

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Roy Kalman Altman

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

United States District Judge for the Southern District of Florida

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.

One S.E. 3rd Avenue, Suite 2300
Miami, Florida 33131

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

1982; Caracas, Venezuela

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.

2004 – 2007; Yale Law School; J.D., 2007

2000 – 2004; Columbia College, Columbia University; B.A. (*cum laude*), 2004

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.

2014 – present
Podhurst Orseck, P.A.,
One S.E. 3rd Avenue, Suite 2300
Miami, Florida 33131
Partner

2008 – 2014

United States Attorney's Office for the Southern District of Florida
99 N.E. 4th Street
Miami, Florida 33132
Deputy Chief, Special Prosecutions Section (2013 – 2014)
Coordinator, Violent Crime and Anti-Gang Program (2013 – 2014)
Director, Violent Repeat Offender Program (2013 – 2014)
Coordinator, Violence Reduction Partnership (2011 – 2014)
Assistant U.S. Attorney (2008 – 2014)

2007 – 2008

Honorable Stanley Marcus
United States Court of Appeals for the Eleventh Circuit
99 N.E. 4th Street, 12th Floor
Miami, Florida 33132
Law Clerk

Fall 2006

Yale Law School Coker Fellow
127 Wall Street
New Haven, Connecticut 06511
Teaching Assistant to Professor Amy Chua

Summer 2006

Holland & Knight, LLP
701 Brickell Avenue
Miami, Florida 33131
Summer Associate

Summer 2006

Davis Polk & Wardwell, LLP
450 Lexington Avenue
New York, New York 10017
Summer Associate

Summer 2005

U.S. Attorney's Office for the Southern District of Florida
Appellate Division
99 N.E. 4th Street, 5th Floor
Miami, Florida 33132
Summer Legal Intern

Summer 2005

United States Department of Justice
Civil Division
Environmental Torts Section

1331 Pennsylvania Avenue, N.W., Suite 800
Washington, D.C. 20004
Summer Legal Intern

Other Affiliations (uncompensated):

2005 – 2006
Yale Law School
127 Wall Street
New Haven, Connecticut 06511
Research Assistant to Professor Bruce Ackerman

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. I registered for the selective service upon turning 18.

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.

Young American Leaders Program, Harvard Business School (2017)

Rising Star, Daily Business Review (2016)

Superior Litigation Performance Award (received with Barbara Martinez), Director of the Executive Office of U.S. Attorneys (2015)

40 Outstanding Lawyers of South Florida Under 40, Cystic Fibrosis Foundation (2015)

Superior Litigation Team Award (received with Anthony Lacosta and Marlene Rodriguez), Director of the Executive Office of U.S. Attorneys (2014)

U.S. Attorney's Award for Truly Exceptional Achievement and Merit (2014)

Young Federal Lawyer Award, Federal Bar Association (one of five attorneys under the age of thirty-seven selected nationwide) (2013)

Most Effective Criminal Lawyer Award Finalist, Daily Business Review (2013)

Miami Fellowship, Miami Foundation (2013)

Federal Bureau of Investigation, Certificate of Recognition (2013)

Miami Country Day School Hall of Fame (2013)

Federal Prosecutor of the Year, Miami-Dade County Association of Chiefs of Police and the Law Enforcement Officers Charitable Foundation (2012)

Federal Bureau of Investigation, Certificates of Recognition (two awards received in 2012)

U.S. Attorney's Special Achievement Award for Sustained Superior Performance or Special Act (2010)

U.S. Attorney's Special Achievement Award for Sustained Superior Performance or Special Act (2009)

Coker Fellowship, Yale Law School (2007)

Yale Law Journal, Editor and Projects Editor (2005 – 2007)

Yale Law & Policy Review, Editor (2005)

Dean's List, Columbia College (2000 – 2004)

Senior Thesis in History, Columbia College (2004)

All Ivy League Academic Honors (2004)

All Ivy League Second Team Pitcher, Baseball (2004)

Miami Herald All Miami-Dade County Scholar-Athlete, Male Finalist (2000)

All Florida Second Team, Quarterback, Football, Division 2A (2000)

All Miami-Dade County First Team, Quarterback, Football, Division 1A-4A (2000)

All Miami-Dade County Second Team, Pitcher, Baseball, Division 1A-4A (2000)

All Florida Second Team, Quarterback, Football, Division 2A (1999)

All Miami-Dade County First Team, Quarterback, Football, Division 1A-4A (1999)

All Miami-Dade County Second Team, Quarterback, Football, Division 1A-4A (1998)

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.

Judicial Nominating Commission, 3rd District Court of Appeal (2016 – present)

Yale Law School Alumni Executive Committee (2016 – present)

Greater Miami Jewish Federation (2013 – 2017)

Judicial Reception Selection Committee (2015 – 2017)

Federal Bar Association (approximately 2013 – 2016)

Venezuelan Bar Association (2017 – present)

10. Bar and Court Admission:

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

New York, 2008

Florida, 2015

There have been no lapses in membership.

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

Southern District of Florida, 2015

Southern District of New York, 2016

Eastern District of New York, 2016

There have been no lapses in membership.

11. Memberships:

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

American Enterprise Institute (“AEI”), Enterprise Club (2013 – present)

Founder & President, Miami Chapter (2013 – present)

Enterprise Club National Board Member (2015 – present)

American Israel Public Affairs Committee (“AIPAC”) (2012 – present)

Miami Club Campaign Chair (2015 – present)
Miami Club Board Member (2012 – present)

Federalist Society for Law & Public Policy Studies (2004 – 2007, 2015 – present)

Florida Congressional Committee (FCC) PAC (2014 – present)
Executive Committee Member

Greater Miami Jewish Federation Network (2013 – 2014)
Attorneys' Division Co-Chair

Republican Jewish Coalition (2016 – present)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

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

12. Published Writings and Public Statements:

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

Point-Counterpoint, 100 Judicature 74 (Aug. 2016). Copy supplied.

Schumer Says the Right Thing on Iran Deal—Now He Needs to Persuade Eleven Senators, Nat'l Rev., Aug. 10, 2015. Copy supplied.

Text of Prepared Commencement Address, Beacon (Miami Country Day School), Fall 2014. Copy supplied.

The Case For Incident-To-Arrest Searches of Cell Phones, A.B.A. J. Crim. Just., Spring 2014. Copy supplied.

Judges For Lax Border Security, Wall St. J., Apr. 4, 2013. Copy supplied.

Translation of Dominican Republic Law No. 136-03, Representing Children Worldwide, Yale University, Nov. 2005. Copy supplied.

Fight for the Future, Colum. Daily Spectator, Feb. 28, 2003. Copy supplied.

