

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Byron Todd Jones

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

Director, Bureau of Alcohol, Tobacco, Firearms and Explosives
Department of Justice

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

Office Address:
600 U.S. Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415

Bureau of Alcohol, Tobacco, Firearms and Explosives
Department of Justice
99 New York NE
Room 5S.100
Washington, D.C. 20226

Residence:
Saint Paul, Minnesota

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

1957; Cincinnati, Ohio

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.

University of Minnesota Law School - Minneapolis, Minnesota
1980-1983
J.D. awarded, May, 1983

Macalester College - St. Paul, Minnesota
1975-1979
B.A. in Political Science awarded in May, 1979

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.

Acting Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
Department of Justice
99 New York NE
Room 5S.100
Washington, D.C. 20226
September, 2011 - present

United States Attorney
District of Minnesota
600 U.S. Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415
August, 2009 – Present

Partner
Robins, Kaplan, Miller & Ciresi L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, Minnesota 55402-2015
June, 2001 – August, 2009

Board Trustee
University of Minnesota Foundation
McNamara Alumni Center
200 Oak Street SE, Suite 500
Minneapolis, Minnesota 55455
2005 - 2009

Advisory Board Member
Institute for Law and Politics
University of Minnesota Law School
229 - 19th Avenue South
Minneapolis, Minnesota 55455
2007 – 2009

Board Trustee
Jeremiah Program
1510 Laurel Avenue, Suite 100
Minneapolis, Minnesota 55403
2007

Board of Governors

University of St. Thomas School of Law
1000 LaSalle Avenue
Minneapolis, Minnesota 55403-2015
2000 – 2006

Adjunct Professor
William Mitchell College of Law
875 Summit Avenue
Saint Paul, Minnesota 55105-3076
2002

Board of Directors
Twin Cities RISE!
800 Washington Avenue North, Suite 203
Minneapolis, Minnesota 55401
2001 - 2003

Board of Directors
Minnesota Independent School Forum
445 Minnesota Street, Suite 505
Saint Paul, Minnesota 55101-5000
2001 – 2002

Partner
Greene Espel P.L.L.P.
200 South Sixth Street, Suite 1200
Minneapolis, Minnesota, 55402
January, 2001 – May, 2001

United States Attorney
District of Minnesota
600 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota, 55415
May, 1998 – January, 2001

Board of Trustees
Saint Thomas Academy
949 Mendota Heights Road
Mendota Heights, Minnesota 55120
1998 -1999

First Assistant United States Attorney
District of Minnesota
600 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota, 55415
April, 1997 – May, 1998

Partner

Greene Espel P.L.L.P.
333 South Seventh Street
Suite 1700
Minneapolis, Minnesota, 55402
March, 1994 – March, 1997

Board of Directors
Catholic Charities of St. Paul & Minneapolis
1200 Second Avenue South
Minneapolis, Minnesota 55403
1990 – 1996

Board of Directors
NAACP, St. Paul Chapter
1060 West Central Avenue
Saint Paul, Minnesota 55104
1994 - 1995

Assistant United States Attorney
District of Minnesota
600 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota, 55415
February, 1992 – March, 1994

Board of Directors
St. Paul Red Cross Regional Blood Services
176 South Robert Street
St. Paul, Minnesota 55107
1990 – 1992

Co-Chair
St. Paul YMCA Black Achievers Mentor Program
194 East Sixth Street
Saint Paul, Minnesota 55101
1990 - 1993

Senior Litigation Associate
Oppenheimer Wolff & Donnelly LLP
Plaza VII, Suite 3300
45 South Seventh Street
Minneapolis, Minnesota 55402-1609
May, 1989 – January, 1992

[Active duty with the United States Marine Corps between 1983 – 1989; See Question 7]

Officer Candidate
United States Marine Corps, OCS
Quantico, Virginia
May, 1982 – August, 1982

Law Clerk
Hennepin County Attorney's Office
Civil Division
C-2000 Government Center
300 South Sixth Street
Minneapolis, Minnesota 55487
May, 1981 – August, 1981

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 was commissioned as a Second Lieutenant (O-1) in the United States Marine Corps on August 20, 1982, and placed on inactive duty during 1982 -1983 to complete law school.

I subsequently served on active duty as both an Infantry Officer (MOS 0302) with 1st Battalion, 7th Marine Regiment (Okinawa, Japan and Camp Pendleton, California), and as a Judge Advocate (MOS 4402) with the 1st Force Service Support Group, 1st Marine Division (Camp Pendleton, California), from 1983 until 1989, attaining the rank of Captain (O-3).

I remained in the United States Marine Corps Reserve and was recalled to active duty in January, 1991, for service during Operation Desert Storm. Following release from active duty in June, 1991, I remained in the Marine Corps Reserve, attaining the rank of Major (O-4) and ultimately serving as the commanding officer of 4th Marine Division Military Police Company (1993-1995) until my honorable discharge in 1998.

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.

National Black Prosecutors Association President's Award of Excellence - 2011

Edmund J. Randolph Award Recipient, Department of Justice – 2011

Macalester College Alumni Citation - The Catharine Lealtad '15 Service to Society Award - 2010

American College of Trial Lawyers - inducted as a Fellow in 2001

Minnesota Law & Politics, named a "Super Lawyer," - 2002 through 2008

Minnesota Law & Politics, named a "Top 40 Criminal Defense Lawyer" - 2007 and 2008

City of St. Paul, Certificate of Recognition for service as the Co-Chair of the St. Paul Police Chief Examination (Selection) Committee - May 5, 2004

Navy Achievement Medals for service while on active and reserve duty in the United States Marine Corps in 1989 and 1995

Patricia Harris Fellowship (law school scholarship) 1980-1983

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.

United States Federal Magistrate Selection Committee, District of Minnesota
Member: 2008

United States Federal Magistrate Selection Committee, District of Minnesota
Member: 2010

United States Sentencing Commission – *Ad Hoc* Advisory Group on the Organizational Sentencing Guidelines
Chair: 2002 - 2004

Council on Crime and Justice Racial Disparity Initiative Advisory Committee
Member: 2001

American Bar Association
Member: 1989 - 2009

Criminal Justice Section, ABA/DOJ Liaison Subcommittee, 2008 –2009 Federal Bar Association, Minnesota Chapter

Member: 1990 - 2009

Board of Directors: 1994 - 2002 and 2007 - 2009

Minnesota State Bar Association
Member: 1989 – 2009

New York State Bar Association
Member: 2007 – 2009

District of Columbia Bar Association
Member: 2007 – present

National Association of Former United States Attorneys (NAFUSA)
Member: 2001 – Present
Board of Directors: 2003 - 2005

Minnesota Association of Black Lawyers
Member: 1996 - 2009

Twin Cities Diversity in Practice
Co-Chair: 2005 - 2009

Minnesota Minority Lawyers Association
Member: 1989 - 1996

Twin Cities Committee on Minorities in Large Law Firms
Charter Member: 1989 - 1992

National Black Prosecutors Association
Member: 1997 - 2000

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.

