

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA

Office of Andrew L. Brasher  
United States District Judge

One Church Street  
Montgomery, Alabama 36104

TELEPHONE:  
334-954-3740

January 6, 2020

The Honorable Lindsey Graham  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Chairman Graham,

I have reviewed the questionnaire submitted to the Senate Judiciary Committee on November 6, 2019 in relation to my nomination to the United States Court of Appeals for the Eleventh Circuit.

Incorporating the additional information listed below, I certify that the information contained in these documents is, to the best of my knowledge, true and accurate:

**Question 12.c:**

I testified before the U.S. Senate Judiciary Committee on December 4, 2019; the recording is available at <https://www.judiciary.senate.gov/meetings/12/04/2019/nominations>.

**Question 13.a:**

I have presided over 4 cases that have gone to verdict or judgment.

**Question 13.b:**

I have authored the following additional opinions:

*Griggs v. Kenworth*, 2019 WL 7190610 (M.D. Ala. Dec. 26, 2019)

*Butler v. Dunn*, 2019 WL 7041866 (M.D. Ala. Dec. 20, 2019)

*Enterprise City Board of Education v. S.S. and J.S.*, 2019 WL 7042511 (M.D. Ala. Dec. 20, 2019)

*Seals v. Leath*, 2019 WL 6997398 (M.D. Ala. Dec. 18, 2019)

*Robert N. Brewer Family Found. v. Huggins as Tr. of Christine C. Brewer Revocable Tr.*, WL 6869066 (M.D. Ala. Dec. 16, 2019)

*Robert N. Brewer Family Found. v. Huggins as Tr. of Christine C. Brewer Revocable Tr.*, 2019 WL 6873655 (M.D. Ala. Dec. 16, 2019)

*United States v. Burks*, Doc. 33, 2:19-cr-00344-ALB (M.D. Ala. Dec. 16, 2019)

*United States v. Hernandez-Pacheco*, Doc. 46, 3:19-cr-00346-ALB (M.D. Ala. Dec. 10, 2019)

*Holton v. Bama Lanes Prattville, LLC*, 2019 WL 6712085 (M.D. Ala. Dec. 9, 2019)

*Rogers v. Wilkie*, 2019 WL 6698139 (M.D. Ala. Dec. 6, 2019)

*Edwards v. Deere & Co., Inc.*, 2019 WL 6339901 (M.D. Ala. Nov. 26, 2019)

*Hughes v. Wal-Mart Stores East, LP*, 2019 WL 6048878 (M.D. Ala. Nov. 14, 2019)

**Question 13.c:**

I have presided over the following additional matter:

*United States v. Dumas, et. al*, 2:19-cr-00219-ALB (M.D. Ala.)

The United States prosecuted four individuals for stealing \$200,000 from an Indian gaming establishment. See 18 U.S.C. § 1168. Three defendants pleaded guilty. Jory Dumas pleaded not guilty. In November 2019, a jury found Dumas guilty of two counts in a three-count indictment after an approximately 3-day trial.

Counsel for the United States: Ben Baxley and Stephanie Billingslea, U.S. Attorney's Office, 131 Clayton St, Montgomery, AL 36104, 334-223-7280.

Counsel for Defendant Dumas: Jon Carlton Taylor, The Law Offices of J. Carlton Taylor, Post Office Box 230783, Montgomery, AL 36123, 334-472-0500.

I am also forwarding an updated net worth statement and financial disclosure report. I thank the Committee for considering my nomination.

Sincerely,



Andrew Brasher

cc: The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

## FINANCIAL STATEMENT

### NET WORTH

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

ASSETS				LIABILITIES			
Cash on hand and in banks		70	000	Notes payable to banks-secured (auto)			
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule		745	107	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable – see schedule		300	000
Real estate owned – see schedule		385	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		30	000				
Cash value-life insurance							
Other assets itemize:							
State of Alabama Pension Contributions		80	000				
				Total Liabilities		300	000
				Net Worth	1	010	107
Total Assets	1	310	107	Total Liabilities and Net Worth	1	310	107
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	NO		
On leases or contracts				Are you defendant in any suits or legal actions?	NO		
Legal Claims				Have you ever taken bankruptcy?	NO		
Provision for Federal Income Tax							
Other special debt							

