWCROSSING.COM (2005).

“Supreme Court Takes On Emerging Issues in Copyright, International Law,” THE NATIONAL LAW JOURNAL, Dec. 13, 2004.

“High Court Grants Cert in Copyright, International Law Cases,” THE NATIONAL LAW JOURNAL, Dec. 10, 2004.

“Supreme Court Considers Intent in Age-Bias Case,” DULUTH NEWS-TRIBUNE, Nov. 4, 2004.

“12 Year Battle for Kevin Wiggins Comes to an End,” JENNER & BLOCK PRESS RELEASE, Oct. 15, 2004.

“Wiggins Accepts Offer of Life Term,” THE BALTIMORE SUN, Oct. 8, 2004.

“Metro; In Brief,” THE WASHINGTON POST, Oct. 7, 2004.

“Justices Mull RIAA, Verizon Dispute,” THE NATIONAL LAW JOURNAL, Oct. 4, 2004.

“Justices Will Pick Up With ‘Mess’ From Last Term,” THE SEATTLE POST-INTELLIGENCER, Sept. 25, 2004.

“Morris Asks U.S. Supreme Court to Hear PGA Tour Case,” THE ASSOCIATED PRESS STATE & LOCAL WIRE, Aug. 28, 2004.

“News Organization Appeals to Supreme Court for PGA Tour Golf Score Access,” FLORIDA TIMES-UNION, Aug. 27, 2004.

“Confusion Over Telecom Competition,” BILLING WORLD AND OSS TODAY, Apr. 2004.

“Broadband Takes Back Seat to POTS in D.C. Court Appeal,” BROADBAND BUSINESS REPORT, Mar. 9, 2004.

“Competitors Predict Overturn of D.C. Circuit Decision on UNEs,” COMMUNICATIONS DAILY, Mar. 4, 2004.

“Death-Defying Acts,” THE AMERICAN LAWYER, Jan. 2004.

“C-block Bankruptcy Action Spills Into '04,” RCR WIRELESS NEWS, Jan. 12, 2004.

“RIAA Smells Victory; Case Transfer Would Aid Music Industry,” THE SAN FRANCISCO CHRONICLE, Nov. 22, 2003.

“Bias Suit Targets Age Act's Intent; Workers Take Their Complaint That Pension Plan Favors Older Employees to Top Court,” THE TIMES UNION (ALBANY, NY), Nov. 9, 2003.

“Great Expectations,” LOS ANGELES DAILY JOURNAL, Oct. 6, 2003.

“Justices Face Election Season Scrutiny,” CHICAGO TRIBUNE, Oct. 6, 2003.

“He Wants to Ring Verizon’s Bell,” LEGAL TIMES, Oct. 6, 2003.

“Verizon, Record Companies Duel Over ‘Net Piracy,’” TECHNEWS.COM, Sept. 16, 2003.

“Two Major Business Cases on D.C. Circuit's Fall Docket,” THE NATIONAL LAW JOURNAL, Sept. 16, 2003.

“Death Case Voided on Basis of Bad Lawyer,” CHICAGO TRIBUNE, June 27, 2003.

“The Supreme Court: Capital Punishment,” THE NEW YORK TIMES, June 27, 2003.

“Justices Throw Out a Murderer’s Death Penalty, Saying His Defense Was Inadequate,” THE NEW YORK TIMES, June 27, 2003.

“Death Penalty of Md. Man Is Overturned,” THE WASHINGTON POST, June 27, 2003.

“Special Report: Verizon Urges Court To Protect Its Subscribers’ Names,” NATIONAL JOURNAL'S TECHNOLOGY DAILY, Apr. 2, 2003.

“The Power of the Fourth,” THE NEW YORK TIMES MAGAZINE, Mar. 9, 2003.

“NextWave Wins Spectrum Showdown,” LEGAL TIMES, Feb. 3, 2003.

“Feds Ordered to Return Wireless Licenses,” ASSOCIATED PRESS ONLINE, Jan. 28, 2003.

“NextWave Gets to Keep Spectrum,” USA TODAY, Jan. 28, 2003.

“Return Licenses, Court Tells FCC; Federal Agency Wrong to Resell Wireless Permits,” CHICAGO TRIBUNE, Jan. 28, 2003.

“Airwave Slices Freed by Supreme Court Ruling,” ASSOCIATED PRESS, Jan. 27, 2003.

“Jenner and Block: Death Penalty Pros,” THE NATIONAL LAW JOURNAL, Jan. 6, 2003.

“Chicago Law Firm Has Rare Six Cases Before U.S. High Court,” CHICAGO TRIBUNE, Jan. 2, 2003.

“Court to Hear Case of Condemned Killer; Justices Address Quality of Defense,” CHICAGO TRIBUNE, Nov. 19, 2002.

“High Court to Hear MD Death Row Appeal,” THE WASHINGTON POST, Nov. 19, 2002.

“Supreme Court Agrees to Consider New Angle in Death Row Cases,” THE ASSOCIATED PRESS STATE & LOCAL WIRE, Nov. 18, 2002.

“Parties Say They Got Fair Hearing,” TR DAILY, Oct. 8, 2002.

“Court’s Term Destined for Big Finish,” *LEGAL TIMES*, Sept. 30, 2002.

“Industry Keeps Refund Fight on Several Fronts,” *RCR WIRELESS*, Sept. 23, 2002.

“Case for Copyrights,” *DAILY VARIETY*, Aug. 6, 2002.

JOSEPH RUSSOMANO, “SPEAKING OUR MINDS: CONVERSATIONS WITH PEOPLE BEHIND LANDMARK FIRST AMENDMENT CASES (2002). Chapter 9 “Turner Broadcasting System, Inc, et al. v. Federal Communications Commission, et al.” pp. 345-400.

“Phone Derby Portends Shift in Cost Packages,” *THE DENVER POST*, June 23, 2002.

“Critics Lobbying to Stop Execution,” *THE BALTIMORE SUN*, May 4, 2002.

“Republican Says Double Standard Keeps Dole Ashore,” *NEWS AND OBSERVER (RALEIGH, NC)*, Apr. 1, 2002.

“Justices Decline to Review Judiciary Wages Case,” *RECORDER*, Mar. 5, 2002.

“Client’s Death Sentence and Murder Conviction Voided,” *THE HEART OF THE MATTER BY JENNER & BLOCK*, Spring 2002.

“Lorelie S. Masters Joins Insurance Litigation and Counseling Practice,” *JENNER & BLOCK PRESS RELEASE*, Feb. 1, 2002.

“Murder Case’s Pursuit Defended,” *THE BALTIMORE SUN*, Oct. 18, 2001.

“Death Row—Despite a Lack of Evidence,” *THE BALTIMORE SUN*, Oct. 14, 2001.

“Md. Appeals Reversal of Conviction for Murder; Man Faced Death Penalty in Slaying of Woman, 77,” *THE BALTIMORE SUN*, Sept. 26, 2001.

“Judge Overturns 1989 Conviction, Death Sentence; State Considers an Appeal in Balto. County Drowning,” *THE BALTIMORE SUN*, Sept. 20, 2001.

“Federal Judge Vacates Conviction of Condemned Killer,” *THE ASSOCIATED PRESS STATE & LOCAL WIRE*, Sept. 20, 2001.

“U.S. District Chief Judge in Baltimore Sets Aside Death-Row Inmate’s Murder Conviction,” *DAILY RECORD*, Sept. 20, 2001.

“Gephardt-Clay Redistricting Power Struggle Goes Public,” *ST. LOUIS POST-DISPATCH*, Apr. 22, 2001.

“Appellate Court Again Affirms Wiggins’ Death Sentence,” THE BALTIMORE SUN, Feb. 11, 1999.

“Supreme Court Hears Interconnection Arguments Today,” COMMUNICATIONS DAILY, Oct. 13, 1998.

“Business Cases Prominent on Supreme Court Calendar,” LEGAL INTELLIGENCER, Oct. 1, 1998.

“SBC Scores with Novel Strategy,” TEXAS LAWYER, Jan. 12, 1998.

“A Lawyer for Every Death Plea?,” THE NATIONAL LAW JOURNAL, Sept. 1, 1997.

“Death Row Appeals Lawyers Sought,” CHICAGO TRIBUNE, Aug. 22, 1997.

“D.C. Lawyer to Sue Miss. Over Death Row Appeals,” COMMERCIAL APPEAL, Aug. 21, 1997.

“Justices Reaffirm Habeas Review,” THE NATIONAL LAW JOURNAL, Apr. 15, 1996.

“Would-Be Organ Donor Gives Up on Death Row; Denies Lawyer at High Court Speaks for Him,” THE WASHINGTON TIMES, Dec. 12, 1995.

“Death-row Organ Donor Hands Court A Puzzle,” THE WASHINGTON TIMES, Dec. 4, 1995.

“The Beginning Of The End Of Affirmative Action,” NEW PITTSBURGH COURIER, Nov. 15, 1995.

“Ad Decision Could Spur a Rollback,” THE NATIONAL LAW JOURNAL, July 3, 1995.

“Big Suits, Pro Bono,” THE AMERICAN LAWYER, Jan./Feb. 1995.

“New Era or Step Backward?,” THE NATIONAL LAW JOURNAL, Jan. 23, 1995.