The Minnesota State Bar: October 21, 1983 - present

The District of Columbia Bar: April 10, 2007 – present

The New York State Bar: March 21, 2007 – present (inactive)

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.

The United States Court of Military Appeals
Admitted in 1986

The United States District Court for the District of Minnesota
Admitted in 1989

The United States Court of Appeals for the Eighth Circuit
Admitted in 1989

The United States Supreme Court
Admitted on October 15, 2002

The United States District Court for the Northern District of Florida
Admitted in 2006

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.

University of Minnesota Foundation
Board of Trustees: 2005 - 2009

Institute for Law and Politics
University of Minnesota Law School
Advisory Board Member: 2007 – 2009

Jeremiah Program, Minneapolis, Minnesota
Board of Trustees: 2007

City of St. Paul Fire Chief Examination (Selection) Committee
Member: 2006

City of St. Paul Police Chief Examination (Selection) Committee
Co-Chair: 2004

St. Thomas University Law School, St. Paul, Minnesota
Board of Governors: 2000 - 2006

Governor's Citizen Advisory Commission on Redistricting
State of Minnesota
Member: 2001
(Appointed as one of eleven citizens by Governor Jesse Ventura)

Twin Cities RISE!
Board of Directors: 2001 - 2003

Minnesota Independent School Forum
Board of Directors: 2001 - 2002

St. Thomas Academy
Board of Trustees: 1998 -1999

Catholic Charities of Minneapolis and St. Paul
Board of Directors: 1990 - 1996

NAACP, St. Paul Chapter
Board of Directors: 1994 - 1995

St. Paul Red Cross Regional Blood Services
Board of Directors: 1990 – 1992

St. Paul YMCA Black Achievers Mentor Program
Co-Chair: 1990 - 1993

Marine Corps Association
Member: 1983 -1997

- 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.

None 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.

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

The Police Chief Magazine No. 79, "From the Acting Director: ATF Combating Violent Crime," September 2012. Copy supplied.

"Countering Violent Extremism through Community-Based Approaches," Op-Ed on the District of Minnesota Website and published in the Grand Rapids Herald, July 25, 2012. Copy Supplied.

"Corporate Citizenship and Corporate Criminal Rights", *Emergency Envelopes*, Volume 1, Issue 2 (Law firm publication), March, 2006. Copy Supplied.

"The Fifth Amendment, Vicarious Liability, and the Attorney Client Privilege: How Cooperation and Waiver Can Leave Your Corporation Exposed", *Emergency Envelopes*, Volume 1, Issue 1 (Law firm publication), November, 2005. Copy Supplied.

"When Civil Matters Become Criminal: The Interplay Between Civil and Criminal Litigation", *American Bar Association Section on Litigation, Committee on Criminal Litigation*, Volume 4, No. 2, Winter 2005. Copy Supplied.

"When Hindsight Is 20/20; Five Key Questions to Ask at the Start of an Internal Investigation", *Journal of Investment Compliance*, Fall 2004. Copy Supplied.

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

I have done my best to identify any reports, memoranda or policy statements I prepared or contributed in the preparation of, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

Prosecutorial Decision-Making and Racial/Ethnic Disparities in the Federal Criminal Justice System: Principles and Guidelines, a project of the Brennan Center for Justice at the New York University Law School and the National Institute for Law and Equity (released in 2007). Copy Supplied.

Report of The Ad Hoc Advisory Group on the Organizational Sentencing Guidelines, prepared for the United States Sentencing Commission, Washington, D.C. (released on October 7, 2003). Copy Supplied.

- 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.

“Oversight of the Financial Fraud Enforcement Task Force” Testimony before the Senate Judiciary Committee, Subcommittee on Administrative Oversight and the Courts, June 30, 2011. Copy Supplied.

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

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following. Where I have not noted “Copy Supplied,” I have been unable to locate or obtain prepared remarks, a transcript, or notes.

National Law Enforcement Museum, “Witness to History: The ATF Raid at Waco,” “Brief Comments from ATF Acting Director Jones,” Pew Charitable Trusts Building 901 E St NW, Washington, DC 20004 February 7, 2013.

United States Attorney’s Office for the District of Utah, Project Safe Neighborhood 10th Anniversary Event, “Comments from ATF Acting Director Jones” Utah Cultural Celebration Center, 1355 W 3100 S West Valley City, Utah February 12, 2013.

Bureau of Alcohol, Tobacco, Firearms and Explosives, Industry Operations Investigator Basic Training Graduation, Federal Law Enforcement Training Center (Building 69-Memorial Chapel), 1131 Chapel Crossing Road Brunswick, GA. November 16, 2012. Copy supplied.

International Association of Chiefs of Police Executive Committee Meeting, “ATF Update from the Acting Director,” San Diego Marriott Marquis & Marina,

333 West Harbor Drive, San Diego, CA. October 2, 2012.

100th Graduation at ATF National Canine Training and Operations Center (Thai National Police), "ATF Acting Director's Address," 122 Calvary Drive Front Royal, VA. September 12, 2012. Copy supplied.

Minnesota CLE Criminal Justice Institute, "Annual USAO Summary", River Centre, St. Paul, MN, August 27, 2012.

Bureau of Alcohol, Tobacco, Firearms and Explosives, 16th Annual Awards Ceremony, ATF Headquarters, 99 New York NE, Washington, D.C., August 23, 2012. Copy supplied.

California Gang Investigators Association Conference, "ATF Acting Director's Comments," Anaheim Marriott, 700 West Convention Way, Anaheim, CA. July 10, 2012. Copy supplied.

Cristo Rey High School Class of 2012 Commencement Address, Minneapolis, MN, June 9, 2012. Copy supplied.

Waco Wreath-laying/National Police Week Close out Ceremony, ATF Headquarters, 99 New York NE, Washington, D.C. May 17, 2012. Copy supplied.

Bureau of Alcohol, Tobacco, Firearms and Explosives, 16th Annual Memorial Service for Fallen Agents, "Acting Director's Address," ATF Headquarters, 99 New York NE, Washington, D.C. May 16, 2012. Copy supplied.

"16th Annual ATF Memorial Observance at the ATF Waco Memorial," Acting Director's Address, ATF Headquarters, 99 New York NE, Washington, D.C. May 16, 2012. Copy supplied.

Commemoration Ceremony for Deputy Collector William Henderson Foote, ATF Headquarters, 99 New York NE, Washington, D.C. 20226, May 14, 2012. Copy supplied.

National Law Enforcement Officers Memorial Fund Chairman's Dinner, "ATF Acting Director's Comments," Ronald Reagan International Trade Center 1300 Pennsylvania Avenue, NW Washington, D.C. May 12, 2012. Copy supplied.