## FINANCIAL STATEMENT

### NET WORTH SCHEDULES

#### Listed Securities

Vanguard Target Retirement 2045 Fund	175,000
Vanguard Target Retirement 2050 Fund	164,000
Vanguard Growth Index Fund	72,000
Vanguard Windsor II Fund	47,000
Vanguard Wellington Fund	43,500
Vanguard Strategic Small-Cap Equity Fund	13,000
Vanguard Dividend Growth Fund	30,400
Vanguard Short-Term Investment Grade Fund	23,000
Vanguard Value ETF	8,700
Vanguard Growth & Income Fund	18,100
Vanguard Energy ETF	4,400
Vanguard FTSE Developed Markets ETF	6,400
Vanguard Intermediate Term Corporate Bond ETF	5,900
Vanguard Federal Money Market Fund	21,900
Enterprise Products Partners L.P. Common Stock (EPD)	17,000
Kinder Morgan Inc. Common Stock (KMI)	5,225
Nustar Energy LP Common Stock (NS)	11,500
Uniti Group Inc. Common Stock (UNIT)	1,700
Winstream Holdings Inc. (WIN)	5
GuideStone Funds Growth Allocation Fund	5,777
GuideStone Funds Extended-Duration Bond Fund	400
GuideStone Funds Equity Index Fund	500
GuideStone Funds Value Equity Fund	400
GuideStone Funds International Equity Fund	333
American Beacon Bridgeway Large Cap Value Fund (BRLVX)	34,200
Columbia Mid Cap Index Fund (CPXRX)	19,500
Morgan Stanley Institutional Fund, Inc (MSEQX)	15,600
Total Listed Securities	<u>\$ 745,107</u>

#### Real Estate Owned

Personal residence	<u>\$385,000</u>
Total Real Estate Owned	<u>\$385,000</u>

#### Real Estate Mortgages Payable

Personal residence	<u>\$300,000</u>
Total Real Estate Mortgages Payable	<u>\$300,000</u>

FINANCIAL DISCLOSURE REPORT  
NOMINATION FILINGReport Required by the Ethics  
in Government Act of 1978  
(5 U.S.C. app. §§ 101-111)

1. Person Reporting (last name, first, middle initial) Brasher, Andrew L.	2. Court or Organization United States Court of Appeals for the Eleventh Circuit	3. Date of Report 01/06/2020
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) United States Circuit Judge, Nominee	5a. Report Type (check appropriate type) <input checked="" type="checkbox"/> Nomination      Date 1/3/2020 <input type="checkbox"/> Initial <input type="checkbox"/> Annual <input type="checkbox"/> Final 5b. <input checked="" type="checkbox"/> Amended Report	6. Reporting Period 1/1/2019 to 1/1/2020
7. Chambers or Office Address One Church Street, Suite 300E Montgomery AL, 36104		
<b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information.		

**I. POSITIONS.** (Reporting individual only; see pp. 9-13 of filing instructions.)☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Ex Officio Member	Alabama Legislature's Code of Ethics Reform and Clarification Commission
2. Member	Samford University Board of Overseers
3. Member	Standing Committee on Alabama Rules of Appellate Procedure
4. Vice President	Montgomery Chapter of Federalist Society for Law and Public Policy Studies
5. Member	Inns of Court, Maddox Chapter

**II. AGREEMENTS.** (Reporting individual only; see pp. 14-16 of filing instructions.)☐ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1. 5/1/2019	Defined Benefit Pension Plan with State of Alabama
2.	
3.	

**FINANCIAL DISCLOSURE REPORT**

Page 2 of 8

Name of Person Reporting

Brasher, Andrew L.

Date of Report

01/06/2020

**III. NON-INVESTMENT INCOME.** *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)***A. Filer's Non-Investment Income**☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2019	Attorney, Salary from State of Alabama	\$77,000.00
2. 2018	Attorney, Salary from State of Alabama	\$140,928.00
3.		
4.		

**B. Spouse's Non-Investment Income -** *If you were married during any portion of the reporting year, complete this section.**(Dollar amount not required except for honoraria.)*☐ NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1. 2019	Employment as Analyst, Ram Rool & Supply Co.
2. 2018	Employment as Analyst, Ram Tool & Supply Co.
3.	
4.	

