

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Lindsey Ann Freeman

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

United States District Judge for the Middle District of North Carolina

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.

United States Attorney's Office for the Middle District of North Carolina
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401

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

1983; Austin, Texas

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.

2008 – 2011, University of Pennsylvania Law School; J.D. (magna cum laude), 2011

2009 – 2011, Wharton Business School; Certificate in Business and Public Policy, 2011

2001 – 2005, Harvard University; B.A. (magna cum laude), 2005

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.

2021 – present

U.S. Attorney's Office for the Middle District of North Carolina
101 South Edgeworth Street, 4th Floor

Greensboro, North Carolina 27401
First Assistant U.S. Attorney (2025 – present)
Assistant U.S. Attorney (2021 – present)

2020
Office of the Associate Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
Chief of Staff and Deputy Associate Attorney General

2017 – 2020
Office of Legal Policy
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
Chief of Staff and Senior Counsel (2019 – 2020)
Counsel (2017 – 2019)

2015 – 2017
O'Melveny & Myers LLP
1625 Eye Street, NW
Washington, D.C. 20006
Counsel (2016 – 2017)
Associate (2015 – 2016)

2012 – 2014
O'Melveny & Myers LLP
1999 Avenue of the Stars, 8th Floor
Los Angeles, California 90067
Associate

2011 – 2012
Honorable John M. Rogers
United States Court of Appeals for the Sixth Circuit
100 East Vine Street, Suite 400
Lexington, Kentucky 40507
Law Clerk

2010 – 2011
Westlaw
610 Opperman Drive
Eagan, Minnesota 55123
University of Pennsylvania Law School Student Representative

2008 – 2011

University of Pennsylvania Law School

3501 Sansom Street

Philadelphia, Pennsylvania 19104

Arthur Littleton & Clayton Louderback Legal Writing Instructor (2010 – 2011)

Graduate Associate (2009 – 2011)

Research Assistant for Professor (now Judge) Stephanos Bibas and Professor William Burke-White (2008 – 2009)

Summer 2010

Office of the Legal Adviser

U.S. Department of State

2201 C Street, NW

Washington, D.C. 20520

Summer Law Clerk

Summer 2010

Debevoise & Plimpton

66 Hudson Boulevard

New York, New York 10001

Summer Associate

Summer 2009

Office of the President

International Criminal Tribunal for the Former Yugoslavia

Churchillplein 1, 2517 JW

The Hague, The Netherlands

Summer Law Clerk

Summer 2008

HF Bar Ranch

1301 Rock Creek Road

Saddlestring, Wyoming 82840

Office Assistant

2006 – 2008

Women Thrive Worldwide

1825 Connecticut Avenue, NW

Suite 600

Washington, D.C. 20008

Senior Trade Associate (2007 – 2008)

Trade Associate (2006 – 2007)

2006

Friendly's

2669 Corning Road

Horseheads, New York 14845
Waitress

2005 – 2006
Harvard University
1350 Massachusetts Avenue
Cambridge, Massachusetts 02138
Trustman Fellow

Other Affiliations (uncompensated):

2016 – 2017
Washington Lawyer's Committee for Civil Rights and Urban Affairs
700 14th Street, NW
Washington, D.C. 20005
Associate Trustee

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 was not required to register for selective service.

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.

The Attorney General's Distinguished Service Award (2019)

D.C. Bar, Pro Bono Honor Roll (2014, 2015)

Kentucky Colonel (2011)

University of Pennsylvania Law School

Degree conferred magna cum laude (2011)

Order of the Coif (2011)

Comments Editor, University of Pennsylvania Law Review (2011)

Dolores K. Sloviter Prize for best paper or research project in the field of judicial administration (2011)

Noyes E. Leech Award for highest achievement in international law (2011)

G. Newton Greene Memorial Prize for highest grade in torts (2011)

Outstanding Pro Bono Award (2011)

International Human Rights Summer Fellowship (2009)

Harvard University
Degree conferred magna cum laude (2005)

Weatherhead Center for International Affairs Undergraduate Research Fellow (2004 – 2005)
Center for International Development, Research Grant (2004 – 2005)
Department of African Studies, Research Grant (2004 – 2005)
Carr Human Rights Center, Research Grant (2004 – 2005)
John Harvard Scholarship (2003 – 2005)
Detur Book Prize (2002)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association (2013 – 2019)

American Inns of Court, University of Pennsylvania Law School (2010 – 2011)

Federal Bar Association (2021 – present)

10. **Bar and Court Admissions:**

- 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, 2012

California, 2013

District of Columbia, 2015

North Carolina, 2024

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.