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

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.

None.

- 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.

November 7, 2017: Introductory Speaker, *Introducing Michael Rubin*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Michael Rubin. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

August 23, 2017: Guest Speaker, *Bullying, Leadership, and Public Service*, Miami Country Day School, Miami, Florida. The speech was given to the Senior Class during the first week of the school year and was on the importance of civic leadership and public service. I have no notes, transcript, or recording. The address for Miami Country Day School is 601 N.E. 107th Street, Miami, Florida 33161.

August 23, 2017: Speaker, Miami Country Day School Admissions Video, Miami

Country Day School, Miami, Florida. Video supplied.

May 3, 2017: Introductory Speaker, *Introducing Ryan Streeter*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Ryan Streeter. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

January 12, 2017: Speaker, *Worst Presidents*, “Nerd Nite Miami XXVII” at Gramps Bar in Wynwood, Miami. I argued that Herbert Hoover was the worst president, at least when compared to his record of accomplishment before becoming president. I have no notes, transcript, or recording. Nerd Nite Miami can be contacted at miami@nerdnite.com.

November 3, 2016: Introductory Speaker, *Introducing Mike Fernandez*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Mike Fernandez. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

October 19, 2016: Introductory Speaker, Commissioner Francis X. Suarez for City of Miami Mayor. I hosted a fundraiser for then-Commissioner Suarez at our home in Miami, Florida, at which I introduced him to our guests. I have no notes, transcript, or recording.

September 2, 2016: Introductory Speaker, *Introducing General T. Michael Moseley*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, General T. Michael Moseley. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

August 5, 2016 (first aired): Speaker, Hon. Robert J. Luck for Miami-Dade Circuit Court Judge. I appeared, along with several other lawyers from the community, in a series of English- and Spanish-language television commercials paid for by Judge Luck, who was running for reelection as a Miami-Dade Circuit Court Judge. Available online at <https://www.youtube.com/watch?v=5dACjRf6H1w> (English) and <https://www.youtube.com/watch?v=Z4JhJHxoMow> (Spanish).

August 3, 2016: Introductory Speaker, Hon. Robert J. Luck for Miami-Dade Circuit Court Judge. I hosted a meet-and-greet for Judge Luck at our home in Miami, Florida, at which I introduced Judge Luck to our guests. I have no notes, transcript, or recording.

June 29, 2016: Speaker, *About the U.S. Attorney's Office's Violence Reduction Partnerships*, Jones Day, Miami, Florida. In my speech, I described the work of

the U.S. Attorney's Office's Violence Reduction Partnerships and urged private lawyers in the community to get involved. I have no notes, transcript, or recording. The address for Jones Day is 600 Brickell Avenue, 33rd Floor, Miami, Florida 33131.

May 2, 2016: Introductory Speaker, *Introducing Leon Aron*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Leon Aron. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

March 31, 2016: Panelist, *Hello "Proportionality," Goodbye "Reasonably Calculated": Reinventing Case Management and Discovery under the 2015 Civil Rules Amendments*, American Bar Association, Miami, Florida. Outline and notes supplied.

March 10, 2016: Introductory Speaker, Congressman Carlos Curbelo for U.S. House of Representatives. I hosted a fundraiser for Congressman Curbelo at our home in Miami, Florida, at which I introduced the Congressman to our guests. I have no notes, transcript, or recording.

February 4, 2016: Introductory Speaker, *Introducing Paul Wolfowitz*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Paul Wolfowitz. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

December 10, 2015: Introductory Speaker, *Introducing Arthur Brooks*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Arthur Brooks. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

October 26, 2015: Introductory Speaker, Lieutenant Governor Carlos Lopez Cantera for U.S. Senate. I hosted a fundraiser for the Lieutenant Governor at our home in Miami, Florida, at which I introduced him to our guests. I have no notes, transcript, or recording.

September 29, 2015: Introductory Speaker, *Introducing Mark Kleinman*, American Israel Public Affairs Committee ("AIPAC") Parlor Meeting, Miami, Florida. During this meeting, I introduced the guest speaker, Mark Kleinman. I have no notes, transcript, or recording. The address for AIPAC is 251 H Street, N.W., Washington, D.C. 20001.

September 9, 2015: Introductory Speaker, *Introducing Kevin Hassett*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I

introduced the guest speaker, Kevin Hassett. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

June 9, 2015: Introductory Speaker, Hon. Robert J. Luck for Miami-Dade Circuit Court Judge. I hosted a fundraiser for Judge Luck at the law firm of Podhurst Orseck, P.A., in Miami, Florida, at which I introduced Judge Luck to our guests. I have no notes, transcript, or recording. The address for Podhurst Orseck, P.A., is One S.E. 3rd Avenue, Suite 2300, Miami, Florida 33131.

May 19, 2015: Introductory Speaker, *Introducing Michael Auslin*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Michael Auslin. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

March 12, 2015: Speaker, *Rape, Drugs, and Pornography: A Story of Human Trafficking in Miami*, “Nerd Nite Miami V” at Gramps Bar in Wynwood, Miami. I spoke about my prosecution of Lavont Flanders and Emerson Callum in *United States v. Flanders, et al.*, No. 11-20557-CR-KMM (S.D. Fla. 2011). I have no notes, transcript, or recording. Nerd Nite Miami can be contacted at miami@nerdnite.com.

March 11, 2015: Introductory Speaker, *Introducing Jonah Goldberg*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Jonah Goldberg. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

January 27, 2015: Speaker, *Why the State of Israel Matters*, American Israel Public Affairs Committee (“AIPAC”), Miami, Florida. The speech was about my family’s journey through Europe and South America in World War II and the importance of the State of Israel. I have no notes, transcript, or recording. The address for AIPAC is 251 H Street, N.W., Washington, D.C. 20001.

2013 – 2014 (approximate): Career Day Speaker, *Life as a Lawyer*, Miami Edison Senior High School, Miami, Florida. In multiple career day presentations, I talked to students about the important work of lawyers in our community and had them act out mock trials. I have no notes, transcript, or recording. The address for Miami Edison Senior High School is 6161 N.W. 5th Court, Miami, Florida 33127.

2011 – 2014 (approximate): Career Day Speaker, *Life as a Lawyer*, Paul Laurence Dunbar Elementary School, Miami, Florida. In multiple career day presentations, I talked to children about the important work of lawyers in our community and had them act out mock trials. I have no notes, transcript, or recording. The

address for Paul Laurence Dunbar Elementary School is 505 N.W. 20th Street, Miami, Florida 33127.