**IV. REIMBURSEMENTS** — *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)*☐ NONE *(No reportable reimbursements.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. Exempt				
2.				
3.				
4.				
5.				

**FINANCIAL DISCLOSURE REPORT**

Page 3 of 8

Name of Person Reporting

Brasher, Andrew L.

Date of Report

01/06/2020

**V. GIFTS.** *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*☐ NONE *(No reportable gifts.)*

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1.	Exempt		
2.			
3.			
4.			
5.			

**VI. LIABILITIES.** *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*☒ NONE *(No reportable liabilities.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.			
2.			
3.			
4.			
5.			

# FINANCIAL DISCLOSURE REPORT

Page 4 of 8

Name of Person Reporting

Brasher, Andrew L.

Date of Report

01/06/2020

## VII. INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets)  Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1. Alabama Power Credit Union	A	Interest	L	T	Exempt				
2. Vanguard Target Retirement 2045 Fund	C	Int./Div.	M	T	Exempt				
3. Vanguard Target Retirement 2050 Fund	C	Int./Div.	M	T	Exempt				
4. Vanguard Growth Index Fund	B	Int./Div.	L	T	Exempt				
5. Vanguard Windsor II Fund	B	Int./Div.	K	T	Exempt				
6. Vanguard Wellington Fund	B	Int./Div.	K	T	Exempt				
7. Vanguard Strategic Vanguard Small-Cap Equity Fund	A	Int./Div.	J	T	Exempt				
8. Vanguard Short-Term Investment Grade Fund	A	Int./Div.	K	T	Exempt				
9. Vanguard Dividend Growth Fund	B	Int./Div.	K	T	Exempt				
10. Vanguard Federal Money Market Fund	A	Int./Div.	K	T	Exempt				
11. Vanguard Growth & Income Fund	A	Int./Div.	K	T	Exempt				
12. Vanguard Energy ETF	A	Int./Div.	J	T	Exempt				
13. Vanguard FTSE Developed Markets ETF	A	Int./Div.	J	T	Exempt				
14. Vanguard Intermediate Term Corporate Bond ETF	A	Int./Div.	J	T	Exempt				
15. General Electric Common Stock (GE)	A	Dividend							
16. British American Tobacco PLC Common Stock (BTI)	A	Dividend							
17. Conoco Phillips Common Stock (COP)	A	Dividend							

1. Income Gain Codes:  
(See Columns B1 and D4)

2. Value Codes  
(See Columns C1 and D3)

3. Value Method Codes  
(See Column C2)

A = \$1,000 or less  
F = \$50,001 - \$100,000  
J = \$15,000 or less  
N = \$250,001 - \$500,000  
P3 = \$25,000,001 - \$50,000,000  
Q = Appraisal  
U = Book Value

B = \$1,001 - \$2,500  
G = \$100,001 - \$1,000,000  
K = \$15,001 - \$50,000  
O = \$500,001 - \$1,000,000  
R = Cost (Real Estate Only)  
V = Other

C = \$2,501 - \$5,000  
H1 = \$1,000,001 - \$5,000,000  
L = \$50,001 - \$100,000  
P1 = \$1,000,001 - \$5,000,000  
P4 = More than \$50,000,000  
S = Assessment  
W = Estimated

D = \$5,001 - \$15,000  
H2 = More than \$5,000,000  
M = \$100,001 - \$250,000  
P2 = \$5,000,001 - \$25,000,000  
T = Cash Market

E = \$15,001 - \$50,000



# FINANCIAL DISCLOSURE REPORT

Page 5 of 8

Name of Person Reporting

Brasher, Andrew L.