“Murder Conviction Voided for Misconduct,” FULTON COUNTY DAILY REPORTER, Oct. 26, 1994.

“Voting Rights Act is Limited; Rulings on Districts, 1-Man Body are Setbacks for Minorities,” ST. LOUIS POST-DISPATCH (MISSOURI), July 1, 1994.

“High Court Furthers Lawyer Speech Right,” THE NATIONAL LAW JOURNAL, June 27, 1994.

“Sanctions Hit by Lawyers,” THE NATIONAL LAW JOURNAL, June 13, 1994.

“Tax Services Firm Seeks to Strip CPA Cloak,” THE MIAMI HERALD, May 30, 1994.

“Fla. Redistricting Tops Supreme Court Agenda,” PALM BEACH POST, Oct. 4, 1993.

“Ad Limits Get Harder to Enact,” THE NATIONAL LAW JOURNAL, July 26, 1993.

“American Telephone and Telegraph Co. v. MCI Telecommunications Corp.,” LEGAL TIMES, July 19, 1993.

“Victims of War, Hunger: Somalis Trapped in U.S. System,” USA TODAY, Nov. 13, 1992.

“Discrimination is Becoming More Subtle,” THE MIAMI HERALD, July 22, 1992.

“Term Limits Gain Momentum,” CHRISTIAN SCIENCE MONITOR, Oct. 15, 1991.

“Justices to Begin Deliberations on Term Limits Under Prop. 140,” LOS ANGELES TIMES, Sept. 12, 1991.

“High Court Rejects Patient’s Appeal,” DAILY NEWS, Mar. 26, 1991.

“State Courts Backed on Capital Cases,” CHICAGO TRIBUNE, Mar. 29, 1990.

“Supreme Court Ruling Will Set Letterhead Limits for Ill. Lawyers,” CRAIN’S CHICAGO BUSINESS, Oct. 9, 1989.

“IP Alumni: From Law Partners to Movie Producers,” COLUMBIA LAW SCHOOL, Undated.

13. Public Office, Political Activities and Affiliations:

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

Appointed by President Barack Obama to be Deputy Counsel to the President (June 2010 – present) and Senior Counsel to the President (February – May 2010)

Appointed by Attorney General Eric Holder to be an Associate Deputy Attorney General (February 2009 – January 2010)

- 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.

Obama For America, volunteer attorney, February 2007 – November 2008

Democratic Congressional Campaign Committee, volunteer attorney, October – November 2006

Kerry presidential campaign, volunteer attorney, August – November 2004

I also served as a volunteer member of transition teams for then-President Elect Clinton in 1992-1993 and then-President Elect Obama in 2008-2009, and I provided volunteer assistance to Senator Joseph Lieberman in preparing for the Vice Presidential debate in 2000.

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

a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

The Honorable William J. Brennan, Jr., Supreme Court of the United States,

July 1984 – August 1985

The Honorable J. Skelly Wright, U.S. Court of Appeals for the DC Circuit,

June 1983 – July 1984

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

I have not been a sole practitioner.

- 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.

Office of the White House Counsel

The White House

Washington, DC 20500

February 2010 – present

Deputy Counsel to the President (June 2010 – present)

Senior Counsel to the President (February – May 2010)

United States Department of Justice

950 Pennsylvania Avenue N.W.

Washington, DC 20530

February 2009 – January 2010

Associate Deputy Attorney General

Jenner & Block
1099 New York Avenue N.W.
Washington, DC 20001
July 1988 – January 2009
Partner (January 1991 – January 2009)
Associate (July 1988 – December 1990)

Georgetown University Law Center
600 New Jersey Avenue N.W.
Washington, DC 20001
Spring semesters: 1992 – 2008, except 2005
Adjunct professor of law

American University Washington College of Law
4801 Massachusetts Avenue N.W.
Washington, DC 20016
Spring semester 1995
Adjunct professor of law

Office of the White House Counsel
1600 Pennsylvania Avenue N.W.
Washington, DC 20500
May 1994 – July 1994
Special Counsel to the President

Ennis Friedman & Bersoff
1200 Seventeenth Street N.W.
Washington, DC 20036
September 1986 – June 1988
Associate

Columbia University School of Law
435 West 116th Street
New York, N.Y. 10027
September 1985 – August 1986
Samuel Rubin Research Fellow

Cravath, Swaine & Moore
825 Eighth Avenue
New York, NY 10016
May – June 1983
Summer Associate

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

I have not served as a mediator or arbitrator.

b. Describe:

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

In 1986, I joined Ennis, Friedman & Bersoff, a small litigation firm in Washington, D.C. I worked for Bruce Ennis and provided counsel and litigation advice to one the firm's principal clients. I also worked on First Amendment litigation.

In July 1988, I and most of the other lawyers in my firm joined the DC office of Jenner & Block, where I continued to work with Bruce Ennis on appellate and trial court matters. The other major component of my work during the first half of the 1990's was telecommunications litigation and regulatory work.

Starting in approximately 2000, I developed a more broad-based appellate practice while continuing to do telecommunications and technology-related work. My other major practice development during this time period was an increased focus on litigation involving questions of how copyright law would apply in emerging digital media.

I also took on an increasing managerial responsibilities at the firm in the 1990's and led the recruitment efforts of Jenner & Block's D.C. office. I became a co-managing partner of the D.C. office in 1997, was elected to the firm's governing Policy Committee in 2001, served as Chair of the firm's Diversity Committee beginning in 2006, and served as co-chair of the firm's Supreme Court practice group from 2000 to 2009.

In 2009, I began serving as an Associate Deputy Attorney General where I played a supervisory role on behalf of the Deputy Attorney General with regard to the civil litigating components at the Department of Justice. Since February of 2010, I have worked in the Office of the White House Counsel where I have assisted on some of the wide variety of issues that confront the Office.

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

While at Ennis, Friedman & Bersoff, I worked on issues for the American Psychological Association and on First Amendment matters, including a challenge under the 1984 Cable Act to a decision of the Commonwealth of Puerto Rico to bar the Playboy cable channel from the island's cable system.

At Jenner & Block, I represented the National Association of Broadcasters, which intervened to defend the constitutionality of the "must carry" provisions of the 1992 Cable Act in *Turner Broadcasting System v. FCC*. I also served as national coordinating counsel for MCI on litigation arising out of the Telecommunications Act of 1996. Additional cases that I handled at that time included *Verizon Communications v. FCC*, 535 U.S.

467 (2002); *Federal Communications Commission v. NextWave*, 537 U.S. 293 (2003) and *Verizon Communications v. Trinko*, 540 U.S. 398 (2004). In the copyright area, I handled *MGM Studios, Inc. v. Grokster*, 545 U.S. 913 (2005) and served as lead counsel for Viacom in an action filed in 2007 in the U.S. District Court for the Southern District of New York, alleging that YouTube should be held liable for copyright infringement for the unauthorized uploading of videos as to which Viacom owned the copyright.

While in the Deputy Attorney General's Office, I led a task force established to examine the government's use of the state secrets privilege in pending cases and to recommend any policy changes that were warranted based on that examination. I also supervised the work of the Civil Division, Antitrust Division, Tax Division, and Environmental and Natural Resources Division, and for a brief period the Civil Rights Division. Currently, in the Counsel's Office, I work on issues of separation of powers, including Congressional and other requests for documents and information. I also work on other legal policy issues and monitor litigation matters.

- 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.

The large majority of my practice has been litigation, much of it at the appellate level. I have argued 12 cases in the United States Supreme Court, and participated as counsel for parties or *amici* in 52 other cases at the merits stage and 80 cases at the certiorari stage. I have argued approximately 35 cases in federal courts of appeals and state appellate courts, and participated in approximately 99 cases in those courts. At the trial court level, I do not have a precise count of the number of summary judgment motions, motions to dismiss and other motions I have argued in federal district courts and state courts. I estimate that number to be at least 30. In addition, I participated as trial counsel in two multi-month antitrust jury trials, *Ultronics v. Cox Cable of San Diego*, No. 88CV1718K (S.D. Cal. 1991), and *In re Lake Erie Iron Ore Litigation*, Master MDL File 587 (E.D. Pa. 1992). I also have participated in regulatory rulemaking proceedings and regulatory policy matters, principally before the Federal Communications Commission and principally related to implementation of the Telecommunications Act of 1996 and various broadcast media regulatory policy matters.

- i. Indicate the percentage of your practice in:

1. federal courts; 85%
2. state courts of record; 5%
3. other courts; 0%
4. administrative agencies; 10%

- ii. Indicate the percentage of your practice in:

1. civil proceedings (including post-conviction representation of criminal defendants); 98%
 2. criminal proceedings; 2%.
- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.
- i. What percentage of these trials were:
 1. jury; 4%
 2. non-jury. 96%

In the United States Supreme Court, I participated as counsel to a party in 34 merits cases; counsel to an amicus in 30 additional merits cases, and counsel to a party or an amicus at the certiorari stage in 80 cases. In the United States Courts of Appeals, I participated as counsel to a party in approximately 80 cases (32 of which I argued). I am not certain of the number of cases I tried to judgment in the district court. Of the cases I participated in at the trial level, all but a handful were either decided on summary judgment or were non-jury cases. I estimate that I was counsel in at least three dozen summary judgment motions, the large majority of which were cases arising under the Telecommunications Act of 1996 and involved judicial review of the implementation of the Act's requirements by state public utility commissions. I also served as counsel in numerous summary judgment motions and motions to dismiss on behalf of defendants in class actions or commercial disputes. I participated as counsel in two major antitrust jury trials that were tried to a verdict: *Ultronics v. Cox Cable of San Diego*, No. 88CV1718K (S.D. Cal. 1991), and *In re Lake Erie Iron Ore Litigation*, Master MDL File 587 (E.D. Pa. 1992).