November 2014 (approximate): Lecturer, *Sex Trafficking of Children*, National Center for Missing and Exploited Children (“NCMEC”), West Palm Beach, Florida. The lecture was on investigating and prosecuting child prostitution offenses. I have no notes, transcript, or recording. The address for NCMEC is National Center for Missing & Exploited Children, Charles B. Wang International Children’s Building, 699 Prince Street, Alexandria, Virginia 22314.

November 7, 2014: Lecturer, *Using the Money Laundering Statutes to Combat Human Trafficking*, Association of Certified Anti-Money Laundering Specialists (“ACAMS”), Miami, Florida. The lecture was on using the federal money laundering statutes, 18 U.S.C. §§ 1956–57, to investigate and prosecute human-trafficking organizations. I have no notes, transcript, or recording. The address for ACAMS is 80 S.W. 8th Street #2350, Miami, Florida 33130.

November 21, 2014: Speaker, *Why the State of Israel Matters*, American Israel Public Affairs Committee (“AIPAC”) Miami Club, Miami, Florida. The speech was about my family’s journey through Europe and South America in World War II and the importance of the State of Israel. I have no notes, transcript, or recording. The address for AIPAC is 251 H Street, N.W., Washington, D.C. 20001.

November 13, 2014: Career Day Speaker, *Life as a Lawyer*, Miami Country Day School, Miami, Florida. In my career day presentation, I talked to the students about the important work of lawyers in our community. I have no notes, transcript, or recording. The address for Miami Country Day School is 601 N.E. 107th Street, Miami, Florida 33161.

November 10, 2014: Introductory Speaker, *Introducing Michael Rubin*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Michael Rubin. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

June 11, 2014: Introductory Speaker, *Introducing Alex Brill*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Alex Brill. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

May 15, 2014: Commencement Speech, *On Public Service*, Miami Country Day School, Miami, Florida. Video supplied.

April 24, 2014: Panelist, *Trials: A – Z*, Southern District of Florida Federal Bench and Bar Conference, Miami, Florida. The panel was on trying cases in federal

court. I have no notes, transcript, or recording. The address for the U.S. District Court for the Southern District of Florida is 400 North Miami Avenue, Miami, Florida 33128.

March 26, 2014: Introductory Speaker, *Introducing Ambassador Roger Noriega*, American Enterprise Institute, Enterprise Club Miami, Miami, Florida. During this dinner, I introduced the guest speaker, Ambassador Roger Noriega. I have no notes, transcript, or recording. The address for the American Enterprise Institute is 1789 Massachusetts Avenue, N.W., Washington, D.C. 20036.

November 21, 2013: Career Day Speaker, *Life as a Lawyer*, Miami Country Day School, Miami, Florida. In my career day presentation, I talked to the students about the important work of lawyers in our community and had them act out a mock trial. I have no notes, transcript, or recording. The address for Miami Country Day School is 601 N.E. 107th Street, Miami, Florida 33161.

October 18, 2013: Speaker, *Miami Country Day School Spartan Hall of Fame Acceptance Speech*, Miami Country Day School, Miami, Florida. Video supplied.

September 25, 2013: Speaker, *Federal Bar Association Young Federal Lawyer Award Acceptance Speech*, San Juan, Puerto Rico. In my acceptance speech, I thanked the members of the Federal Bar Association and my family. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

August 21, 2013: Lecturer, *Investigating and Prosecuting Human Trafficking Offenses in Federal Court*, Broward Sheriff's Office, Fort Lauderdale, Florida. The lecture was on investigating and prosecuting human-trafficking offenses in federal court. I have no notes, transcript, or recording. The address for the Broward Sheriff's Office is 2601 West Broward Boulevard, Fort Lauderdale, Florida 33312.

August 6, 2013: Lecturer, *Lessons Learned from United States v. Flanders, et al., 11-20557-CR-KMM (S.D. Fla. 2011)*, The Florida Sex Crimes Investigators Association Conference, West Palm Beach, Florida. PowerPoint presentation supplied.

August 14, 2013: Webinar Panelist, *ESI in Federal and State Criminal Actions: Constitutional and Practical Dimensions*, Bloomberg, Miami, Florida. The webinar was on the use of Electronically Stored Information ("ESI") in criminal cases. I have no notes, transcript, or recording. I have contacted Bloomberg, which informed me that the company retains webinars only as far back as 2015, so it no longer has a recording of this webinar. The address for Bloomberg is 731 Lexington Avenue, New York, New York 10022.

June 2013 (approximate): Guest Lecturer, *The Interplay between Human*

Trafficking and White Collar Crime, Florida International University School of Law, Miami, Florida. The lecture was on using the money laundering statutes to prosecute human-trafficking organizations in federal court. I have no notes, transcript, or recording. The address for Florida International University School of Law is 11200 S.W. 8th Street, Miami, Florida 33199.

February 27, 2013: Guest Lecturer, *Prosecuting Human Trafficking Cases*, University of Miami School of Law, Miami, Florida. The lecture was on the prosecution of human-trafficking cases in federal court. I have no notes, transcript, or recording. The address for the University of Miami School of Law is 1311 Miller Drive, Coral Gables, Florida 33146.

March 6, 2013: Panelist, *E-discovery in Government Investigations and Criminal Litigation*, The American Bar Association's 27th Annual National Institute on White Collar Crime, Las Vegas, Nevada. Outline supplied.

August 2012 (approximate): Speaker, *Lessons Learned from United States v. Flanders, et al., 11-20557-CR-KMM (S.D. Fla. 2011)*, 13th Annual Crimes Against Children Conference, Dallas, Texas. PowerPoint presentation supplied.

- 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.

Jason Grant, *Class Action Lawsuit Claims Volkswagen CC Design Defect*, Fla. Bus. Rev. (Online), Aug. 11, 2017. Copy supplied. Reprinted in multiple outlets.

Rene Pedrosa, *América Noticias*, AmericaTeve (Miami), Aug. 4, 2017. Video supplied.

Arly Alfaro, *Noticias*, Telemundo51 (Miami), Aug. 2, 2017. The video is available at https://www.telemundo51.com/noticias/destacados/Denuncian-fuga-al-mar-de-aguas-negras_TLMD---Miami-438212023.html.

Dena Aubin, *Lawsuit Says Wells Fargo Aided Alleged Film-Financing Fraud*, Reuters, Dec. 14, 2016. Copy supplied. Reprinted in multiple outlets.

Celia Ampel, *Wells Fargo Sued for Alleged Role in Film Financing Fraud*, Fla. Bus. Rev. (Online), Dec. 14, 2016. Copy supplied. Reprinted in multiple outlets.

Roberto Rodríguez Tejera, *Prohibido Callarse*, MiraTV (Miami), Aug. 3, 2016. Video supplied.