Federal Magistrate Judge Steven P. Logan Investiture Address, Phoenix, AZ, April 27, 2012. Copy supplied.

Police Executive Research Forum ("PERF") Annual Meeting, "Acting Director's Comments," Renaissance Washington Hotel, 1143 New Hampshire, Washington, DC. April 25, 2012.

Minnesota Treasury Management Association's Annual Conference, "Federal Financial Fraud Enforcement Presentation", River Centre, St. Paul, MN, April 19, 2012.

Funeral of ATF Special Agent John Capano, "ATF Acting Director's Funeral Address," Saint William the Abbot Roman Catholic Church, 2000 Jackson Avenue, Seaford, NY. January 6, 2012. Copy supplied.

Ethics & Values Conference, Keynote Address. University of St. Thomas, Minneapolis, MN. November 3, 2011. Copy supplied.

National Congress of American Indians, Welcoming Remarks. Shakopee, MN, September 27, 2011.

National Native American Law Enforcement Association Conference, "ATF Acting Director's Comments," Tropicana Las Vegas Hotel, 3801 Las Vegas Blvd South, Las Vegas, NV. September 20, 2011. Copy supplied.

Minnesota CLE Criminal Justice Institute, "Annual USAO Summary", River Centre, St. Paul, MN, August 23, 2011.

Great Lakes Native American Conference, Welcoming Remarks. Duluth, MN, August 2, 2011.

National Black Prosecutors Association Annual Conference, Keynote Address. Marriott City Center Hotel, Minneapolis, MN, July 29, 2011.

Leonard, Street & Dienard Annual Scholars Dinner for Minority Law Students, Keynote Speaker. Minneapolis, MN, April 13, 2011.

William Mitchell College of Law Event, "Roundtable on the Importance of Military Service", William Mitchell College of Law, St. Paul, MN, February 17, 2011.

Minnesota Justice Foundation Annual Awards Celebration, Keynote Speaker. International Market Square, Minneapolis, MN, November 10, 2010.

NAFUSA Annual Conference, "Update on the Work of the AGAC", New York, NY, October 9, 2010.

Hennepin County Chiefs of Police Association Monthly Luncheon, "Question and Answer Session", Golden Valley, MN, October 7, 2010.

Native American Law Enforcement Conference (NALES), Welcoming Remarks. Carlton, MN, September 21, 2010.

National Hispanic Bar Association Annual Convention, Welcoming Remarks. Hilton Hotel, Minneapolis, MN, September 10, 2010.

Federal Firearms Licensee Seminar hosted by ATF, "Overview of the Department of Justice's Project Safe Neighborhood", Radisson Hotel, Roseville, MN, September 8, 2010.

Minnesota CLE Criminal Justice Institute, "Annual USAO Summary", River Centre, St. Paul, MN, August 24, 2010.

National Black Prosecutors Association Annual Conference, Chief Prosecutor Panelist Member, San Francisco, CA, July 20, 2010.

BJA Funded Advance Gang Investigators Training, Welcoming Remarks. Minneapolis Police Department, Minneapolis, MN, May 24, 2010.

William Mitchell Law School Class of 2010 Commencement, Keynote Speaker. River Centre, St. Paul, MN, May 23, 2010. Copy supplied.

International Conference on Asian Organized Crime & Terrorism Opening Ceremony, Welcoming Remarks, Crown Plaza Hotel, St. Paul, MN, May 17, 2010.

Annual Police Memorial Service, Keynote Speaker, St. Paul, MN, May 12, 2010. Copy supplied.

Tribal Police Department Roundtable Discussion, "Improving Public Safety in Indian Country," U.S. Attorney's Office, Minneapolis, MN. April 20, 2010. Copy supplied.

American Association of University Women Program Roundtable Discussion on the work of the U.S. Attorney's Office, 990 Summit Avenue, St. Paul, MN, March 18, 2010.

Macalester Alumni of Color Panel, Panelist Member Macalester College, St. Paul, MN, February 25, 2010.

Human Trafficking Policy Meeting, Welcoming Remarks. Crown Plaza Hotel, Bloomington, MN, February 18, 2010.

U.S. Department of Justice's Tribal Nations Listening Session on Public Safety and Law Enforcement, Welcoming Remarks, River Centre, St. Paul, MN, October 27, 2009.

Association of MN Health Plans Luncheon, "Health Care Fraud Enforcement Overview" Hamline University West, St. Louis Park, MN, October 23, 2009.

Equal Justice Forum-Panel Presentation, "National Sentencing Policy", University of St. Thomas Law School, Minneapolis, MN, October 12, 2009.

Formal Investiture Ceremony for United States Attorney B. Todd Jones, Remarks, U.S. Courthouse, Minneapolis, MN, September 18, 2009. Copy supplied.

Federal Bar Association, Minnesota Chapter Monthly Luncheon, "Overview of the U.S. Attorney's Office for the District of Minnesota", Minneapolis Club, Minneapolis, MN, September 16, 2009. Copy supplied.

2009 Hennepin County Bar Association Memorial, Minneapolis, MN, March 30, 2009. Copy supplied.

Minority Corporate Counsel Association, “Diversity Dialogue, A Discussion of Best Practices” Panelist, Chicago, IL, March 26, 2008.

Center for Ethical Business Cultures, Conducting Internal Investigations: Ethical and Legal Issues, A CEBC “Members Only” Roundtable – Lessons Learned from the Hewlett Packard Scandal. Minneapolis, MN, May 3, 2007.

Ethics & Compliance Officer Association, Sponsoring Partner Forum: “The Ethics of Internal Investigations.” Weston, FL, April 18, 2007.

National Association of Corporate Directors, Minnesota Chapter: “Board Investigations – Getting it Right.” Minneapolis, MN, January 9, 2007.

Securities and Exchange Commission, Accounting and Enforcement Update Conference: “SEC Enforcement Update.” Minneapolis, MN, May 23, 2006.

American Conference Institute, 3rd National Forum on Law Firm Diversity – Real Situations, Real Solutions: “Overcoming Adversity within Diversity – Success Stories.” Chicago, IL, January 29, 2006.

Minnesota CLE Conference Center, The New Lawyer Experience Seminar (Litigation Orientation for New Attorneys). Minneapolis, MN, January 9, 2006.

American Bar Association: “Board Investigations: How Far is Far Enough?” Washington, D.C., November 16, 2005.

Practicing Law Institute, 37th Annual Institute on Securities Regulation: “Criminal Enforcement of the Securities Laws.” New York, NY, November 3, 2005.

Minnesota CLE Conference Center, White Collar Criminal Law 2005 Summit: “How to Represent Your White-Collar Clients in Compliance Matters, Governmental Investigations, Negotiations and Trials.” Minneapolis, MN, October 31, 2005.

Center for Ethical Business Cultures, Roundtable Discussion: “Managing High Performance Individuals Who Violate a Firm’s Values But Not the Law.” Minneapolis, MN, October 12, 2005.