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

Immediately prior to entering government service, I practiced law at Jenner & Block. A significant portion of my law practice involved Supreme Court work. From 2000 to 2009 I was co-chair of the Supreme Court practice group at the firm. I argued twelve cases at the Court, and participated as counsel to a party in 22 additional merits cases, as counsel to *amicus curiae* in 30 additional cases at the merits stage, and as counsel to a party or *amicus curiae* in 80 cases at the certiorari stage. Transcripts and briefs are provided.

I(a): Argued Cases

1. *Montejo v. Louisiana*, 129 S. Ct. 2079 (2009) (No. 07-1529)
2. *Baze v. Rees*, 553 U.S. 35 (2008) (No. 07-5439)
3. *Schriro v. Landrigan*, 550 U.S. 465 (2007) (No. 05-1575)
4. *Howard Delivery Service, Inc. v. Zurich American Ins. Co.*, 547 U.S. 651 (2006) (No. 05-128)
5. *MGM Studios Inc. v. Grokster*, 545 U.S. 913 (2005) (No. 04-480)

6. *General Dynamics Land Systems v. Cline*, 540 U.S. 581 (2004) (No. 02-1080)
7. *Verizon Communications, Inc. v. Trinko*, 540 U.S. 398 (2004) (No. 02-682)
8. *Wiggins v. Smith*, 539 U.S. 510 (2003) (No. 02-311)
9. *Federal Communications Commission v. NextWave Communications*, 537 U.S. 293 (2003) (No. 01-653)
10. *Verizon Communications v. FCC*, 535 U.S. 467 (2002) (No. 00-511)
11. *Lonchar v. Thomas*, 517 U.S. 314 (1996) (No. 95-5015)
12. *MCI Communications v. AT&T*, 517 U.S. 314 (1996) (No. 93-356)

I(b): Argued Cases, Oral Argument Transcriptions

1. *Montejo v. Louisiana*, 129 S. Ct. 2079 (2009) (No. 07-1529)
2. *Baze v. Rees*, 553 U.S. 35 (2008) (No. 07-5439)
3. *Schriro v. Landrigan*, 550 U.S. 465 (2007) (No. 05-1575)
4. *Howard Delivery Service, Inc. v. Zurich American Ins. Co.*, 547 U.S. 651 (2006) (No. 05-128)
5. *MGM Studios Inc. v. Grokster*, 545 U.S. 913 (2005) (No. 04-480)
6. *General Dynamics Land Systems v. Cline*, 540 U.S. 581 (2004) (No. 02-1080)
7. *Verizon Communications, Inc. v. Trinko*, 540 U.S. 398 (2004) (No. 02-682)
8. *Wiggins v. Smith*, 539 U.S. 510 (2003) (No. 02-311)
9. *Federal Communications Commission v. NextWave Communications*, 537 U.S. 293 (2003) (No. 01-653)
10. *Verizon Communications v. FCC*, 535 U.S. 467 (2002) (No. 00-511)
11. *Lonchar v. Thomas*, 517 U.S. 314 (1996) (No. 95-5015)
12. *MCI Communications v. AT&T*, 517 U.S. 314 (1996) (No. 93-356)

II. Additional Merits Cases

(*indicates counsel of record)

1. *Nken v. Holder*, 129 S. Ct. 1749 (2009) (No. 08-681)
2. *Vermont v. Brillon*, 129 S. Ct. 1283 (2009) (No. 08-88)
3. *Hill v. McDonough*, 547 U.S. 573 (2006) (No. 05-8794)
4. *AT&T v. Iowa Utilities Board*, 525 U.S. 366 (1998) (No. 97-826)
5. *Greater New Orleans Broadcasters v. FCC*, 527 U.S. 173 (1999) (No. 98-387)
6. *United States Department of Commerce v. U.S. House of Representatives*, 525 U.S. 316 (1999) (No. 98-404)
7. *Reno v. American Civil Liberties Union*, 521 U.S. 844 (1997) (No. 96-511)
8. *Turner Broadcasting System v. FCC*, 520 U.S. 180 (1997) (No. 95-992)
9. *McMillian v. Monroe County*, 520 U.S. 781 (1997) (No. 96-542)
10. *Foreman v. Dallas County*, 521 U.S. 979 (1997) (Nos. 96-987 and 96-1389)
11. *Adams v. Robertson*, 520 U.S. 83 (1996) (No. 95-1873)
12. *Barnett Bank of Marion County v. Nelson*, 517 U.S. 25 (1996) (No. 94-1837)
13. *Rubin v. Coors Brewing Co.*, 514 U.S. 476 (1995) (No. 93-1631)
14. *Swint v. Chambers County*, 514 U.S. 35 (1995) (No. 93-1636)
15. *American Airlines v. Wolens*, 513 U.S. 219 (1994) (No. 93-1286)
16. *Turner Broadcasting System v. FCC*, 512 U.S. 622 (1994) (No. 93-44)
17. *Johnson v. DeGrandy*, 512 U.S. 997 (1994) (No. 92-767)*
18. *United States National Bank of Oregon v. Independent Ins. Agents of America*, 508 U.S. 49 (1993) (No. 92-484)*
19. *Stevens v. Department of Treasury*, 500 U.S. 1 (1991) (No. 89-1821)

20. *Peel v. Attorney Registration and Disciplinary Committee of Illinois*, 496 U.S. 91 (1990) (No. 88-1775)
21. *Pacific Mutual Life Ins. Co. v. Haslip*, 499 U.S. 1 (1991) (No. 89-1279)
22. *Berkovitz v. United States*, 486 U.S. 531 (1988) (No. 87-498)

III. Amicus Briefs (Merits Stage)

(*indicates counsel of record)

1. *Cone v. Bell*, 129 S. Ct. 1769 (2008) (No. 07-1114)*
2. *Harbison v. Bell*, 129 S. Ct. 1481 (2009) (No. 07-8521)*
3. *Merrill Lynch Pierce Fenner & Smith v. Dabit*, 547 U.S. 71 (2006) (No. 04-1371)*
4. *Randall v. Sorrell*, 548 U.S. 230 (2006) (No. 04-1528)*
5. *Cherokee Nation & Shoshone-Paiute Tribes of the Duck Valley Reservation v. Thompson*, 543 U.S. 631 (2005) (Nos. 02-1472, 03-853)
6. *City of Sherrill v. Oneida Indian Nation of New York*, 544 U.S. 197 (2005) (No. 03-855)
7. *United States v. Booker*, 543 U.S. 220 (2004) (No. 04-104)*
8. *Eldred v. Ashcroft*, 537 U.S. 186 (2003) (No. 01-618)*
9. *Abdur-Rahman v. Bell*, 537 U.S. 88 (2002) (No. 01-9094)
10. *Federal Election Commission v. Colorado Republican Federal Campaign Committee*, 533 U.S. 431 (2001) (No. 00-191)*
11. *Nixon v. Shrink Missouri Government PAC*, 528 U.S. 377 (2000) (No. 98-683)*
12. *Hunt v. Cromartie*, 526 U.S. 541 (1999) (No. 98-85)
13. *National Endowment for the Arts v. Finley*, 524 U.S. 569 (1998) (No. 97-371)*
14. *Printz v. United States*, 521 U.S. 898 (1997) (No. 95-1178)*
15. *Brotherhood of Locomotive Engineers v. Atchison, Topeka & Santa Fe Ry. Co.*, 516 U.S. 152 (1996) (No. 94-1592)
16. *Bush v. Vera*, 517 U.S. 952 (1996) (No. 94-805)
17. *Morse v. Republican Party of Virginia*, 517 U.S. 186 (1996) (No. 94-203)*
18. *Florida Bar v. Went for It, Inc.*, 515 U.S. 618 (1995) (No. 94-226)
19. *Ibanez v. Florida Dep't of Professional Regulation*, 512 U.S. 136 (1994) (No. 93-639) *
20. *Adarand Constructors, Inc. v. Pena*, 515 U.S. 200 (1995) (No. 93-1841)*
21. *Shaw v. Reno*, 509 U.S. 630 (1993) (No. 92-357)*
22. *CSX Transportation v. Easterwood*, 507 U.S. 658 (1993) (No. 91-1206)
23. *U.S. Department of Energy v. Ohio*, 503 U.S. 607 (1992) (No. 90-1341)
24. *Minnick v. Mississippi*, 498 U.S. 146 (1990) (No. 89-6332)
25. *Cruzan v. Missouri Dep't of Health*, 497 U.S. 261 (1989) (No. 88-1503)
26. *Clemons v. Mississippi*, 494 U.S. 738 (1990) (No. 88-6873)
27. *Price Waterhouse v. Hopkins*, 490 U.S. 228 (1989) (No. 87-1167)
28. *Fort Wayne Books v. Indiana*, 489 U.S. 46 (1989) (No. 87-470)
29. *Watson v. Fort Worth Bank & Trust*, 487 U.S. 977 (1988) (No. 86-6139)
30. *Patrick v. Burget*, 486 U.S. 94 (1988) (No. 86-1145)