Date of Report

01/06/2020

## VII. INVESTMENTS and TRUSTS -- Income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets)  Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
18. 3M Common Stock (MMM)	A	Dividend							
19. Pfizer Common Stock (PFE)	A	Dividend							
20. Altria Common Stock (MO)	A	Dividend							
21. Phillips 66 Common Stock (PSX)	A	Dividend							
22. Total Common Stock (TOT)	A	Dividend							
23. Enterprise Products Partners L.P. Common Stock (EPD)	A	Int./Div.	K	T	Exempt				
24. Kinder Morgan Inc. Common Stock (KMI)	A	Int./Div.	J	T	Exempt				
25. Nustar Energy LP Common Stock (NS)	A	Int./Div.	J	T	Exempt				
26. Uniti Group Inc. Common Stock (UNIT)	A	Int./Div.	J	T	Exempt				
27. Morningstar Blended Research Global Equity Fund	A	Int./Div.							
28. Columbia Mid Cap Index Fund	A	Int./Div.							
29. Morgan Stanley Growth Fund	A	Int./Div.							
30. GuideStone Funds Growth Allocation Fund	A	Int./Div.	J	T	Exempt				
31. Wal-Mart Common Stock (WMT)	A	Dividend							
32. American Beacon Bridgeway Large Cap Value Fund (BRLVX)	A	Int./Div.	K	T	Exempt				
33. Columbia Mid Cap Index Fund (CPXRX)	A	Int./Div.	K	T	Exempt				
34. Morgan Stanley Institutional Fund, Inc (MSEQX)	A	Int./Div.	K	T	Exempt				

1. Income Gain Codes:  
(See Columns B1 and D4)

2. Value Codes  
(See Columns C1 and D3)

3. Value Method Codes  
(See Column C2)

A = \$1,000 or less  
F = \$50,001 - \$100,000

J = \$15,000 or less  
N = \$250,001 - \$500,000  
P3 = \$25,000,001 - \$50,000,000  
Q = Appraisal  
U = Book Value

B = \$1,001 - \$2,500  
G = \$100,001 - \$1,000,000  
K = \$15,001 - \$50,000  
O = \$500,001 - \$1,000,000  
R = Cost (Real Estate Only)  
V = Other

C = \$2,501 - \$5,000  
H1 = \$1,000,001 - \$5,000,000  
L = \$50,001 - \$100,000  
P1 = \$1,000,001 - \$5,000,000  
P4 = More than \$50,000,000  
S = Assessment  
W = Estimated

D = \$5,001 - \$15,000  
H2 = More than \$5,000,000  
M = \$100,001 - \$250,000  
P2 = \$5,000,001 - \$25,000,000  
T = Cash Market

E = \$15,001 - \$50,000

# FINANCIAL DISCLOSURE REPORT

Page 6 of 8

Name of Person Reporting

Brasher, Andrew L.

Date of Report

01/06/2020

## VII. INVESTMENTS and TRUSTS -- income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)

☐ NONE (No reportable income, assets, or transactions.)

A. Description of Assets (including trust assets)  Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
35.									
36.									

1. Income Gain Codes:  
(See Columns B1 and D4)

2. Value Codes  
(See Columns C1 and D3)

3. Value Method Codes  
(See Column C2)

A = \$1,000 or less

F = \$50,001 - \$100,000

J = \$15,000 or less

N = \$250,001 - \$500,000

P3 = \$25,000,001 - \$50,000,000

Q = Appraisal

U = Book Value

B = \$1,001 - \$2,500

G = \$100,001 - \$1,000,000

K = \$15,001 - \$50,000

O = \$500,001 - \$1,000,000

R = Cost (Real Estate Only)

V = Other

C = \$2,501 - \$5,000

H1 = \$1,000,001 - \$5,000,000

L = \$50,001 - \$100,000

P1 = \$1,000,001 - \$5,000,000

P4 = More than \$50,000,000

S = Assessment

W = Estimated

D = \$5,001 - \$15,000

H2 = More than \$5,000,000

M = \$100,001 - \$250,000

P2 = \$5,000,001 - \$25,000,000

T = Cash Market

E = \$15,001 - \$50,000

# FINANCIAL DISCLOSURE REPORT

Page 7 of 8

Name of Person Reporting

Brasher, Andrew L.

Date of Report

01/06/2020

## VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

Re: Part II Agreement: I made contributions to a defined benefit pension plan with my previous employer, but I was never vested and am not eligible for a pension. I am eligible to withdraw the contributions, which I intend to do.

This amended report is being filed because I erroneously included information for the year 2018 in the original report.

# FINANCIAL DISCLOSURE REPORT

Page 8 of 8

Name of Person Reporting

Brasher, Andrew L.

Date of Report

01/06/2020

## IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature: **S/ Andrew L. Brasher**

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure  
Administrative Office of the United States Courts  
Suite 2-301  
One Columbus Circle, N.E.  
Washington, D.C. 20544