In August 2016, I was interviewed on a Spanish-language network in Miami. I do not recall which network, and I have been unable to locate the interview online. In the

interview, I discussed in Spanish the charges brought by the Miami-Dade State Attorney against four clinical workers who had embezzled \$2.7 million from the Miami-Dade Public Schools. I contacted all four of Miami's Spanish-language networks on which I ever remember appearing, but they were unable to locate a recording of this interview.

In the spring of 2016, I was interviewed on a Spanish-language network in Miami. I do not recall which network, and I have been unable to locate the interview online. In this interview, I discussed in Spanish the potential implications surrounding the death of U.S. Supreme Court Justice Antonin Scalia. I contacted all four of Miami's Spanish-language networks on which I ever remember appearing, but they were unable to locate a recording of this interview.

Elizabeth Patino, *Nuestro Mundo*, MiraTV (Miami), Mar. 16, 2016. In the interview, I discuss in Spanish, with Chief Judge Bertila Soto, the need for a new civil courthouse in Miami-Dade County. I have been unable to find a record of this interview online, and the television station no longer exists.

Nelson Rubio, *Todo Debate*, MegaTV (Miami), Mar. 9, 2016. Video supplied.

Patricia Mendoza and Rene Pedrosa, *Noticias*, Univision & Radio Caracol (Miami), Mar. 8, 2016. Video supplied.

Arly Alfaro, *Noticias*, Telemundo51 (Miami), Mar. 8, 2016. The video is available at <https://www.telemundo51.com/noticias/Isotopo-radiactivo-en-la-bahia-de-Biscayne-371412061.html>.

Verschundene Boeing; Trümmerteil von MH370 in Mosambik gefunden?, Welt Online, Mar. 3, 2016. Copy supplied.

Dan Martin, *MH370 Lawsuits Gain Pace As Two-Year Deadline Nears*, AFP, Feb. 25, 2016. Copy supplied. Reprinted in multiple outlets.

Allison Grande, *Scalia's Death Adds To Uncertainty In Class Standing Fight*, Law360, Feb. 16, 2016. Copy supplied.

Hires and Promotions for the Week of Dec. 23, 2014, Miami Herald, Dec. 23, 2014. Copy supplied.

Jay Weaver, *For U.S. Attorneys, A Crusade Beyond the Court*, Miami Herald, Feb. 24, 2014. Copy supplied.

Jay Weaver, *U.S. Attorney's office fighting crime, forging partners in inner-city Miami*, Miami Herald, Feb. 23, 2014. Copy supplied.

Alumni Feature Q&A, Beacon (Miami Country Day School), Winter 2014. Copy

supplied.

Tess Carota, *After 23-8 Loss, Baseball Splits Series*, Colum. Daily Spectator, Apr. 5, 2004. Copy supplied.

Lauren Clark, *Baseball Swept Up in A Red Storm*, Colum. Daily Spectator, Mar. 26, 2004. Copy supplied.

Tess Carota, *Columbia baseball struggles on Florida spring break trip*, Colum. Daily Spectator, Mar. 24, 2004. Copy supplied.

Layla Halle, *Lion Legend Fernandes Back In the Dugout to Lead Baseball*, Colum. Daily Spectator, Feb. 26, 2004. Copy supplied.

Michael Mirer, *Student Looks to Form Jewish Athlete Group*, Colum. Daily Spectator, Apr. 4, 2002. Copy supplied (the online version of the article is incorrectly dated March 27, 2013).

Nick Fisher, *Altman Gets His Chance to Play Quarterback*, Colum. Daily Spectator, Oct. 9, 2001. Copy supplied.

Daniel Fastenberg, *Jewish Athletes Consider Yom Kippur Participation*, Colum. Daily Spectator, Sept. 27, 2001. Copy supplied.

Myles Osborne, *Housing*, Colum. Daily Spectator, Apr. 3, 2001. Copy supplied.

Ethan Glickstein, *Three Days Later, Nation Still Waits*, Colum. Daily Spectator, Nov. 10, 2000. Copy supplied (online version incorrectly dated).

Roman O. Garcia, Jr., *State Playoffs is the Point for Bay Point*, Miami Herald, Aug. 27, 1999. Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?
- i. Of these, approximately what percent were:
- | | |
|--------------------|----------------------|
| jury trials: | _____ % |
| bench trials: | _____ % [total 100%] |
| civil proceedings: | _____ % |

criminal proceedings: _____% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
 - c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
 - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
 - e. Provide a list of all cases in which certiorari was requested or granted.
 - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
 - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant

or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. Public Office, Political Activities and Affiliations:

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

I have never been a candidate for or held an elective public office. I held the following appointed positions:

2016 – present
Judicial Nominating Commission
Florida 3rd District Court of Appeal
Appointed by Governor Rick Scott

- 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.

Host and Fundraiser, Francis X. Suarez for City of Miami Mayor. In October 2017, I hosted a fundraiser for then-Commissioner Suarez at our home in Miami, Florida, at which I introduced him to our guests. Ultimately, Mayor Suarez won the election.

Member, Statewide Finance Committee, Lieutenant Governor Carlos Lopez Cantera Campaign for U.S. Senate. In 2016, Florida's Lieutenant Governor, Carlos Lopez Cantera, who was running in the Republican primary for an open U.S. Senate seat, asked me to serve on his Statewide Finance Committee, and I agreed. In June of 2016, however, before I could render any service to the Committee, the Lieutenant Governor suspended his campaign. In addition, in October 2015, I hosted a fundraiser for the Lieutenant Governor at our home in Miami, Florida, at which I introduced the Lieutenant Governor to our guests.

Member, Jewish Leadership Coalition, Sen. Marco Rubio Campaign for U.S. Senate. In October 2016, after he won the Republican nomination for the U.S. Senate in 2016, Senator Rubio built a bipartisan "Jewish Leadership Coalition." I was asked to join the Coalition, and I agreed. My name was listed along with other Florida Jewish leaders of both parties on Senator Rubio's website. Beyond lending my name, I had no title or responsibilities and rendered no other service to the campaign. Senator Rubio ultimately won reelection.

Co-Host and Fundraiser, Congressman Mario Diaz-Balart for U.S. House of Representatives. On October 13, 2016, I co-hosted a fundraiser for Congressman Diaz-Balart in Miami, Florida. Congressman Diaz-Balart ultimately won reelection.