Minnesota State Bar Association CLE, Fraud, Misrepresentation and Deceptive Trade Practices: “When Civil Matters Become Criminal.” Minneapolis, MN, March 11, 2005.

American Bar Association, 19th Annual National Institute on White Collar Crime 2005: “Sentencing Guidelines – What Next?” Las Vegas, NV, March 3, 2005.

American Society of Corporate Secretaries, Twin Cities Chapter: “Understanding the Corporate Sentencing Guidelines.” Minneapolis, MN, December 7, 2004.

The State Bar of California, “Diversifying the Workplace in a Competitive Legal Market.” Monterey, CA, October 9, 2004.

University of St. Thomas Minnesota, Center for Ethical Business Culture: Corporate Responsibility Compliance, Prevention and Best Practices, "Organizational Sentencing Guidelines." Minneapolis, MN, April 20, 2004.

American Bar Association, 18th Annual National Institute on White Collar Crime 2004: "Parallel Proceedings – A Real and Present Danger." Miami Beach, FL, March 3, 2004.

American Health Lawyers, Teleconference: "Changes to the Federal Sentencing Guidelines and DOJ Policy on Federal Prosecutions: What Every Healthcare Lawyer Needs to Know." Teleconference – Minneapolis, MN, November 12, 2003.

Minnesota CLE: "Criminal Ramifications of The Sarbanes-Oxley Act." Minneapolis, MN, October, 2002.

Minnesota CLE: "When Civil Matters Become Criminal." Minneapolis, MN, August, 2002.

Minnesota CLE: "Using Technology in Litigation." Minneapolis, MN, March, 2001.

Wisconsin Association of Minority Attorneys Annual Banquet – Keynote Speech "Race and the Criminal Justice System." Milwaukee, Wisconsin, April 27, 2000.

Martin Luther King Day Celebration – "The Dream Lives", Northfield, Minnesota, January 18, 2000.

U.S. Department of Justice – Hate Crimes Conference/United States Attorney Working Group Best Practices Panel. Washington, DC, October 28, 1999.

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

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

Star Tribune, Dan Browning, "Drugs and thugs slide down priority scale," December 31, 2012. Copy Supplied.

Star Tribune, Dan Browning, "Jones' office turns to 1934 law aimed at gangsters," December 30, 2012. Copy supplied.

Star Tribune, Dan Browning, "On the beat," December 13, 2012. Copy Supplied.

Associated Press, Amy Forliti, "Minn. man convicted of aiding Somalia terror group," October 19, 2012. Copy Supplied.

Minnesota Public Radio, Laura Yuen, "Muhamud Said Omar guilty in first trial of sweeping investigation," October 18, 2012. Copy supplied.

St. Paul Pioneer Press, David Hanners, "Omar convicted of aiding Somali terrorists, faces life in prison," October 17, 2012. Copy Supplied

The Frontrunner, "Justice IG's House Testimony Sparks Partisan Clash Over Fast and Furious," September 21, 2012. Copy Supplied.

The Commercial Dispatch, Pete Yost, "'Fast & Furious' guns still on street," September 20, 2012. Copy Supplied.

USA Today, Kevin Johnson, "Gun probe finds 'serious failures,'" September 20, 2012. Copy supplied.

Washington Post, Sari Horwitz, "Inspector General's report on 'Fast and Furious' criticizes Justice Dept., ATF," September 19, 2012. Copy supplied.

The Hill, Jordy Yager, "Justice Department Report clears Holder, but faults DOJ, ATF officials," September 19, 2012. Copy supplied.

Associated Press, Pete Yost, "Justice Dept faulted in gun-trafficking operation," September 19, 2012. Copy supplied.

CNN, Terry Frieden, "Official to testify on 'fast and furious' report, which slaps 14 at Justice, ATF," September 19, 2012. Copy supplied.

Wall Street Journal, Evan Perez and Devlin Barrett, "Gun report spurs exits," September 19, 2012. Copy supplied.

Reuters, David Ingram, "Inspector faults federal agents in gun probe, clears Holder," September 19, 2012. Copy supplied.

Wall Street Journal, WSJ Staff, "ATF keeps its name, but adds a new one," September 19, 2012. Copy supplied.

Star Tribune, Dan Browning, "White Earth teaming up with federal prosecutors," September 4, 2012. Copy Supplied.

Wall Street Journal, Evan Perez, "Firearms Bureau Struggles to Define its Role," August 13, 2012. Copy supplied.

National Public Radio, Carrie Johnson, "Head of embattled ATF says running bureau 'Testing all of my skill sets,'" August 2, 2012 (with audio file link). Copy supplied.

The Associated Press, Terry Collins, "3 charged in Oakland shooting that killed infant," July 20, 2012. Copy Supplied.

KUSA-TV 9, Jace Larson, "ATF head, Todd Jones, ready to move beyond Fast and Furious scandal," July 12, 2012 (with video file link). Copy supplied.

Denver Post, Tom McGhee, "ATF could fight Denver street violence if problem becomes more serious," July 12, 2012. Copy supplied.

Star Tribune, Kevin Diaz, "Gun sting had '96 precedent in Minnesota," June 28, 2012. Copy Supplied.

Star Tribune, Dan Browning, "3 found guilty in huge Ponzi case," June 13, 2012. Copy Supplied.

Associated Press, Eric Tucker, "US honors black federal law officer killed in 1883," May 14, 2012. Copy supplied.

Minnesota Public Radio, Jon Collins, "US Attorney: US citizens in Al-Shabab could lose rights to trial," March 9, 2012 (with audio link). Copy supplied.

The Associated Press, Amy Forliti, "Somalis scramble for way to send relatives money," December 31, 2011. Copy Supplied.

The Baltimore Sun, Richard A. Serrano, "Finger-pointing in gun probe; Former ATF director claims top aides kept him in dark about Fast and Furious," December 27, 2011. Copy Supplied.

Los Angeles Times, Richard Serrano, "Angry former ATF chief blames subordinates for Fast and Furious," December 24, 2011. Copy supplied.

WTOP, J.J. Green, "Restoring the reputation of ATF," December 6, 2011 (with audio file links). Copy supplied.

WTOP, J.J. Green, "Interim ATF director: Recovering from 'Fast and Furious,'" December 5, 2011 (with audio file links). Copy supplied.

Star Tribune, Dan Browning, "3 life terms for 3 lives taken," November 15, 2011. Copy Supplied.

Chicago Sun Times, Frank Main, "ATF boss unfazed by firearm probe," October 26, 2011. Copy supplied.

Chicago Sun Times, Frank Main, "ATF Boss: Crackdown will continue on guns to Mexico," October 25, 2011. Copy Supplied.

Star Tribune, Dan Browning, "U.S. Attorney honors 3 white-collar sleuths," October 12, 2011. Copy Supplied.