IV. Petitions for Certiorari

(*indicates counsel of record)

1. *Cable News Network v. CSC Holdings*, No. 08-448 (2008)
2. *Montejo v. Louisiana*, No. 07-1529 (2008)*
3. *Perfect 10, Inc. v. Visa*, No. 07-1026 (2008)*
4. *Thacker v. FCC*, No. 07-803 (2008)
5. *Henneberry v. ING Capital Advisors*, No. 08M20 (2008)
6. *Taylor v. Crawford*, No. 07-303 (2007)*

7. *Harvey v. Florida*, No. 06-1368 (2007)
8. *Leonard v. Simpson*, No. 06-1317 (2007)*
9. *Cayuga Indian Nation v. Pataki*, No. 05-982 (2006)*
10. *Nance v. United States*, No. 04-1484 (2005) *
11. *National Association of Broadcasters v. FCC*, No. 04-1033 (2005)*
12. *Comstock Resources v. Kennard*, No. 04-165 (2005)*
13. *Morris Communications v. PGA Tour*, No. 04-266 (2004)*
14. *RIAA v. Verizon*, No. 03-1579 (2004)*
15. *AT&T v. United States Telecom Association*, No. 04-15 (2004)
16. *WorldCom v. Wisconsin Bell*, No. 03-603 (2004)*
17. *WorldCom v. United States Telecom Association*, No. 02-858 (2003)
18. *Cousin v. Berry*, No. 02-1862 (2003)*
19. *Scheiber v. Dolby Laboratories, Inc.*, No. 02-689 (2002)*
20. *Wiggins v. Corcoran*, No. 02-311 (2002)*
21. *Cohen v. United States*, No. 01-1234 (2002)
22. *Fulton County v. Webster*, No. 00-1174 (2001)*
23. *WorldCom v. Verizon*, No. 00-555 (2000)*
24. *NextWave Personal Communications v. FCC*, No. 99-1980, No. 00-447 (2000)
25. *American Airlines v. U.S. Department of Transportation*, No. 99-1745 (2000)
26. *Foreman v. Dallas County, Texas*, No. 99-1334 (2000)
27. *AT&T Corp. v. Cincinnati Bell*, No. 99-1249 (2000)
28. *Earles v. State Bd. of CPAs of Louisiana*, No. 98-385 (1999)*
29. *MCI Telecommunications Corp. v. Iowa Utilities Board*, No. 97-82 (1998)
30. *MCI Telecommunications Corp. v. United Arab Emirates*, No. 96-434 (1996)*
31. *Jolicoeur Furniture Co. v. Baldelli*, No. 95-153 (1995)*
32. *Doe v. Kirchner*, No. 94-1644 (1995)
33. *Turner v. Jabe*, No. 94-1238 (1995)
34. *Bresnan Communications Company v. City of Huntsville, Alabama*, No. 94-377 (1994)
35. *City of Clearwater v. Church of Scientology*, No. 93-1603 (1994)
36. *American Airlines v. Wolens*, No. 92-249 (1993)
37. *Consumer Federation of America v. United States*, No. 93-318 (1993)
38. *MCI v. AT&T*, No. 92-1684 (1993)
39. *MCI v. Credit Builders of America*, No. 92-1566 (1993)
40. *Moore v. Regents of University of California*, No. 90-1037 (1991)*
41. *Hill v. Mississippi State Employment Services*, No. 91-170 (1991)*
42. *MCI Communications Corp. v. United States*, No. 90-9 (1990)
43. *Bankers Life & Casualty v. Crenshaw*, No. 85-1765 (1987)

V. Briefs in Opposition to Certiorari

(*indicates counsel of record)

1. *Jewell v. Life Ins. Co. of North America*, No. 07-1121 (2008)
2. *Caley v. Gulfstream Aerospace Corp.*, No. 05-959 (2006)*
3. *South Dakota v. Cummings*, No. 04-74 (2004)
4. *Ritcheson v. CC Services, Inc.*, No. 03-1097 (2004)
5. *Grid Radio v. Federal Communications Commission*, No. 01-1662 (2002)
6. *Satellite Broadcasting & Communications Ass'n v. FCC*, No. 01-1332 (2002)*
7. *Federal Communications Comm'n v. NextWave Personal Communications*, No. 01-653 (2002)
8. *Evanns v. AT&T*, No. 00-1527 (2001)
9. *Qwest Corporation v. MCI WorldCom*, No. 00-214 (2000)

10. *GTE Services, Inc. v. FCC*, No. 99-1244 (2000) *
11. *US West Communications v. FCC*, No. 99-869 (2000)
12. *BellSouth Corporation v. FCC*, No. 98-1046 (1999)*
13. *SBC Communications v. FCC*, No. 98-652 (1999)*
14. *Stuart v. Miller*, No. 97-719 (1998)*
15. *Manning v. City of Chicago*, No. 96-32 (1996)
16. *Dumas v. Playboy Enterprises, Inc.*, No. 95-549 (1995)*
17. *Turner Broadcasting System v. FCC*, No. 93-44 (1993)
18. *Ameritech v. AT&T*, No. 92-848 (1993)
19. *Bessemer & Lake Erie Ry Co. v. Republic Steel Corp.*, No. 93-643 (1993)
20. *Southern Pacific Transportation Co. v. Hernandez*, No. 91-293 (1991)*
21. *Cruz v. Playboy Enterprises, Inc.*, No. 90-491 (1990)
22. *Clardy v. Sanders*, No. 89-440 (1989)
23. *Pacific Mutual Life Ins. Co. v. Haslip*, No. 89-1279 (1991)

VI. Amicus Brief (certiorari stage)

(*indicates counsel of record)

1. *Cone v. Bell*, No. 07-1114 (2008)*
2. *T-Mobile USA v. Laster*, No. 07-976 (2008)*
3. *Irving N. v. Rhode Island Dep't of Youth & Families*, No. 06-603 (2007)*
4. *Randall v. Sorrell*, 548 U.S. 230 (2006) (No. 04-1528)*
5. *Pan American Energy v. Candlewood Timber Group*, No. 04-778 (2004)*
6. *Lovitt v. True*, No. 03-8751 (2003)*
7. *AT&T v. Ting*, No. 02-1521 (2003)*
8. *Alliant Energy Corporation v. Bridge*, No. 03-569 (2003)*
9. *Intel v. Advanced Micro Devices*, No. 02-572 (2002)*
10. *Housel v. Head*, No. 01-8889 (2002)
11. *Walker County School Dist. v. Bennett*, No. 00-527 (2000)*
12. *City of Cincinnati v. Kruse*, No. 98-454 (1998)*
13. *Means v. Chilcutt*, No. 93-1663 (1994)*
14. *Holy Spirit Ass'n v. Molko*, No. 88-1600 (1989)
15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:
 - a. the date of representation;
 - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
 - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *MGM Studios, Inc. v. Grokster*, 545 U.S. 913 (2005)

I served as lead counsel for the petitioners – a group that included the nation’s major motion picture studios and record companies – during 2004 and 2005 (and continued to represent these companies on remand to the district court). The question in the case was whether companies that operated for-profit peer-to-peer file sharing networks could be held liable for copyright infringement based on their active inducement of infringement by the users of their networks. Reversing the Ninth Circuit, the Court unanimously held that inducement was a valid theory of secondary copyright liability and that the network operators could be held liable for the infringement they induced.

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Russell Frackman (co-counsel)
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Richard Taranto (opposing counsel)
Farr & Taranto
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Washington, DC 20036
Phone: 202-775-0184

2. *General Dynamics Land Systems v. Cline*, 540 U.S. 581 (2004)

I represented General Dynamics. The question presented was whether the Age Discrimination in Employment Act prohibited employers from engaging in “reverse discrimination” in favor of older employees by, for example, providing flex time or part-time options for those workers but not for younger workers. The Court agreed with General Dynamics that the ADEA should not be read to prohibit such accommodations of older workers but should only bar discrimination that disfavors workers on the basis of old age.

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Phone: 202-626-5540

Mark Biggerman (opposing counsel)
29325 Chagrin Boulevard
Beachwood, OH 44122

3. *Wiggins v. Smith*, 539 U.S. 510 (2003)

I represented a death row inmate, Kevin Wiggins, in post-conviction proceedings, culminating in Supreme Court review, that focused on the claim that he was denied his Sixth Amendment right to the effective assistance of counsel because his trial counsel did not conduct any meaningful investigation into his background before deciding to forego putting on a mitigation defense at the sentencing phase of his murder trial. The Court's decision in the case established that a capital defendant's Sixth Amendment right to effective assistance of counsel encompasses the requirement that attorneys perform a reasonable and diligent investigation before making decisions about how best to defend their client in capital sentencing proceedings.