Speaker, Television Commercial, Hon. Robert J. Luck for Miami-Dade Circuit Court Judge. In August 2016, I appeared, along with several other lawyers from the community, in a series of English- and Spanish-language television commercials paid for by the Hon. Robert J. Luck who was running for reelection as a Miami-Dade Circuit Court Judge. In addition, in August 2016 I hosted a meet-and-greet for Judge Luck at our home in Miami, Florida, and in June 2015 I hosted a fundraiser for Judge Luck at the law firm of Podhurst Orseck; at both events I introduced Judge Luck to our guests. Judge Luck ultimately won reelection. Beyond this, I had no title or responsibilities and rendered no other service to the campaign.

Host and Fundraiser, Congressman Carlos Curbelo for U.S. House of Representatives. On March 10, 2016, I hosted a fundraiser for Congressman Curbelo at our home in Miami, Florida, at which I introduced the Congressman to our guests. Congressman Curbelo ultimately won reelection.

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

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

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

From September 2007 to October 2008, I served as a law clerk to the Honorable Stanley Marcus, Circuit Judge of the United States Court of Appeals for the Eleventh Circuit.

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

I have not practiced law alone.

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

2005

United States Department of Justice
Civil Division
Environmental Torts Section
1331 Pennsylvania Avenue, N.W., Suite 800
Washington, D.C. 20004
Summer Legal Intern

Summer 2006

Holland & Knight, LLP
701 Brickell Avenue
Miami, Florida 33131
Summer Associate

Summer 2006

Davis Polk & Wardwell, LLP
450 Lexington Avenue
New York, New York 10017
Summer Associate

2007 – 2008

Honorable Stanley Marcus
United States Court of Appeals for the Eleventh Circuit
99 N.E. 4th Street, 12th Floor
Miami, Florida 33132
Law Clerk

2008 – 2014

U.S. Attorney's Office for the Southern District of Florida
99 N.E. 4th Street
Miami, Florida 33132
Deputy Chief, Special Prosecutions Section (2013 – 2014)
Coordinator, Violent Crime and Anti-Gang Program (2013 – 2014)
Director, Violent Repeat Offender Program (2013 – 2014)
Coordinator, Violence Reduction Partnership (2011 – 2014)
Assistant U.S. Attorney (2008 – 2014)
Summer Legal Intern (2005)

2014 – present

Podhurst Orseck, P.A.,
One S.E. 3rd Avenue, Suite 2300
Miami, Florida 33131

Partner

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

I have 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.

Criminal practice:

In October 2008, following my clerkship with Judge Marcus, I began serving as an Assistant United States Attorney in the Southern District of Florida. As an AUSA, I handled my own criminal caseload and worked on a daily basis with federal, state, and local law enforcement officers to prosecute hundreds of federal criminal cases in a wide variety of areas, including drug trafficking, arms trafficking, human trafficking, sex trafficking, immigration and passport fraud, child prostitution, child exploitation, child pornography, bank fraud, mail fraud, wire fraud, credit card fraud, money laundering, armed robbery, attempted murder, serial rape, and the first-degree murder of a U.S. postal worker. As a line prosecutor, I tried 22 cases to a jury and argued three appeals before the U.S. Court of Appeals for the Eleventh Circuit. I also led dozens of Title III wiretap investigations; brought hundreds of cases before the grand jury; argued the government's position at hundreds of sentencing; litigated dozens of motions to suppress evidence or to dismiss indictments; handled hundreds of bond hearings and plea negotiations; and responded to almost one-hundred post-conviction relief motions.

In October 2011, the U.S. Attorney asked me to lead and coordinate the first Violence Reduction Partnership ("VRP") in the Southern District of Florida. That pilot VRP was scheduled for rollout in Overtown—a small, historic, inner-city neighborhood that accounted for roughly twenty percent of Miami-Dade County's overall homicide rate. As Coordinator, I oversaw all VRP law enforcement efforts in Overtown, meeting on a daily basis with the federal agents working the wire rooms and with the local officers on patrol, and prosecuting many of the Overtown VRP cases myself in federal court. I also delegated smaller VRP cases to federal prosecutors in the Major Crimes Section and oversaw those prosecutions as they progressed. And I am proud to say that we made significant gains. Together with agents and officers from the FBI, DEA, ATF, and City of Miami Police Department, we successfully penetrated the three most

violent drug trafficking organizations in Overtown, and ultimately arrested more than fifty of Overtown's most violent offenders. By 2014, Overtown had seen a nearly 40% decline in its homicide rate (during a time period when Miami's overall homicide rate was roughly constant).

As VRP Coordinator for Overtown, I also oversaw the U.S. Attorney's Office's community-engagement and offender-reentry efforts, meeting regularly with Overtown's community leaders and with students from each of Overtown's public schools, listening to concerns, holding "career days," and learning about the issues that members of the community wanted law enforcement to address, as well as working with local law enforcement and the Bureau of Prisons to help soon-to-be-released inmates integrate themselves back into the community. As a result of the successes of the Overtown VRP, I was appointed in 2014 to lead all of the Office's VRPs, which by then included Liberty City, Little Haiti, and Miami Gardens—in addition to Overtown. Much as I had in Overtown, I worked on all three facets—enforcement, community engagement, and reentry—of each of these VRPs. During my time with the VRPs, our combined law enforcement efforts resulted in nineteen separate Title III wiretaps, which culminated in the arrests of more than one-hundred of South Florida's most violent repeat offenders.

In 2013, I also became the Violent Crime and Anti-Gang Coordinator for the office. In that capacity, I ran the Office's Violent Repeat Offender ("VRO") program—an inter-agency task force of state, local, and federal agents charged with investigating and arresting the most violent criminals in South Florida. I led monthly meetings of the task force, which by the end of my tenure included more than fifty agents and officers from over a dozen law enforcement agencies. I worked with the task force to create an updated list of the names, biographical data, gang affiliations, and criminal histories of the most violent offenders in South Florida, and then assigned prosecutors and groups of local and federal agents to particular targets.

Also in 2013, I became the Deputy Chief of the Special Prosecutions Section, which is charged with handling the office's most significant and complex violent-crime and human-trafficking cases. As Deputy Chief, I supervised and managed the work of the eight federal prosecutors in the section. I opened all of the Section's investigations; signed and approved all wiretaps; authorized search warrants; provided trial and investigative counsel to the Section's lawyers; handled conflicts between the Section's lawyers and defense attorneys, judges, and other law enforcement personnel; mediated disputes among Section employees; and reviewed and approved all of the Section's indictments, requests for sentences outside of the Guidelines range, and motions for sentence reductions based on a defendant's substantial assistance. I also did my best to ensure that all prosecutors in my Section were working diligently to uphold the

Department's mission of striking, in the words of Justice Sutherland, "hard blows but fair ones."