Associated Press, Pete Yost, "ATF's new director shakes up agency," October 6, 2011. Copy supplied.

Iol News, Jeremy Pelofsky, "US trying to fix ties with Mexico," October 6, 2011. Copy supplied.

CNN, Terry Frieden, "New boss at ATF announces major shake-up at the troubled agency," October 6, 2011. Copy supplied.

Houston Chronicle, Puneet Kollipara, "New ATF chief reassigns top officials after Fast and Furious," October 5, 2011. Copy supplied.

The Washington Times, Jerry Seper, "Acting ATF chief 'refocusing' on 'core mission' of bureau: Staff shakeup aims to ally fallout of 'Fast and Furious,'" October 5, 2011. Copy supplied.

Washington Post, Sari Horwitz, "New ATF chief B. Todd Jones joins an agency shaken by gun scandal," September 1, 2011. Copy supplied.

Pioneer Press, Ruben Rosario, "Washington called. US Attorney B. Todd Jones answered." August 31, 2011. Copy supplied.

WCCO Minnesota, Adam Carter, "Minn. US Attorney Jones Named Acting ATF Director," August 30, 2011. Copy supplied.

Minnesota Public Radio, Steven John and Sasha Asanian, "New acting director of ATF B. Todd Jones will tackle 'lack of stability,'" August 30, 2011.

Star Tribune, James Walsh, "U.S. attorney to get ATF 'squared away,'" August 30, 2011. Copy supplied.

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

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

I have never been a candidate for public office.

In August 2011, I was appointed by the President of the United States as the Acting Director of the Bureau of Alcohol, Tobacco and Firearms and subsequently nominated for that same position in January 2013.

In 2009, I was nominated to serve as United States Attorney for the District of Minnesota by President Barack Obama and subsequently confirmed by the United States Senate in August 2009.

On May 22, 1998, I was appointed interim United States Attorney for the District of Minnesota by Attorney General Janet Reno. On September 18, 1998, upon the expiration of that interim appointment, the United States District Court for the District of Minnesota named me as the judicially appointed interim United States Attorney. On October 7, 1998, President William J. Clinton nominated me to be the permanent U.S. Attorney. On October 8, 1998, I was confirmed by the United States Senate. I resigned from this position in January 2001.

- 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.

During 2007 and 2008, I served a member of the Minnesota State Finance Committee for the Obama for America campaign. In addition, I was a participant in "Obama University" held at national campaign headquarters in Chicago, Illinois during November, 2007.

In 2006, I served as an uncompensated advisor to Congressman Keith Ellison, who represents Minnesota's 5th Congressional District, during his first campaign for that office.

Prior to these activities, I was a member of the Minnesota Democratic Leadership Council (DLC) between 1991 and 1995. I also worked on the campaign of U.S. Senate candidate Bob Short (Democrat) in 1978 and served as an intern in the office of U.S. Senator Hubert H. Humphrey during 1977-78. During 1976 I served as a college campus organizer for the Minnesota "Carter for President" campaign.

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

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

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

I did not have the opportunity to clerk for a judge given my commitment to military service immediately following graduation from law school.

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

I have never been a solo 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.

Acting Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
Department of Justice

99 New York NE
Room 5S.100
Washington, D.C. 20226
August, 2011 - present

United States Attorney
Department of Justice
District of Minnesota
600 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota, 55415
September, 2009 – present

Partner
Robins, Kaplan, Miller & Ciresi L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, Minnesota 55402-2015
June, 2001 – August, 2009

United States Attorney / Assistant United States Attorney
Department of Justice
District of Minnesota
600 United States Courthouse
300 South Fourth Street
Minneapolis, Minnesota, 55415
May, 1998 – January, 2001;
April, 1997 – May, 1998 (First Assistant);
February, 1992 – March, 1994.

Partner
Greene Espel P.L.L.P.
333 South Seventh Street
Suite 1700
Minneapolis, Minnesota, 55402
March, 1994 – March, 1997
January, 2001 – May, 2001

Senior Litigation Associate
Oppenheimer, Wolff & Donnelly
First Bank Building, Suite 1700
St. Paul, Minnesota 55101
May, 1989 – January, 1992

Judge Advocate
United States Marine Corps
First Marine Division
1st Force Service Support Group
Camp Pendleton, California
August, 1986 – May, 1989

- 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.

The only matter that I attempted to mediate involved a limited attempt to resolve a board governance dispute between a Minnesota based health insurance organization and the Minnesota Attorney General's office in 2005. The matter was not resolved after a single day of meetings and the case proceeded in the courts. Other than this matter, 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.

The character of my law practice over the years has consistently had litigation and trial work at its core, with shifts occurring between public sector and private sector platforms.

2009 – Present: During my current tenure as the United States Attorney for the District of Minnesota, I have been privileged to serve both as one of the nation's principal litigators, operating under the direction of the Attorney General, and as the chief federal law enforcement officer for the District of Minnesota. Between September 2009 and August 2011, I also chaired the Attorney General's Advisory Committee (AGAC) of U.S. Attorneys. Since September 2011, I have also served as the Acting Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives. In this capacity, I assumed responsibility for the leadership and oversight of one of four major Federal law enforcement components within the Department of Justice.

2001 – 2009: As a partner with the national law firm of Robins, Kaplan, Miller & Ciresi LLP, I maintained an active trial practice focused on complex business litigation as both plaintiff and defense counsel. I represented a number of organizations and individuals in criminal and civil cases and regulatory matters and served as special counsel to various boards of directors of public and privately held companies. In the latter capacity, I led internal investigations and provided guidance on compliance and governance issues. During my time at the law firm, I had the opportunity to serve multiple terms on the firm's Executive Board (management committee), Recruiting (hiring) Committee and chaired the Diversity Committee from 2003 until 2008.

1997 – 2001: During my first tenure as the United States Attorney, I had the privilege to serve both as one of the nation's principal litigators, operating under the direction of the Attorney General, and as the chief federal law enforcement officer of the United States within the District of Minnesota. Prior to assuming that position, as the First Assistant United States Attorney, my primary responsibilities included overall management of the internal operations of the office, in areas ranging from personnel to budget. In this capacity, I worked

closely with both the Criminal and Civil Division Chiefs in a variety of policy implementation matters and Department of Justice initiatives.

1994 – 1997: My practice as a partner at Greene Espel involved all aspects of representation of individuals, private entities, and governmental units in litigation (defense) of employment related disputes, civil rights claims and discrimination suits, primarily in Federal court. I was also involved in conducting confidential investigations in support of, or to avert, litigation for corporations and public bodies, including matters relating to regulatory and criminal proceedings. Internally, I served as the managing partner during my last two years at the firm (1996 – 1997).

1992 – 1994: During my service as an Assistant U.S. Attorney, my sole focus was representing the United States in criminal cases venued in Federal court. In this capacity, I conducted grand jury investigations and was the lead trial lawyer in a number of federal prosecutions and before the Courts of Appeal in matters involving criminal drug conspiracies, money laundering, financial fraud and violent crime.