Gary E. Bair (opposing counsel)
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Phone: 301-220-1570

Daniel Himmelfarb (counsel for United States as amicus)
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4. *Federal Communications Commission v. NextWave Communications*, 537 U.S. 293 (2003)

I represented NextWave, a wireless telecommunications firm that had successfully bid on FCC licenses for wireless spectrum but had become insolvent and declared Chapter 11 bankruptcy before paying the FCC in full for the auction price. The case posed the question whether the FCC was required to respect the Bankruptcy Code provisions designed to give debtors breathing space to reorganize – particularly Section 525 of the Code, which provides that government agencies may not cancel licenses for failure to pay a dischargeable debt. The Court held that the FCC was bound by this requirement and could not reclaim spectrum licenses based on NextWave's bankruptcy.

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Thomas G. Hungar (co-counsel)
Gibson, Dunn & Crutcher

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Laurence Tribe (counsel for amicus)
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5. *Verizon Communications v. Federal Communications Commission*, 535 U.S. 467 (2002)

I represented MCI and other telecommunications carriers in this case, which involved the legality and constitutionality of Federal Communications Commission rules setting the price at which incumbent local telephone companies were required to lease elements of their networks to competitors such as MCI under the terms of the Telecommunications Act of 1996. MCI and other competitive carriers had intervened to defend the FCC's rules. The Court upheld the rules against challenges that they were arbitrary and capricious and that they violated the Fifth Amendment because they did not provide sufficient compensation.

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Peter Keisler (counsel for AT&T)
Sidley Austin
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6. *McDonnell-Douglas Corporation v. United States*, 567 F.3d 1340 (CA Fed 2009);
McDonnell-Douglas Corporation v. United States, 323 F.3d 1006 (CA Fed 2003)

I represented General Dynamics over a ten-year period, which included the two Federal Circuit appeals listed above (Michel, Moore & Huff, JJ. in 2009; Michel, Clevenger & Linn, JJ. in 2003) in a major government contracts case challenging the Defense Department's conclusion that General Dynamics had defaulted on the design and construction of the A-12 stealth aircraft, resulting in a multi-billion dollar damages liability. The case established important legal principles regarding the standard for deciding whether a contractor has defaulted on its contractual obligations.

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Charles Cooper (counsel for Boeing)
Cooper & Kirk
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7. *L-3 Communications v. OSI Systems*, Nos. 07-1314-cv, 07-1552-cv, 2008 WL 2595176 (CA2 2008)

I represented L-3 communications in the U.S. Court of Appeals for the Second Circuit in this commercial dispute (Cabrane, Katzmann, and Cardamone, JJ.). The Second Circuit overturned a damages verdict of more than \$125 million against L-3. The appeals court agreed with L-3's argument that the district court had improperly allowed OSI Systems to convert a contractual dispute based on arms-length bargaining into a breach of fiduciary duty case with punitive damages.

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8. *Satellite Broadcasting & Communications Ass'n v. Federal Communications Commission*, 275 F.3d 337 (CA4 2001), *cert. denied*, 536 U.S. 922 (2002)

I represented the National Association of Broadcasters in this case involving a First Amendment challenge to the Satellite Home Viewer Improvement Act, a statute that required satellite broadcasters such as DirecTV to carry all local broadcast stations as a package in a given geographic locale if they carried any broadcaster in that locale. The broadcasters intervened in the case to defend the constitutionality of the statute. The Fourth Circuit (Michael, Widener, Neimeyer, JJ.) upheld the law on the ground that Congress could constitutionally condition its grant of a compulsory copyright license to transmit local broadcast stations on the requirement that a satellite broadcaster carry all local channels.

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9. *Viacom v. YouTube*, No. 07 Civ. 2103 (S.D.N.Y, case filed April 2007)

I represented Viacom in the district court proceedings in this intellectual property test case alleging that YouTube infringed Viacom's copyright in video programming, and that

YouTube did not have immunity from damages for such conduct under the Digital Millennium Copyright Act. The case, before Judge Louis Stanton of the U.S. District Court for the Southern District of New York, was still in discovery when I left private practice to join the Department of Justice in 2009. After my departure, the district court ruled on summary judgment that YouTube did have immunity under the DMCA. The case is now on appeal.

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Andrew Schapiro (opposing counsel)
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10. MCI Litigation under the 1996 Telecommunications Act

During the period 1997-2001, I represented MCI as national coordinating counsel for litigation arising out of the Telecommunications Act of 1996. In this role, I served as lead counsel in dozens of summary judgment proceedings around the country involving federal district court review of state public utility commission decisions implementing the local competition requirements of the Telecommunications Act of 1996. I argued 10 to 15 of these cases in U.S. district courts around the country, and participated in appeals of these cases as well. In this role, I also argued several cases in the U.S. courts of appeals regarding the legality and constitutionality of various aspects of the FCC's rules implementing the Act on a national level.

These cases involved many opposing counsel and co-counsel. The two with whom I had most frequent contact were:

Michael Kellogg (opposing counsel)
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John Thorne (opposing counsel)
Verizon Communications
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Arlington, VA 22201
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16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s).

(Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

I have never been a registered lobbyist.

The majority of my practice has been in litigation, much of it at the appellate level. The subject matter of these cases covered constitutional law, administrative law, telecommunications law, antitrust law, copyright law, and bankruptcy law. The court of appeals aspect of my appellate practice involved filing briefs in all federal courts of appeals and presenting oral arguments in most of the circuits. My Supreme Court practice involved oral arguments and briefing the cases on the merits, as well as seeking and opposing Supreme Court review. Additionally, I helped prepare other counsel to argue before the Court and counseled clients on the impact of specific Supreme Court rulings.

My most significant non-trial matter was negotiation of a landmark consent decree in 1995 in *Thompson v. HUD*, a class action filed in U.S. District Court for the District of Maryland seeking to desegregate the public housing of the City of Baltimore. In the latter part of 1995, I devoted several hundred hours of time negotiating a complex consent decree to resolve a preliminary injunction motion in that matter. The negotiations involved the U.S. Department of Housing and Urban Development, the Baltimore City Housing Authority, and the governments of the counties surrounding Baltimore City. As a result of the decree, \$370 million dollars of federal money was provided to support a plan by the City to demolish its existing high rise public housing projects and replace them with low-density housing and related community development projects.

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

From 1992 through 2008, I taught an advanced constitutional law seminar each spring entitled Theories of Free Speech at the Georgetown University Law Center. Copies of syllabi from 1997 through 2008 are provided (with the exception of 2005, when I did not teach). I do not have syllabi from the earlier years, but they are substantially the same as those provided. During the spring of 1995, I also taught a survey course in First Amendment law at the Washington College of Law, American University. I cannot locate the syllabus. The case book I used for the course at Washington College of Law was Steven Shiffrin, *First Amendment: Cases, Comments, Questions*.

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

I participate in the Thrift Savings Plan.

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

No.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official.

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I have entered into with the Department's designated agency ethics official.

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

During my career in private practice, I endeavored to devote at least 5% of my time to pro bono work each year. To the best of my recollection, I met or exceeded that goal in each year. From 1999 through 2008, and in most of the years prior to 1999, I billed in excess of 200 pro bono hours annually.

A significant portion of my pro bono time was devoted to post-conviction representation of death row inmates in state and federal post-conviction proceedings, which focused principally (but not exclusively) on issues of effective representation of counsel under the Sixth Amendment, based on my belief that the fairness and integrity of our system of capital punishment depends critically on the quality of the representation. For example, I represented a habeas petitioner named Kevin Wiggins over a ten-year span in state and federal habeas corpus proceedings, culminating in a U.S. Supreme Court decision in *Wiggins v. Smith* clarifying the standards for effective assistance of counsel in capital sentencing proceedings. I also represented inmates Gregory Montecarlo Jones in Mississippi (*Jones v. State*, 602 So. 2d 1170 (Miss. 1992)) and John Michael Davis in Georgia (*Davis v. Zant*, 36 F.3d 1538 (CA11 1994)) in proceedings over several years that culminated in successful appeals. In more recent years I was asked, and agreed, to handle the following capital punishment cases on a pro bono basis in the U.S. Supreme Court: *Montejo v. Louisiana*, 129 S. Ct. 2079 (2009); *Landrigan v. Schriro*, 550 U.S. 465 (2007); *Baze v. Rees*, 553 U.S. 35 (2008). *Montejo* and *Landrigan* raised right-to-counsel issues of the kind that have been the focus of my pro bono efforts in capital cases. *Baze* involved the constitutionality of lethal injection procedures.

I also have done pro bono work in other areas. In 2007 and 2008, I assisted the organization Teach For America, in litigation and with counseling, on issues related to alternative paths to certification for teachers under the No Child Left Behind law. For several years, I represented the Superior Court Judges of the District of Columbia on a pro bono basis defending a constitutional challenge brought to their efforts to reform the attorney appointment system to ensure qualified representation for juveniles in abuse and neglect proceedings in the DC Courts (*Roth v. King*, 449 F.3d 1272 (CADDC 2006)). During 1994 and 1995, I spent a significant amount of time negotiating a consent decree to resolve a preliminary injunction in a housing discrimination case, *Thompson v. HUD*, which resulted in a plan to demolish the City of Baltimore's high rise housing projects and replace them with low-density housing and support services for public housing residents. During the 1990s, I did some work with human rights organizations seeking political asylum for foreign dissidents, including a successful effort on behalf of a dissident scientist seeking asylum from the Peoples Republic of China. Over the years I also filed pro bono *amicus* briefs in the Supreme Court and other courts for a range of clients on a range of issues, including: for Members of Congress in cases involving the constitutionality of campaign finance reform (*Randall v. Sorrell*; *FEC v. Colorado Republicans*; and *Nixon v. Shrink Missouri*); for the Washington Legal Foundation (*Merrill Lynch v. Dabit* (pre-emption of state securities law claims); *United States v. Booker* (sentencing) and *Alliant Energy v. Bridge* (extraterritoriality)); for the Lawyers Committee for Civil Rights in a Voting Rights Act case (*Morse v. Republican Party of Virginia*); and for numerous other organizations.