Civil experience:

In December 2014, I left government service and became a partner at Podhurst Orseck. My work at the firm can be divided into three primary areas: aviation disaster litigation, commercial litigation, and internal investigations.

My aviation-disaster cases are generally complex and multi-district. For example, I currently represent the families of thirty-three passengers who were onboard Malaysia Airlines Flight MH370, which disappeared in the Southern Indian Ocean on the night of March 8, 2014, *see e.g. Air Crash Over the S. Indian Ocean*, No. 16-mc-00184-KBJ (D.D.C. 2016) (pending), as well as the families of two passengers onboard Germanwings Flight 9525, which was intentionally crashed into the French Alps by a deranged pilot on March 24, 2015, *see e.g. Pineda et al., v. Airline Training Ctr. of Ariz.*, No. 17-CV-00760-ROS (D. Ariz. 2017) (settled in 2018). In these aviation cases, I have drafted and filed all of the operative complaints, motions, briefs, and responsive pleadings, and I have taken and defended all but two or three of the fact-and expert-witness depositions.

I also represent plaintiffs in a wide range of complex domestic and international commercial disputes. For example, I represented three different sets of British film financiers against Wells Fargo Bank and Wells Fargo Advisors. In these cases, we alleged that these entities had facilitated a years-long film financing Ponzi scheme that resulted in losses of approximately \$60 million. *See Vandermolen Film Co. Ltd., et al., v. Wells Fargo Bank, N.A., et al.*, No. 16-031707 CA 01 (Fla. 11th Cir. Ct. 2016) (settled in 2017); *Isabella's Basel Prod. Ltd., v. Wells Fargo Bank N.A., et al.* (settled prior to filing in 2017). I am also acting as lead trial counsel in a nationwide class action against Volkswagen, which alleges that, over the last seven years, Volkswagen designed, manufactured, and sold more than 50,000 defective Model CC vehicles. *See Wilson et al., v. Volkswagen Grp. of Am. et al.*, No. 17-CV-23033-RNS (S.D. Fla. 2017) (pending). As lead counsel in these commercial cases, I draft and file all of the operative complaints, motions, and responsive pleadings; take and defend the vast majority of the fact and expert witness depositions; argue all discovery and substantive motions in court; present our clients' positions at mediation; lead all settlement negotiations; and would serve as chief trial counsel if any of these cases were to proceed to trial.

More recently, I have been retained to conduct a number of internal investigations on behalf of the boards of several large companies in

response to accusations about the companies arising from within the organizations or from subpoenas issued by a federal grand jury. This is the only part of my practice that does not involve full-scale civil litigation; indeed, these cases often take on a criminal flavor, requiring me to conduct discovery, piece together evidence, and make detailed presentations to the government about the factual findings and legal conclusions of my investigation.

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

My clients at Podhurst Orseck are the children, spouses, and parents of the victims of airplane crashes; individuals who have been defrauded by financial institutions; purchasers of defective products; and companies seeking to conduct internal investigations. As a prosecutor, I did not have clients, other than the public. Listed above are the areas of law in which I have specialized.

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

I have spent my entire career in litigation. As a federal prosecutor, I appeared in court frequently, often daily. At Podhurst Orseck, I appear in court regularly but somewhat less frequently—usually in federal district courts around the country but sometimes in Florida state trial courts as well.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 95% |
| 2. state courts of record: | 5% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 30% |
| 2. criminal proceedings: | 70% |

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

I have tried 22 cases to verdict, all in federal court. I was sole counsel in two of these, first-chair (chief) counsel in 15, and second-chair (associate counsel) in five. (As second chair, however, I still gave part or all of the government's closing arguments in four of the five cases.)

- i. What percentage of these trials were:
 - 1. jury: 100%
 - 2. non-jury: 0%

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

I have not practiced before the Supreme Court of the United States.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
 - 1. *Air Crash Over the S. Indian Ocean*, No. 16-mc-00184-KBJ (D.D.C. 2016) (Jackson, J.) (pending).

I represent the families of thirty-three passengers who were killed when Malaysia Airlines Flight MH370—en route from Kuala Lumpur to Beijing—disappeared in the Southern Indian Ocean. All cases stemming from this disaster have been consolidated by the Joint Panel on Multi-District Litigation and transferred to the Hon. Ketanji Brown Jackson, United States District Court for the District of Columbia. On October 1, 2016, the Defendants filed three dispositive motions: a motion to dismiss under the Montreal Convention; a motion to dismiss under the Foreign Sovereign Immunities Act; and a motion to dismiss under the doctrine of *forum non conveniens*. We conducted jurisdictional discovery on the substance of those motions and then briefed comprehensive responses. Those motions are pending. We have also hired local counsel in Malaysia to file a lawsuit on behalf of our clients in the High Court of Kuala Lumpur. I communicate with Malaysian counsel on a weekly basis in order to keep myself informed of the Malaysian proceedings and to coordinate our clients' overall international strategy. As of this writing, five of our clients have resolved their claims against Malaysia Airlines.

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Mack H. Shultz, Jr.
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(counsel for Boeing)

2. *Wilson et al., v. Volkswagen Grp. of Am. et al.*, No. 17-CV-23033-RNS (S.D. Fla. 2017) (Scola, J.) (pending).

I am acting as interim lead class counsel in a nationwide class action against Volkswagen, which alleges that, over the last seven years, Volkswagen designed, manufactured, and sold more than 50,000 defective Model CC vehicles. Volkswagen has filed a motion to dismiss, which is now fully briefed and pending before the Court.

Co-class counsel for the plaintiffs:

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3. *Vandermolen Film Co. Ltd., et al., v. Wells Fargo Bank, N.A., et al.,*

No. 16-031707-CA-01 (Fla. 11th Cir. Ct. 2016) (Butchko, J.) (settled);
Isabella's Basel Prod. Ltd., v. Wells Fargo Bank N.A., et al. (settled prior
to filing).

These cases stemmed from a multi-million dollar film financing Ponzi scheme
facilitated by several Wells Fargo employees. I was lead counsel for the
Plaintiffs. In that role, among other things, I briefed the Plaintiffs' responses to
the defendants' motions to dismiss, led the Plaintiffs' discovery and litigation
strategy, and ultimately negotiated the settlements that were signed in
December 2017.

Co-counsel for the plaintiffs:

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Counsel for the defendants:

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(counsel for Paul Zoch)

Michael Pineiro
One Biscayne Tower
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Miami, Florida 33131
305-400-4268
(counsel for Paul Zoch)

Barbara Riesberg
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Miami, Florida 33133
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(counsel for Hernan Bermudez)

4. *United States v. Baston*, No. 13-20914-CR-CMA (S.D. Fla. 2013)
(Altonaga, J.), *aff'd by United States v. Baston*, 818 F.3d 651 (11th Cir.
2016).