1989 – 1992: While at Oppenheimer, Wolff & Donnelly I developed a general civil litigation practice encompassing a wide variety of legal matters ranging from products liability defense and insurance coverage disputes to labor and employment controversies in both a private and public sector setting. Given my position as a senior associate I had primary responsibility for daily case management, handling pretrial discovery, formulation and drafting of both non-dispositive and dispositive motions, and any subsequent appeal briefs.

1986 – 1989: As a Judge Advocate in the United States Marine Corps I served as both a trial defense counsel and prosecutor in numerous courts-martial proceedings (trials) and administrative discharge hearings. While serving as a trial defense counsel I defended military personnel in a number of special and general courts-martial. I also advocated for members pending their administrative involuntary separation from the military. As a prosecutor I handled a number of courts-martial proceedings, many of which were contested. In addition to directing investigations of the Naval Investigative Service and the criminal investigations division of the military police, I also regularly advised regimental and battalion command on all criminal justice matters, international law of war issues and civil affairs functions.

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

During the course of my legal career, I have represented a variety of clients in both criminal and civil litigation. These clients have included individuals charged with violations of Federal or state criminal law, and members of the military charged under the Uniform Code of Military Justice. I have also had the opportunity to represent both public and private companies engaged in a wide variety of business endeavors ranging from consumer retail and health care to medical devices and public utilities. I have represented state and local units of government in both employment and civil rights cases, and had the privilege of representing the United States in prosecuting criminal cases in both Federal court and in a military courts-martial setting.

- 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 appeared in court frequently during my tenure as both a Judge Advocate in the United States Marine Corps (1986 – 1989) and as an Assistant United States Attorney (1992 – 1994). My court opportunities while practicing civil litigation at both Oppenheimer, Wolff & Donnelly (1989 – 1992) and at Greene Espel (1994 – 1997) were less frequent but did result in periodic civil jury trial work. As the United States Attorney (1998 – 2001, 2009 - present) I did not and have not regularly appeared in court, although there were and are appropriate occasions when this occurs. During my most recent eight years in private practice (2001- 2009) I had many opportunities to appear in court for both civil and criminal motions practice and in several civil and criminal jury trials. The percentages below reference the entirety of my legal career, including Military service.

- i. Indicate the percentage of your practice in:
 - 1. federal courts (including military); 80%
 - 2. state courts of record; 20%
 - 3. other courts; none
 - 4. administrative agencies; none
- ii. Indicate the percentage of your practice in:
 - 1. civil proceedings; 25%
 - 2. criminal proceedings: 75%

- 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 tried approximately twenty (20) cases to verdict before a jury or members panel as sole counsel while in the military and as an Assistant U.S. Attorney. During this same time I was co-counsel on additional four or five (4-5) jury trials. These estimates are apart from the numerous cases which were resolved short of trial by plea or dismissal. As a civil practitioner or criminal defense counsel during my tenures at Greene Espel

and Robins, Kaplan Miller and Ciresi, I have tried an additional half dozen (6) cases as lead counsel before juries in state and Federal court.

- 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.

Although admitted, I have not yet had the opportunity to practice before the Supreme Court of the United States

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

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

The following ten cases collectively reflect significant litigation I personally handled throughout the progression of my legal career (excluding my military legal service). The first five cases represent my work as a line prosecutor as an Assistant United States Attorney. Each of these cases involved the enhancement of community safety through the prosecution and conviction of drug traffickers and firearm offenders. Two cases represent civil litigation involving substantial public policy issues. Two cases involved my work as defense counsel in high-profile criminal cases, one involving a sports-celebrity and one involving a public official. The final case involved my dual role as a case prosecutor and United States Attorney in a significant terrorism prosecution.

1. *United States v. Norberto Trevino-Rodriguez and Rosalio Trevino-Lopez*

Citation:

994 F.2d 533 (8th Cir. 1993)

Party Represented:

United States of America

Summary of Case:

This was a criminal case that involved several individuals trafficking in substantial quantities of cocaine between Minnesota and Texas.

Nature of Participation:

As an Assistant United States Attorney, I was co-counsel for the government.

Final Disposition:

The defendants were adjudged guilty of the charges contained in the indictment by a federal jury following deliberation, and those convictions were upheld on appeal by the 8th Circuit Court of Appeals.

Date of Representation:

1992

Name of court and judge:

U.S. District Court for the District of Minnesota before Judge James Rosenbaum

Co-Counsel:

Jon Hopeman
Assistant U.S. Attorney, District of Minnesota (former)
Current position: Counsel
Felhaber, Larson, Fenlon & Vogt, P.A.
220 South Sixth St. Suite 2200
Minneapolis, MN 55402
(612) 373-8416

Counsel for other parties:

Jerry Strauss (Deceased)
Minneapolis, Minnesota

Arthur Martinez
250 Second Avenue South
Minneapolis, Minnesota 55401
(612) 333-6000

2. *United States v. Cassell Bobo, et al*

Citation:

49 F.3d 362 (8th Cir. 1995)

Party Represented:

United States of America

Summary of Case:

This criminal case involved a major narcotics distribution and money laundering conspiracy in both Minnesota and California. It resulted in the seizure of substantial quantities of cocaine and currency following intensive investigation by the DEA, including Title III wiretap evidence introduced at trial.

Nature of Participation:

As an Assistant United States Attorney, I was co-counsel for the government.

Final Disposition:

The defendants who proceeded to trial were adjudged guilty of the charges contained in the indictment by a federal jury following deliberation, and the convictions were upheld on appeal by the 8th Circuit Court of Appeals.

Date of Representation:

1993

Name of court and judge:

U.S. District Court for the District of Minnesota before then-Chief Judge Diana Murphy (currently sitting on the 8th Circuit Court of Appeals).

Co-Counsel:

Denise Riley
Assistant U.S. Attorney, District of Minnesota (former)
Current position: Assistant Chief Judge 4th Judicial District Minnesota
300 South 6th Street
Minneapolis, MN 55487
(612)-348-0112

Counsel for other parties:

Faisom Sessoms
Suite 840, 331 Second Avenue South
Minneapolis, Minnesota, 55401
(612) 344-1505

Barry Voss
527 Marquette Ave # 1050
Minneapolis, Minnesota, 55402
(612) 673-0707

John G. Dillon
237 Mackubin St.

St. Paul, Minnesota, 55102
(612) 703-8648

Richard Oakes (Deceased)
St. Paul, Minnesota

3. *United States v. Michael Severe, et al.*,

Citation:

29 F.3d 444 (8th Cir. 1994)

Party Represented:

United States of America

Summary of Case:

This was criminal case that involved a conspiracy to distribute crack cocaine in Minnesota which was obtained from sources in California. The case was the result of a joint state-federal narcotics investigation in the City of Minneapolis.