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks	1	053	464	Notes payable to banks-secured			0
U.S. Government securities-add schedule			0	Notes payable to banks-unsecured			0
Listed securities-add schedule	2	289	080	Notes payable to relatives			0
Unlisted securities--add schedule			0	Notes payable to others			0
Accounts and notes receivable:			0	Accounts and bills due			0
Due from relatives and friends			0	Unpaid income tax			0
Due from others			0	Other unpaid income and interest			0
Doubtful			0	Real estate mortgages payable-see schedule		292	000
Real estate owned-see schedule	1	200	000	Chattel mortgages and other liens payable			0
Real estate mortgages receivable			0	Other debts-itemize:			0
Autos and other personal property		50	000				
Cash value-life insurance		51	000				
Other assets itemize:			0				
				Total liabilities		292	000
				Net Worth	4	351	544
Total Assets	4	643	544	Total liabilities and net worth	4	643	544
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor			0	Are any assets pledged? (Add schedule)			no
On leases or contracts			0	Are you defendant in any suits or legal actions?			no
Legal Claims			0	Have you ever taken bankruptcy?			no
Provision for Federal Income Tax			0				
Other special debt			0				

ASSETS

Listed Securities

CDs:

Ally Bank CD	\$199,500
American Express Bank CD	\$100,087
American Express Centurian Bank CD	\$100,266
Citizens Bank MI CD	\$100,272
Discover Bank DE CD	\$100,764
GE Money Bank Utah CD	\$100,800
Sallie Mae Bank UT CD	\$ 93,325
Bank of America NA CD	\$125,950

Mutual Funds:

Black Rock Global Allocation	\$ 90,000
Calamos Convertible Fund	\$ 35,000
Calamos Market Neutral Income Fund	\$ 20,000
Henderson International Opportunities	\$ 90,000
Ivy Asset Strategy Fund	\$ 89,000
Ivy Capital Appreciation Fund	\$ 96,000
Loomis Sayles Strategic Income Fund	\$ 39,500
Nuveen Multi Cap Value Fund	\$ 81,000
Pimco Funds – All Asset All Auth	\$ 49,000
Thornburg Int'l Value Fund	\$ 95,000
Touchstone Mid Cap Growth Fund	\$ 62,000
Touchstone Sands Cap Select Fund	\$104,000
American Funds – Growth Fund of America	\$ 35,700

American Funds – Income Fund of America \$ 62,800

American Funds – Wash. Mutual Inv. Fund \$ 50,000

Bonds:

Chicago, IL BOE SCH Reform 0-CPN	\$ 6,444
Denton TX Indep. Sch. Dist. RFDG	\$ 9,075
Dist. of Columbia MBIA Unltd G/O	\$ 9,225
Harris Co. TX G/O Rev Ref MBID	\$ 7,799
Hilliard OH Sch. Dist. Construction	\$ 9,214
Keller TX Ind. Sch. Dist. RFDG	\$ 9,666
Lancaster Cty PA Ser. B G/O	\$ 7,899
Loveland OH City Sch. Dist.	\$ 9,732
Michigan City Ind Area-Wide FGIC B/E	\$ 6,042
Michigan State Bldg Auth Rev RFDG	\$ 6,941
Minister OH Local School Dist. RFDG	\$ 8,899
Newman Crews Landing Sch. Dist.	\$ 6,604
North Slope Borough Alaska Ser. A	\$ 9,620
Southern CA PPA PJRV Public Power Rev	\$ 9,692
Sussex Cty. NJ Mun. Utils Auth.	\$ 8,434
Washington State G/O College Savings	\$ 9,637
Washington State G/O Ser 5	\$ 8,441
Washington State RFDG Ser R-97A	\$ 8,291

401k:

Fidelity Europac Growth Fund	\$ 55,000
Fidelity Davis NY Venture Fund	\$ 70,000
Fidelity Freedom 2020	\$ 20,000

Fidelity Freedom 2030	\$275,000
Fidelity Growth Company Fund	\$125,000
Fidelity Value Fund	\$ 57,000
Fidelity Retirement Govt Money Market	\$110,000
Fidelity US Bond Index Fund	\$203,000

529 College Fund

American Funds Money Market 529-A	\$ 6,630
Income Fund of America – 529C	\$ 29,000
Short Term Bond Fund of America – 529C	\$ 2,795

Other:

MetLife Variable Annuity	\$185,000
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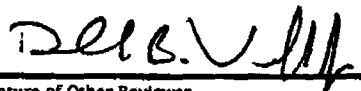
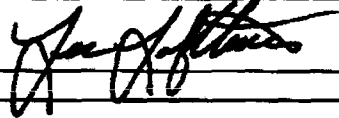
Real Estate Owned

Residence in Washington, D.C.	\$1,200,000
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Real Estate Mortgages

Bank of America Mortgage	\$250,000
Citibank Line of Credit	\$ 42,000

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year)	Reporting Status (Check Appropriate Boxes)	Incumbent ☐	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate ☒	Termination Filer ☐	Termination Date (If Applicable) (Month, Day, Year)
Reporting Individual's Name	Last Name		First Name and Middle Initial			
	Verrilli		Donald B., Jr.			
Position for Which Filing	Title of Position		Department or Agency (If Applicable)			
	Solicitor General		Department of Justice			
Location of Present Office (or forwarding address)	Address (Number, Street, City, State, and ZIP Code)			Telephone No. (Include Area Code)		
	White House Counsel, 1600 Pennsylvania Ave. NW, Washington, D.C.			202-456-3073		
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held					
	Deputy Counsel to the President (June 2010 - present) Senior Counsel to the President (February 2010-June 2010) Associate Deputy Attorney General, U.S. Department of Justice (February 2009 - January 2010)					
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination			Do You Intend to Create a Qualified Diversified Trust?		
	Committee on Judiciary			☐ Yes ☒ No		
Certification		Signature of Reporting Individual			Date (Month, Day, Year)	
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.					7/31/11	
Other Review (If desired by agency)		Signature of Other Reviewer			Date (Month, Day, Year)	
					1/31/11	
Agency Ethics Official's Opinion		Signature of Designated Agency Ethics Official/Reviewing Official			Date (Month, Day, Year)	
On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).					1/31/2011	
Office of Government Ethics Use Only		Signature			Date (Month, Day, Year)	
Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)						
(Check box if filing extension granted & indicate number of days _____) ☐						
(Check box if comments are continued on the reverse side) ☐						
Agency Use Only						
OGE Use Only						

Fee for Late Filing
Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a \$200 fee.

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B—Not applicable.

Schedule C, Part I (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)—Show any agreements or arrangements as of the date of filing.

Schedule D—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

SCHEDULE A

Page Number

2 of 26

Assets and Income		Valuation of Assets at close of reporting period						Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.											
BLOCK A		BLOCK B						BLOCK C											
								Type	Amount							Date (Mo., Day, Yr.)			
								Dividends	Rent and Royalties	Interest	Capital Gains	Other Income (Specify Type & Actual Amount)							Only if Honoraria
								None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	Over \$250,000*	Over \$5,000,000		
For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period, or which generated more than \$200 in income during the reporting period, together with such income. For yourself, also report the source and actual amount of earned income exceeding \$200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than \$1,000 (except report the actual amount of any honoraria over \$200 of your spouse).																			
None ☐																			
Examples	Central Airlines Common		x					x											
	Doe Jones & Smith, Hometown, State		*															Law Partnership Income \$130,000	
	Kempstone Equity Fund			x				*			x								
	IRA: Heartland 500 Index Fund					x		*				x							
1	Morgan Stanley Smith Barney Blackrock Global Allocation Fund			X				X				X							
2	Morgan Stanley Smith Barney Calamos Convertible Fund CL I		X					X			X								
3	Morgan Stanley Smith Barney Calamos Market Neutral Income Fund CL I		X					X				X							
4	Mogan Stanley Smith Barney Henderson Int'l Opportunities Fund CL W			X				X				X							
5	Morgan Stanley Smith Barney Ivy Asset Strategy Fund Class I			X				X				X							
6	Morgan Stanley Smith Barney Ivy Capital Appreciation Fund CL I			X				X				X							

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot Be Used.

Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)															Page Number 4 of 26															
Assets and Income	Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																					
BLOCK A	BLOCK B										BLOCK C																					
	None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Real and Personal Property	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1 Dist. of Columbia MBIA Unltd G/O Bond	X																			X												
2 Harris County TX G/O Rev Ref MBID Bond	X																			X												
3 Hilliard Ohio School District Construction Bond	X																			X												
4 Keller TX Ind. School Dist. RFDG Bond	X																			X												
5 Lancaster County PA Ser B. G/O Bond	X																			X												
6 Loveland Ohio City School Dist. Bond	X																			X												
7 Michigan City Ind Area-Wide FGIC B/E 0-CPN Rev Bond	X																			X												
8 Michigan State Bldg Auth Reve RFDG Bond	X																			X												
9 Minister Ohio Local School Dist. RFDG Bond	X																			X												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name		SCHEDULE A continued (Use only if needed)												Page Number																	
Assets and Income		Valuation of Assets at close of reporting period												Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																	
BLOCK A		BLOCK B												BLOCK C																	
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Trust	Qualified Trust	Type	Amount	Date (Mo., Day, Yr.) Only if Honoraria													
															Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)		
1	Newman-Crows Landing Unified School Dist. Bond		X															X													
2	North Slope Borough Alaska Ser A Bond		X															X													
3	Southern CA PPA PJ RV Public Power Rev Bond		X															X													
4	Sussex County NJ Mun. Utils Auth Bond		X															X													
5	Washington State G/O College Savings Bonds		X															X													
6	Washington State G/O Ser. 5 Full Faith & Credit Bond		X															X													
7	Washington State RFDG Ser R-97A Bond		X															X													
8	Citibank Bank Deposit Program (FDIC insured sweep account)		X															X													
9	Citibank Bank Deposit Program (FDIC insured sweep account)			X												X			X												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 6 of 26																		
Assets and Income		Valuation of Assets at close of reporting period												Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																		
BLOCK A		BLOCK B												BLOCK C																		
		None (or less than \$201)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excluded Investment Fund	Excepted Trust	Gratuitous Trust	Type	Amount										Date (Mo., Day, Yr.) Only if Honoraria				
																Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*		\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	
1	Ally Bank (formerly GMAC Bank) CD				X														X													
2	American Express Bank FSB CD				X												X			X												
3	American Express Centurian Bank CD				X												X				X											
4	Citibank Bank Deposit Program (FDIC insured sweep account)			X													X			X												
5	Citizens Bank CD				X												X			X												
6	Discover Bank DE CD				X												X				X											
7	GE Money Bank Utah CD				X												X				X											
8	Sallie Mae Bank Utah CD			X													X				X											
9	Bank of America NA NC CD				X														X													

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 7 of 26																		
Assets and Income		Valuation of Assets at close of reporting period												Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																		
BLOCK A		BLOCK B												BLOCK C																		
		None (or less than \$201)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Trust	Qualified Trust	Type				Amount								Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria			
															Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000			Over \$5,000,000		
1	Met Life Investors USA Variable Annuity Ser. L - MetLife Balanced Strategy Portfolio Fund				X								X						X													
2	Citibank Bank Deposit Program (FDIC insured sweep account)	X															X		X													
3	American Fund Growth Fund of America			X									X		X					X												
4	American Funds Income Fund of America				X								X		X						X											
5	American Funds Washington Mutual Investors Fund			X									X		X						X											
6	American Funds (College America) Money Market Fund (529-A)		X										X		X				X													
7	American Funds (College America) Income Fund of America (529-C)			X									X		X					X												
8	American Funds (College America) Short Term Bond Fund of America (529-C)			X									X		X				X													
9	Fidelity (Jenner & Block 401k) Davis NY Venture Fund				X								X		X				X													

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 8 of 26																
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																		
BLOCK A		BLOCK B										BLOCK C																		
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Fidelity (Jenner & Block 401k) Fidelity Freedom 2020 Fund		X											X				X												
2	Fidelity (Jenner & Block 401k) Fidelity Freedom 2030 Fund						X													X										
3	Fidelity (Jenner & Block 401k) Fidelity Growth Co.				X													X												
4	Fidelity (Jenner & Block 401k) Fidelity Value Fund			X														X												
5	Fidelity (Jenner & Block 401k) US Bond Index Fund					X															X									
6	Fidelity (Jenner & Block 401k) Fidelity Ret. Govt. MM					X										X		X												
7	Fidelity (Jenner & Block 401k) AF EuroPacific Fund			X														X												
8	Bank of America Money Market Account		X													X			X											
9	Justice Federal Credit Union (spouse) (savings account)		X															X												

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 9 of 26																			
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																					
BLOCK A		BLOCK B										BLOCK C																					
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excluded Investment Fund	Excepted Trust	Qualified Plan	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Intentionally Left Blank																																
2	Hanford Calif Jt Un High Sch Muni Bond	X																X			X												
3	Citibank Bank Deposit Program (FDIC insured sweep account)	X																X		X													
4	TIAA CREF Tax Deferred Annuity (spouse) TIAAA Traditional		X											X						X													
5	TIAA CREF Tax Deferred Annuity (spouse) TIAA Real Estate		X											X							X												
6	TIAA CREF Tax Deferred Annuity (spouse) CREF Stock		X											X								X											
7	TIAA CREF Tax Deferred Annuity (spouse) CREF Global Equities		X											X							X												
8	TIAA CREF Tax Deferred Annuity (spouse) CREF Growth		X											X							X												
9	New York State Teachers Retire Sys Benefit (spouse is benef of mother's pension benefit)																													\$1,400/mo			

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 10 of 26																				
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																						
BLOCK A		BLOCK B										BLOCK C																						
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$2,500,000	\$2,500,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Excepted Investment Asset	Excepted Trust	Qualified Trust	Type	Amount										Date (Mo., Day, Yr.) Only if Honoraria					
																		Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	
1	MS Managed Acct Assets (pg10.1 - pg 22.9): American Express Bank	X																	X			X												
2	American Express Centurian Bank	X																	X			X												
3	Citizens Bank	X																	X			X												
4	Discover Bank	X																	X			X												
5	GE Money Bank	X																	X			X												
6	Sallie Mae Bank	X																	X			X												
7	Huntington Bank	X																	X			X												
8	Mid First Bank	X																	X			X												
9	American Express CD	X																	X			X												

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)										Page Number 11 of 26					
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.					
BLOCK A		BLOCK B										BLOCK C					
												Type	Amount	Date (Mo., Day, Yr.) Only if Honoraria			
												Dividends Rent and Royalties Interest Capital Gains None (or less than \$201) \$201 - \$1,000 \$1,001 - \$2,500 \$2,501 - \$5,000 \$5,001 - \$15,000 \$15,001 - \$50,000 \$50,001 - \$100,000 \$100,001 - \$1,000,000 Over \$1,000,000*	Other Income (Specify Type & Actual Amount)				
1	Goldman Sachs CD	X													X		
2	Bank of America CD	X													X		
3	Barrack Gold Corp	X													X		
4	Allergan Inc.	X													X		
5	BB&T Corp	X													X		
6	Franklin Resources Inc.	X													X		
7	Caterpillar Inc.	X													X		
8	Carnival Corp	X													X		
9	Cliffs Natural Resources	X													X		

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)								Page Number 12 of 26			
Assets and Income		Valuation of Assets at close of reporting period							Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.				
BLOCK A		BLOCK B							BLOCK C				
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	Dividends	Interest	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Comcast Corp	X											
2	Canadian National Railway Co	X											
3	Delta Airlines Inc.	X											
4	Dow Chemical Co	X											
5	Ford Motor Co	X											
6	Goldman Sachs Group Inc.	X											
7	Hyatt Hotels Corp	X											
8	Halliburton Co	X											
9	Home Depot Inc	X											

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)								Page Number 13 of 26													
Assets and Income		Valuation of Assets at close of reporting period								Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.													
BLOCK A		BLOCK B								BLOCK C													
										Type	Amount												
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	J. Crew Group Inc.	X										X		X									
2	KeyCorp	X										X		X									
3	Kohls Corp	X										X		X									
4	Marriott Intl. Inc.	X										X		X									
5	MetLife Inc.	X										X		X									
6	Merck & Co.	X										X		X									
7	Morgan Stanley	X										X		X									
8	M & T Bank Corp	X										X		X									
9	Annaly Capital Mgt Inc	X										X		X									

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 14 of 26															
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																	
BLOCK A		BLOCK B										BLOCK C																	
												Type	Amount						Date (Mo., Day, Yr.) Only if Honoraria										
		None (or less than \$201)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	
1	Regions Financial Corp	X														X	X												
2	Schlumberger Ltd	X														X	X												
3	Suntrust Bank Inc	X														X	X												
4	Teva Pharmaceutical	X														X	X												
5	Target Corp	X														X	X												
6	Time Warner Cable Inc	X														X	X												
7	Time Warner Inc.	X														X	X												
8	United Health Group Inc.	X														X	X												
9	Wells Fargo & Co	X														X	X												

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 15 of 26															
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																	
BLOCK A		BLOCK B										BLOCK C																	
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	Over \$25,000,000	None (or less than \$201)	Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	Over \$1,000,000	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Zions Bancorp	X														X		X											
2	Bayer A G Sponsored ADR	X														X	X												
3	BG Group PLC Spon ADR	X														X	X												
4	Canon Inc	X														X	X												
5	Carrefour SA	X														X	X												
6	Fosters Group LTd	X														X	X												
7	Hong Kong Electric Hldgs	X														X	X												
8	Sasol Ltd. Spon ADR	X														X	X												
9	Seven & I Hldgs Co	X														X	X												