I worked with the U.S. Department of Homeland Security, the U.S. State Department, and the Australian Federal Police Department in this multi-year investigation into the violent sex-trafficking organization of Damian St. Patrick Baston, a Jamaican national who had stolen the identity of an American forklift driver from Ohio. Baston used his stolen fraudulently obtained passport to open dozens of bank accounts, purchase several homes and cars, and incorporate five or six different businesses—all in a sophisticated effort to launder the millions of dollars he was earning from the forcible, years-long enslavement of as many as ten different women from all over the world. The case involved the first-ever use in the United States of the extra-territorial provisions of 18 U.S.C. § 1596 to obtain federal jurisdiction over human-trafficking acts committed abroad, a practice the Eleventh Circuit Court upheld in 2016. After two weeks of trial, the federal jury convicted Baston of every single count in the indictment—including the forced sex trafficking and money laundering counts—and the Hon. Cecilia M. Altonaga sentenced Baston to a term of twenty-seven years in prison. I was second-chair counsel at trial, but I cross-examined Baston over three days and gave the government's closing argument.

Co-counsel for the United States:

Olivia Choe
100 F Street, N.E.
Washington, D.C., 20549
617-851-0954

Counsel for the defendant:

David Rowe (deceased)

5. *United States v. Boyd et al.*, No. 12-20914-CR-WPD (S.D. Fla. 2012) (Dimitrouleas, J.), *aff'd by United States v. Boyd*, 574 Fed. App'x 878 (11th Cir. 2014).

I led a years-long investigation into the criminal organization headed by Chuck Wayne Boyd, long-considered South Florida's most violent inner-city drug lord. Boyd was the number-one target on the U.S. Attorney's Violent Repeat Offender list from the day the list was conceived until the date of his arrest. After three separate wiretap investigations, made possible by the use of five confidential informants and hundreds of hours of physical and electronic surveillance, the FBI finally arrested Boyd and fifteen of his co-conspirators. I was sole counsel throughout the investigation, sole counsel at every hearing, and sole counsel at the trial of Richard Young, Jr., the only member of the organization who did not plead guilty. The jury convicted Young on every count in the indictment, and the Hon. William P. Dimitrouleas sentenced Young to 327 months in prison. Young's conviction was later reversed by the Eleventh Circuit on the ground that the trial court had erroneously admitted certain prior "bad acts" evidence. *See United States v. Young*, 574 Fed. App'x 896 (11th Cir. 2014). Young was ultimately re-tried and convicted after I left the U.S. Attorney's Office, and his conviction and sentence were affirmed. *See United States v. Young*, 685 F. App'x 832 (11th Cir. 2017). Boyd, for his part, was sentenced to 300 months in prison, and his criminal organization ceased to exist.

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Dennis Nicholas Urbano
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6. *United States v. Keelan*, No. 12-20496-CR-JEM (S.D. Fla. 2012) (Martinez, J.), *aff'd by United States v. Keelan*, 786 F.3d 865 (11th Cir. 2015).

I led a year-long investigation by the FBI and state investigators that culminated in the conviction of Thomas Keelan, a school teacher who had initiated and maintained a two-year sexual relationship with one of his 15-year-old students. After Keelan took a job as the head of the Fine Arts department at an all-boys school in Virginia, he began to travel back to South Florida to meet with the boy and to have sex with him. The FBI organized a sting operation that resulted in Keelan's arrest. The jury convicted Keelan on both counts of the indictment, and the Hon. Jose E. Martinez sentenced Keelan to 200 months in prison. I was chief counsel at trial, and I gave both parts of the government's closing argument.

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7. *United States v. Flanders, et al.*, No. 11-20557-CR-KMM (S.D. Fla. 2011) (Moore, C.J.), *aff'd by United States v. Flanders, et al.*, 752 F.3d 1317 (11th Cir. 2014) (Martin, Fay, Duffy, JJ.).

AUSA Barbara Martinez and I led a multi-state investigation by the FBI, Florida law enforcement, and some twenty different police departments that culminated in the arrest and prosecution of Lavont Flanders, Jr., a former police officer, and Emerson Callum, a pornography producer. Over several years, these two men lured hundreds of women from all over the world to South Florida, drugged them, raped them, and sold the video footage of those rapes over the internet and at pornography stores. After months of investigation and two weeks of trial, a jury

convicted both defendants on every single count in the indictment, and the Hon. K. Michael Moore sentenced each defendant to thirteen consecutive terms of life in prison. I was first-chair counsel at trial, and I gave both parts of the government's closing arguments. I then argued the appeal before the U.S. Court of Appeals for the Eleventh Circuit, which unanimously affirmed both defendants' convictions and sentences.

Co-counsel for the United States:

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8. *United States v. Mentor et al.*, No. 11-20351-CR-DLG (S.D. Fla. 2011) (Graham, J.), *aff'd* by *United States v. Mentor*, 570 Fed. App'x 894 (11th Cir. 2014).

AUSA Tony Lacosta and I worked with the FBI, the U.S. Postal Inspection Service, and the Miami-Dade Police Department's Homicide unit to prosecute Pikerson Mentor, Saubnet Politesse, and several members of their gang. Mentor had stalked and then murdered Bruce Parton, a U.S. Postal Service letter carrier, in order to steal Mr. Parton's universal mail key, which Mentor and his co-defendants then used to access the identities of hundreds of South Floridians. With the victims' identities in hand, Mentor and his co-defendants filed hundreds of fraudulent income tax returns with the IRS, then used Mr. Parton's mail key to retrieve the IRS debit cards onto which those tax returns had been deposited. Politesse and the others pled guilty, but Mentor proceeded to trial. After two weeks, a federal jury convicted Mentor on all fourteen counts of the indictment, including first-degree murder, Hobbs Act robbery, armed carjacking, aggravated identity theft, and access device fraud. The Hon. Donald L. Graham sentenced Mentor to life in prison. I was second-chair counsel at trial, but I handled half of the witnesses and gave the government's rebuttal closing argument.

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9. *United States v. Talley et al.*, No. 10-20848-CR-CMA (S.D. Fla. 2010) (Altonaga, J.), *aff'd by United States v. Talley et al.*, 562 F. App'x 760 (11th Cir. 2014).