Nature of Participation:

As an Assistant United States Attorney, I was sole counsel for the government.

Final Disposition:

Several of the defendants entered pleas and cooperated with the government by providing testimony at trial. The defendant who proceeded to trial was adjudged guilty of the charges contained in the indictment by a federal jury following deliberation and that conviction was upheld on appeal by the 8th Circuit Court of Appeals.

Date of Representation:

1993

Name of court and judge:

U.S. District Court for the District of Minnesota before Judge David Doty.

Counsel for other party:

Craig Cascarano
150 South 5th Street, Suite 3260
Minneapolis, Minnesota, 55402
(612) 333-6603

4. *United States v. Hyten*,

Citation:

5 F.3d 1 154 (8th Cir. 1993)

Party Represented:

United States of America

Summary of Case:

This was criminal case that involved a convicted felon in constructive possession of a MAC- 10 semi-automatic weapon. The defendant was alleged to be an enforcer for a local motorcycle street gang.

Nature of Participation:

As an Assistant United States Attorney, I was sole counsel for the government.

Final Disposition:

Following a weeklong trial, which included testimony from the defendant's wife asserting ownership of the weapon, the defendant was adjudged guilty of the charges contained in the indictment by a federal jury following deliberation. The conviction was upheld on appeal by the 8th Circuit Court of Appeals.

Date of Representation:

1992

Name of court and judge:

U.S. District Court for the District of Minnesota before then-Chief Judge Diana Murphy (currently sitting on the 8th Circuit Court of Appeals).

Counsel for other party:

Bruce Hanley (deceased).

5. *United States v. Alex Horne and Joseph Franklin,*

Citation:

4 F.3d 579 (8th Cir. 1993)

Party Represented:

United States of America

Summary of Case:

This was a criminal case that involved a conspiracy to distribute crack cocaine, use of firearms, and operation of a crack house within 1000 feet of Minneapolis North High School.

Nature of Participation:

As an Assistant United States Attorney, I was sole counsel for the government.

Final Disposition:

The defendants were adjudged guilty of the charges contained in the indictment by a federal jury following deliberation, and those convictions were upheld on appeal by the 8th Circuit Court of Appeals.

Date of Representation:

1993

Name of court and judge:

U.S. District Court for the District of Minnesota before Judge Harry MacLaughlin (deceased).

Counsel for other party:

Bruce Hanley (deceased).

F. Clayton Tyler
331 Second Avenue South, Suite 230
Minneapolis, Minnesota
(612) 924-1648

6. *John Barlow v. Velma Throdahl*, (not reported),

Docket Number:

District Court File No. 95-849 (Minnesota State District Court, Hennepin County)

Party Represented:

Civil defendant Velma Throdahl

Summary of Case:

This case was a civil/employment law matter that involved a defamation lawsuit initiated against a municipal employee. The defendant, whom I represented, was indemnified by her employer, a municipal police department. The defendant had filed a sexual harassment complainant with the municipality against a co-worker police officer. The police officer was terminated based in part on the allegations raised in the sexual harassment complaint. Following his reinstatement as a result of a post-termination arbitration decision, the

plaintiff/police officer filed suit in 1995 against the defendant based upon the allegations in her sexual harassment complaint. I represented the defendant/sexual harassment complainant throughout the case, which involved extremely contentious litigation.

Nature of Participation:

As private counsel, I was lead attorney for the defendant.

Final Disposition:

Following several unsuccessful attempts to obtain summary judgment based on, among other legal theories, an immunity defense for sexual harassment complainants; we proceeded to trial in 1996. After several days of jury trial before Judge Gary Larson, the plaintiff police officer dismissed his case with prejudice in exchange for an agreement that defendant would not pursue costs or a malicious prosecution tort claim against the plaintiff.

Date of Representation:

1995-1996

Name of court and judge:

Minnesota District Court, Hennepin County, before Judge Gary Larson.

Co-Counsel:

Patricia Beety
League of Minnesota Cities Insurance Trust (LMCIT)
145 University Ave. W.
St. Paul, Minnesota, 55101
(651) 281-1270

Counsel for other party:

Joseph B. Marshall
304 Cheyenne Lane
Clinton, Arkansas 72301
(Note: Most recent business address I have located, circa 2008)

7. *Yvette Robinson, et al. v. Henry Cisneros, et al.* (not reported),

Docket Number:

Case No. CV-4-95-237(U.S. District Court, District of Minnesota)

Party Represented:

Civil defendant St. Paul Public Housing Authority

Summary of Case:

This case was a federal class action lawsuit filed in 1994 by Southern Minnesota Regional Legal Services. The civil complaint alleged a pattern of racial discrimination in the assignment of public housing by both HUD and the St. Paul Public Housing Agency (PHA). Essentially, the lawsuit challenged the right of the PHA and HUD to administer housing assistance in a racially-neutral manner by considering the race or ethnicity of those awaiting public housing or “steering” individuals to certain developments for purposes of changing racial composition. Interestingly, the plaintiff class consisted of African-American applicants who asserted that the PHA discriminated against them in favor of Asian-Americans.

Nature of Participation:

As private counsel, I was the lead attorney for the PHA from the initiation of the class action lawsuit until its resolution through settlement in 1996.

Final Disposition:

The case was resolved through a settlement agreement which I jointly negotiated.

Date of Representation:

1994-1996

Name of court and judge:

U.S. District Court for the District of Minnesota before Judge Ann Montgomery.

Co-Counsel:

Jacqueline Becerra (representing HUD)
Trial Attorney, Federal Programs Branch, Department of Justice (former)
Current position: Shareholder, Greenberg Traurig
333 SE 2nd Ave., Suite 4400
Miami, Florida, 33131
(305) 579-0500

Counsel for other party:

Jessie R. Nicholson
Southern Minnesota Regional Legal Services
55 E. 5th Street, Suite 1000
St. Paul, Minnesota, 55101
(651) 222-5863

8. *State of Minnesota v. Kirby Puckett*, (not reported),

Docket Number:

District Court File No. 27-CR02-07319 (Minnesota State District Court, Hennepin County)

Party Represented:

Criminal Defendant Kirby Puckett

Summary of Case:

This was a state criminal prosecution in which I successfully defended Hall of Fame baseball legend and former Minnesota Twins player Kirby Puckett in a high profile criminal trial involving allegations of sexual assault.

Nature of Participation:

As private counsel, I was the lead attorney for the criminal defendant.

Final Disposition:

Following trial, the jury acquitted defendant Puckett on all charges.

Date of Representation:

2003

Name of court and judge:

Minnesota District Court, Hennepin County, before Judge Stephen Swenson.

Co-counsel:

Christopher W. Madel
800 LaSalle Avenue
Minneapolis, Minnesota, 55402
(612) 349-8703.