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 16 of 26																		
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																				
BLOCK A		BLOCK B										BLOCK C																				
		None (or less than \$201)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	Over \$25,000,000	Excepted Trust	Other	Type	Amount	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria														
														Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	Over \$5,000,000				
1	Telefonica S.A. Spon ADR	X															X		X													
2	Unilever PLC Spons ADR	X															X		X													
3	United Overseas Bank	X															X		X													
4	Apple Inc.	X															X					X										
5	American Movil S.A.B.	X															X		X													
6	Amazon Com Inc.	X															X					X										
7	Broadcom Corp	X															X		X													
8	Salesforce Com Inc	X															X					X										
9	FMC Technologies Inc	X															X		X													

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 17 of 26												
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.														
BLOCK A		BLOCK B										BLOCK C														
												Type			Amount							Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria			
												Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$500	\$501 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000			\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*
1	Google Inc	X												X		X										
2	WW Grainger Inc	X												X												
3	Intercontinental Exchange Inc	X												X												
4	Illumina Inc	X												X												
5	Intuitive Surgical Inc	X												X						X						
6	Las Vegas Sands Corp	X												X					X							
7	Nike Inc	X												X				X								
8	Starbucks Corp	X												X				X								
9	Stryker Corp	X												X		X										

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 18 of 26																												
Assets and Income		Valuation of Assets at close of reporting period												Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.																												
BLOCK A		BLOCK B												BLOCK C																												
														<table border="1"> <tr> <th colspan="2">Type</th> <th colspan="10">Amount</th> <th rowspan="2">Other Income (Specify Type & Actual Amount)</th> <th rowspan="2">Date (Mo., Day, Yr.) Only if Honoraria</th> </tr> <tr> <th>Dividends</th> <th>Interest</th> <th>None (or less than \$201)</th> <th>\$1,001 - \$2,500</th> <th>\$2,501 - \$5,000</th> <th>\$5,001 - \$15,000</th> <th>\$15,001 - \$50,000</th> <th>\$50,001 - \$100,000</th> <th>\$100,001 - \$1,000,000*</th> <th>Over \$1,000,000</th> <th>Over \$5,000,000</th> </tr> </table>				Type		Amount										Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria	Dividends	Interest	None (or less than \$201)	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000*	Over \$1,000,000	Over \$5,000,000
Type		Amount										Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria																													
Dividends	Interest	None (or less than \$201)	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000*	Over \$1,000,000	Over \$5,000,000																																
1	Visa Inc	X													X																											
2	Varian Medical Systems Inc	X													X																											
3	VMWare Inc	X													X																											
4	Ameriprise Financial	X													X																											
5	Abercrombie & Fitch Co	X													X																											
6	Alpha Natural Resources Inc	X													X																											
7	Bally Technologies Inc	X													X																											
8	Chimera Invest Corp	X													X																											
9	Continental Resources Inc	X													X																											

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Reporting Individual's Name		SCHEDULE A continued (Use only if needed)										Page Number						
Verrilli, Donald B., Jr.												19 of 26						
Assets and Income		Valuation of Assets at close of reporting period									Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.							
BLOCK A		BLOCK B									BLOCK C							
											Type	Amount						
		None (or less than \$1,000)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	None (or less than \$1,000)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	Over \$500,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day Yr.) Only if Honoraria
1	Comerica Inc	X																
2	Finisar Corp	X																
3	Fulton Financial Corp	X																
4	Hain Celestial Group Inc	X																
5	Hartford Financial Services	X																
6	Hub Group Inc	X																
7	Integra Lifesciences Hldgs	X																
8	Kansas City Southern Inds	X																
9	Laboratory Corp Amer Holdgs	X																

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)						Page Number 20 of 26											
Assets and Income		Valuation of Assets at close of reporting period								Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.									
BLOCK A		BLOCK B								BLOCK C									
		None or less than \$201	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	None or less than \$201	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	Other Income (Specify Type & Actual Amount)	Date (Mo., Day Yr.) Only if Honoraria
	Type	Dividends	Interest	Rental Income	None (or less than \$201)	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	Over \$5,000,000						
1	Legg Mason Inc	X																	
2	Lincoln National Corp	X																	
3	Marshall & Ilsley Corp	X																	
4	Millicom Intl Cellular	X																	
5	NII Hldgs Inc	X												X					
6	NTELOS Hldgs Corp	X																	
7	Old Dominion Frght Lines Inc	X																	
8	Owens Illinois Inc	X																	
9	On Semiconductor Corp	X																	

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Reporting Individual's Name Verrilli, Donald B., Jr.		SCHEDULE A continued (Use only if needed)												Page Number 21 of 26													
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.															
BLOCK A		BLOCK B										BLOCK C															
		None (or less than \$201)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	Over \$25,000,000	Excepted Trust	Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	OSI Pharmaceuticals Inc	X														X	X										
2	Phase Forward Inc	X														X	X										
3	PMC Sierra Inc	X														X	X										
4	Pinnacle ENTMT Inc.	X														X	X										
5	Pharmaceutical Product Dev Inc	X														X	X										
6	PACTIV Corp	X														X	X										
7	SBA Communications Corp	X														X	X										
8	Smith Intl Inc	X														X	X										
9	Suntrust Banks Inc	X														X	X										

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Reporting Individual's Name		SCHEDULE A continued (Use only if needed)										Page Number										
Verrilli, Donald B., Jr.												22 of 26										
Assets and Income		Valuation of Assets at close of reporting period								Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.												
BLOCK A		BLOCK B								BLOCK C												
										Type	Amount						Date (Mo., Day, Yr.) Only if Honoraria					
		None (or less than \$201)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	Over \$1,000,000*		Dividends	Interest	Capital Gains	None (or less than \$201)	\$201 - \$1,000	\$1,001 - \$2,500	\$2,501 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$1,000,000	Over \$1,000,000*	Other Income (Specify Type & Actual Amount)
1	Constellation Brands Inc	X										X	X									
2	Ultra Petroleum Corp	X										X	X									
3	Varian Medical Systems Inc	X										X	X									
4	VF Corp	X										X	X									
5	Verisign Inc	X										X	X									
6	Exco Resources Inc	X										X	X									
7	HSN Inc.	X										X	X									
8	Hertz Global Holdings Inc	X										X	X									
9	Intel Corp	X										X	X									

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Reporting Individual's Name		SCHEDULE A continued (Use only if needed)										Page Number								
Verrilli, Donald B., Jr.												23 of 26								
Assets and Income		Valuation of Assets at close of reporting period										Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.								
BLOCK A		BLOCK B										BLOCK C								
		None (or less than \$1,001)	\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Disqualified Asset	Excepted Trust	Capital Asset	Type	Amount	Other Income (Specify Type & Actual Amount)	Date (Mo., Day Yr.) Only if Honoraria
1	403(b) Thrift Account Mutual of America (spouse): Mut of Amer Money Market Fund	X												X						
2	- Mut of America Interest Bearing Cash Account	X												X						
3	- Calvert VP SRI Balanced Portfolio Fund	X												X						
4																				
5																				
6																				
7																				
8																				
9																				

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name Verrilli, Donald B., Jr.	SCHEDULE B	Page Number 24 of 26
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Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded \$1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

Identification of Assets		Transaction Type (x)	Date (Mo., Day, Yr.)	Amount of Transaction (x)								Certificate of divestiture
				\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	
Example	Central Airlines Common		2/1/99									
1												
2												
3												
4												
5												

*This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than \$260, and (2) travel-related cash reimbursements received from one source totaling more than \$260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. Exclude anything given to you by

the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth \$104 or less. See instructions for other exclusions.

None ☐

Source (Name and Address)		Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	\$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	\$300
1			
2			
3			
4			
5			

Reporting Individual's Name Verrilli, Donald B., Jr.	SCHEDULE C	Page Number 25 of 26
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Part I: Liabilities

Report liabilities over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude**

a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

Creditors (Name and Address)		Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)							
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10%	on demand								
1	Bank of America Visa	Credit Card	2007	12%	revolving		X						
2													
3													
4													
5													

*This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves

of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

Status and Terms of any Agreement or Arrangement		Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	I still maintain a portion of my retirement income (as listed in Schedule A above) in the Jenner & Block 401(k) plan. No further contributions will be made to the 401(k) by myself or the firm.	Jenner & Block, Washington, D.C.	01/91
2			
3			
4			
5			
6			

Reporting Individual's Name Verrilli, Donald B., Jr.	SCHEDULE D	Page Number 26 of 26
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Jenner & Block, Washington, DC	Law Firm	Partner	01/1991	2/2009
2					
3					
4					
5					
6					

Part II: Compensation in Excess of \$5,000 Paid by One Source

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other

non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source.

None ☐

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Jenner & Block, Washington, D.C.	Law Partnership (January 2009)
2	Viacom	Provided legal services as Jenner & Block partner, January 2009
3	Sorenson Communications	Provided legal services as Jenner & Block partner, January 2009
4		
5		
6		

AFFIDAVIT

I, DONALD B. VERRILLI, JR., do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

02/02/2011

(DATE)

Don B. Verrilli, Jr.

(NAME)

Lorraine D. Hunt

(NOTARY)

Lorraine D. Hunt
Notary Public, District of Columbia
My Commission Expires 2/28/2011