AUSA Michael Gilfarb and I worked with the FBI, the Broward Sheriff's Office, and the Miramar Police Department to prosecute the Talley brothers, who founded a domestic terror cell—the Urban Guerilla Syndicate (“UGS”)—with the aim of destroying the U.S. government and its financial system. To achieve their mission, the Talley brothers recruited disaffected young boys and initiated them into the UGS. After several weeks of inculcation, the Talley brothers would strap the boys with hoax suicide bombs and send them to rob commercial banks in South Florida. After two weeks of trial, a federal jury convicted both defendants on all counts in the indictment. The Hon. Cecilia M. Altonaga sentenced Marcus and Eddie Talley to terms of imprisonment of 384 months and 269 months, respectively. I was second-chair counsel at trial, but I gave the government's opening statement and rebuttal closing argument, and I cross-examined most of the defense witnesses in the case, including Eddie Talley himself.

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10. *United States v. Davis et al.*, No. 10-20896-CR-ASG (S.D. Fla. 2010) (Gold, J.), *aff'd by* 754 F.3d 1205 (11th Cir.) (Martin, Dubina, Sentelle, JJ.), *United States v. Davis*, 785 F.3d 498 (11th Cir. 2015) (en banc).

I led a year-long investigation by ATF, the Miami-Dade Police Department, the Homestead Police Department, and the Broward Sheriff's Office to prosecute this gang of violent armed robbers. Over the course of one year, Davis and his five co-defendants committed some fifty armed robberies of commercial establishments across South Florida. Some of these robberies turned violent. For instance, at a Wendy's on September 26, 2010, Davis exchanged gunfire with a

customer who was eating at the Wendy's with his wife. Davis' five co-defendants pled guilty and were sentenced to lengthy prison terms, but David proceeded to trial. After two weeks, a federal jury convicted Davis on all counts of the indictment, and the Hon. Alan S. Gold sentenced Davis to 162 years in prison. Sitting en banc, the Eleventh Circuit ultimately upheld the government's use of a court order under 18 U.S.C. § 2703(d) to track a defendant's historical cell sites. I was chief counsel at trial, during the course of which I gave both parts of the government's closing argument. I also responded to Davis' two suppression motions, cross-examined him during his testimony at the suppression hearing, and argued the first appeal in front of the U.S. Court of Appeals for the Eleventh Circuit.

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

Governor Rick Scott appointed me to the Judicial Nominating Commission for Florida's Third District Court of Appeal in 2016. In that role, I received and reviewed the candidates' applications, conducted background investigations on those candidates, interviewed the candidates in day-long sessions, and ultimately participated in the nominations of Judges Robert J. Luck and Norma S. Lindsey to the Third District Court of Appeal.

I have already described my work with the Violence Reduction Partnership and the Violent Repeat Offender program. I add here only that my work with the VRPs—particularly my work with the agents and officers who were assigned to the VRPs and with the men and women who have dedicated themselves to the service of these communities—brought me more insight and more inspiration than any other legal activity in which I have ever been involved. The work was at once frustrating and enlivening, disheartening and exhilarating, but it left me with a sense that I was working hard to make our community safer and stronger.

As for my service as a law clerk to the Hon. Stanley Marcus of the Eleventh Circuit, although I cannot discuss with specificity the nature of my work for the Judge, I can say

that I have never learned more from any single individual about the law and lawyering, about fairness and justice, and about what it means to be a committed public servant, an even-handed judge, and an honest, decent member of the legal community.

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

I have not taught a course.

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

None.

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

I have no plans, commitments, or agreements to pursue outside employment in the future.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

Cases most likely to present conflict issues would be those related to my prior service as a government lawyer or as a private practitioner. If confirmed, I would recuse myself in any matter in which, during my government service, I participated as counsel, adviser, or material witness, or expressed an opinion concerning the merits. *See* 28 U.S.C. § 455(b)(3). Moreover, I would also recuse myself in any matter in which, during my time in private practice, either I or a lawyer with whom I was then practicing participated. *See id.* § 455(b)(2).

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

If confirmed, I would evaluate any potential conflicts of interest under the standards set forth in 28 U.S.C. § 455 and Canon 3C of the Code of Conduct for United States Judges, both of which address the question of when federal judges must disqualify themselves due to conflicts. In considering those rules, I would further consult any judicial decisions or Judicial Conference opinions applying the rules to particular cases or circumstances.

25. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

As explained above, the Violence Reduction Partnerships were conceived and implemented precisely to address the devastating homicide rate that was afflicting some of Miami's most historic and under-served neighborhoods. In this respect, I think all of us who worked on the VRPs—including and especially the U.S. Attorney, Wifredo Ferrer—saw them very much as a way of serving, and improving the lives of, those members of our community who, of no fault of their own, were living in neighborhoods that had become extremely dangerous. It is also worth noting that I performed my duties as Coordinator—first of the Overtown VRP and later of the Liberty City, Little Haiti, and Miami Gardens VRPs—in addition to all of my other duties as an AUSA, without any corresponding reduction in my regular caseload. And the VRP work was extremely time-intensive: I would estimate that, over the three-plus years in which I was involved with the VRPs, I worked on the VRPs every single day, for several hours each day.

Since leaving the U.S. Attorney's Office, I have worked with lawyers from Jones Day to raise awareness about the VRP and its mission in an effort to pool law firm resources to help fund the VRP's growing community activism. In this capacity, then-U.S. Attorney Wifredo Ferrer and I have spoken at a Jones Day VRP fundraising event about the VRP and its successes, and I have participated in several meetings of the VRP Law Firm Advisory Committee, which has been examining the most effective means of persuading local law firms to buy into the VRP's mission of, for example, buying books for Overtown's elementary school students. These efforts are ongoing.

I have also worked with the Greater Miami Jewish Federation to raise money to help South Florida's impoverished Jewish population. Between 2013 and 2014, I co-chaired the Jewish Federation Network's Attorneys Division. In that role, I hosted three or four fundraising events each year to raise money to fund the Jewish Federation's mission of providing food, housing, and clothing to South Florida's most disadvantaged Jews.

26. **Selection Process:**

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

On September 6, 2017, Senators Marco Rubio and Bill Nelson announced the creation of a Federal Judicial Nominating Commission ("JNC"), composed of 36 members. On October 19, 2017, I submitted my application to the JNC, and I was interviewed on November 29, 2017. Later that day, the JNC announced that I was one of ten applicants whom it had nominated for interviews with the Senators. I then interviewed with Senator Rubio on December 8, 2017, and with Senator Nelson on January 5, 2018.

On February 2, 2018, I was contacted by an official from the White House Counsel's Office to schedule an interview in Washington, D.C. On February 8, 2018, I interviewed with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice. Since that time, I have been in contact with officials from the White House and the Office of Legal Policy. On April 26, 2018, the White House announced that the President intended to nominate me, and on May 7, 2018, the President submitted my nomination to the Senate.

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

No.