Counsel for other party:

Alan Harris
Assistant Hennepin County Attorney
C-2000 Government Center, 300 South Sixth Street
Minneapolis, Minnesota 55487
(612) 348-5550.

9. *United States v. Alan Green, et.al.* (not reported),

Docket Number:

Case No. 2:04CR00295 (U.S. District Court, Eastern District of Louisiana)

Party Represented:

United States of America

Summary of Case:

This case was a Federal criminal action filed against a sitting state district court judge. The case, which was tried in 2005 before a jury in New Orleans, involved allegations of public corruption and conspiracy. The charges resulted from an extensive FBI wiretap (Title III) investigation. The underlying facts involved allegations of illegal contributions of cash and other gratuities in exchange for favorable treatment in bond hearings on behalf of defendant's bail bondsmen.

Nature of Participation:

As private counsel, I was lead attorney for criminal defendant Green.

Final Disposition:

Following a trial at which I served as co-lead defense counsel, the jury hung on all but one mail fraud count against Judge Green. The jury returned a verdict only on the sole mail fraud count of conviction.

Date of Representation:

2005

Name of court and judge:

U.S. District Court for the Eastern District of Louisiana before Judge Lance Africk.

Co-Counsel:

Frank DeSalvo
739 Baronne St.
New Orleans, Louisiana, 70113
(504) 524-4191.

Counsel for other party:

Michael Magner
Assistant U.S. Attorney, Eastern District of Louisiana (former)
Current position: Special Counsel
Jones, Walker, Waschter, Poitevent, Carrere, Denegre LLP
201 St. Charles Ave.
New Orleans, LA 70170
(504) 582-8316

10. *United States. v. Omer Abdi Mohamed* (not reported),

Docket Number:

Party Represented:

United States of America

Summary of Case:

This case was a high-profile criminal prosecution involving conspirators who recruited young men of Somali descent in the Minneapolis area to travel to Somalia to fight against Ethiopian troops, who were in Somalia assisting the internationally recognized Transitional Federal Government of Somalia. The defendant, Omer Abdi Mohamed, was a leader of the conspiracy. He was indicted in November 2009 in the District of Minnesota under my tenure as United States Attorney. In July 2011, defendant Mohamed pleaded guilty to one count of conspiracy to provide material support to a conspiracy to murder, kidnap, and maim abroad. As part of his plea, the defendant admitted that he attended meetings at a Minneapolis mosque, restaurant, and private residence for the purpose of formulating plans to further the conspiracy with his co-conspirators. He also admitted to assisting recruits to the conspiracy in planning their trips to Somalia, knowing that once they were there, they intended to kidnap or main Ethiopian and Somali government troops. The indictment of Mohamed arose out of "Operation Rhino," an investigation that to date has resulted in charges filed against 22 other individuals.

Nature of Participation:

As the United States Attorney, I was lead counsel for the government.

Final Disposition:

The defendant Mohamed entered a guilty plea to the main conspiracy count of the indictment in July 2011. Sentencing pending.

Date of Representation:

2009-2011

Name of court and judge:

U.S. District Court for the District of Minnesota before Chief Judge Michael J. Davis.

Co-Counsel:

Charles Kovats
Assistant U.S. Attorney, District of Minnesota
600 U.S. Courthouse
300 South Fourth Street
Minneapolis, Minnesota 55415
(612)-664-5700

William M. Narus

Trial Attorney, National Security Division
U.S. Department of Justice
950 Pennsylvania Ave.
Washington, D.C. 20530
(202) 307-0789

Counsel for other party:

Peter B. Wold
Aaron J. Morrison
Law Firm of Peter B. Wold, PA
247 Third Avenue South
Minneapolis, Minnesota
(612) 341-2525

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 which 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 not engaged in any lobbying activities at any time during my professional career.

In addition to the wide variety of criminal and civil cases I have tried over the years, and my current responsibilities as the United States Attorney for the District of Minnesota, I have also had the opportunity to work on a number of cases and matters that did not proceed to trial. These include several significant class actions, several of which were designated with MDL (Multi-District Litigation) status early on in my career. In the past ten years, I also served as lead co-counsel in a case in the successful defense of a publicly held global logistics company in a Federal class action discrimination lawsuit alleging Title VII violations on the basis of gender in compensation and promotion; lead counsel in the settlement of a Federal criminal action involving complex allegations of Medicare fraud against a privately held medical device manufacturer; and as lead counsel for the Board of Directors of a public utility company on an extensive internal investigation involving allegations of misconduct in the natural gas commodities market. Finally, in addition to these specific client and case matters, I have also recently had the privilege to:

- Lead the Bureau of Alcohol, Tobacco, Firearms and Explosives. In this role, I have had the opportunity to work on enhancing the Bureau's internal risk management processes and instituting appropriate structural changes to help the Bureau more effectively fulfill its law enforcement and regulatory functions.
- Serve as the Chair of the Attorney General's Advisory Committee (AGAC) of U.S. Attorneys. Between September 2009 and August of 2011 I led the effort to re-constitute the AGAC and effectively bridged the gap between new U.S. Attorneys becoming engaged as a community and the departure of their predecessors from the previous Administration.

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.

Over the years I have served as both an instructor and speaker at a variety of Continuing Legal Education programs and at the National Institute of Trial Advocacy. I have no syllabus for these courses.

I have also, on occasion, served as a guest instructor or speaker at both the University of Minnesota Law School and at William Mitchell College of Law. In this capacity I have taught Fundamentals of Pretrial Litigation, Lawyering Skills, and Trial Advocacy. I have been unable to locate any syllabus for these courses.

During the spring semester of 2002 I served as an Adjunct Professor of Law at William Mitchell College of Law in St. Paul Minnesota and taught a more substantive small group seminar course entitled "Race and the Law." Copy supplied.

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.

None

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

None, except that as a U.S. government employee, I participate in the Thrift Savings Plan.

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 SF 278.

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 an 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.

Over the course of my career, particularly during my time in private practice, I have devoted extensive time in the representation of indigent criminal defendants. These matters have been assigned to me both as the result of my participation in the Federal Public Defender's Panel for the District of Minnesota between 2003 and 2009 (for which I did not submit applications for payment of fees), and as a consequence of the clients who individually approached my most recent private sector law firm for pro bono assistance in both criminal and civil rights assistance.

AFFIDAVIT

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

2/26/13
(DATE)

Byron Todd Jones
(NAME)

The foregoing instrument was acknowledged
before me on the 26th day of FEBRUARY 2013,
by BYRON TODD JONES
known to me to be the person(s) whose name(s) are
subscribed to the instrument and acknowledged
execution of the same for the purpose therein contained.

Sylvia J. Turner
Notary Public, State of DISTRICT OF COLUMBIA
My Commission Expires 08/31/2015

SYLVIA J. TURNER
Notary Public, District of Columbia
My Commission Expires August 31, 2015

(NOTARY)