U.S. Court of Appeals for the Fourth Circuit, 2021

U.S. Court of Appeals for the Sixth Circuit, 2011

U.S. Department of Veterans Affairs, 2014 – 2017 (approx.)

I allowed my accreditation with the U.S. Department of Veterans Affairs to lapse after I was no longer working on a particular pro bono case for a veteran.

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.

Catholic Business Network (2016 – 2019)

Federalist Society (2016 – present)

North Carolina State Chapters Conference Planning Member (2024 – present)

Triad Chapters Leadership Team (2024 – present)

John Carroll Society (2016 – 2021)

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 copies of all published material to the Committee.

Bass Pro / Cabela's: A Case Study of Competitive Retail Mergers (co-authored with Ted Hassi), *Global Competition Review* (GCR) (July 24, 2017). Copy supplied.

Price Discrimination Markets in Merger Cases: Practical Guidance from FTC v. Sysco (co-authored with Ian Simmons and Sergei Zaslavsky), *ABA Antitrust Magazine* (Fall 2016). Copy supplied.

BAPCPA and Bankruptcy Direct Appeals: The Impact of Procedural Uncertainty on Predictable Precedent, 159 U. Pa. L. Rev. 543 (2011). Copy supplied.

In 2010 – 2011, I was a comments editor for the University of Pennsylvania Law Review, volume 159. In this role, I worked with a team of other comments editors to select the comments to publish. I also conducted many rounds of edits on several published comments.

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

Report of the Attorney General's Cyber Digital Task Force: Cryptocurrency Enforcement Framework, U.S. Dep't of Justice (Oct. 2020). Copy supplied.

Report of the Attorney General's Cyber Digital Task Force, U.S. Dep't of Justice, (July 2, 2018). Copy supplied.

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

Letter to Sens. Lindsey Graham and Dianne Feinstein, Nomination of Amy Coney Barrett, October 11, 2020. Copy supplied.

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

October 11, 2024: Introductory Speaker, "Criminal Justice Reform: Is More Needed or Did We Go Too Far? A Look Back at the First Step Act and Raise the Age," Federalist Society North Carolina Chapters Conference, Raleigh, North Carolina. Recording available at <https://www.youtube.com/watch?v=KyRWpmTqs-s>.

February 27, 2020: Panelist, "Demystifying Political Appointments," Women's Bar Association of the District of Columbia, Washington, D.C. I spoke as part of a bipartisan panel that featured current and former political appointees who shared their experiences with the political appointment process and executive service. I have no notes, transcript, or recording. The address for the Women's Bar Association of the District of Columbia is 2800 Eisenhower Avenue, Suite 210, Alexandria, Virginia 22314.

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

Jacob A. Kramer, *Waiting for a Star to Fall*, The Harvard Crimson, Nov. 21, 2002. Copy

supplied.

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

I have not held judicial office.

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

i. Of these cases, approximately what percent were:

jury trials: _____ %
bench trials: _____ %

ii. Of these cases, approximately what percent were:

civil proceedings: _____ %
criminal proceedings: _____ %

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

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

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

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

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

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

h. Provide citations for significant opinions on federal or state constitutional issues,

together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

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

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

I have not held judicial office.

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

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

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

I have had no unsuccessful candidacies for public office or unsuccessful nominations for appointed office.

- 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.

I have never held a position or played a role in a political party or election committee, nor

in any political campaign.

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 2011 to 2012, I served as a law clerk to the Honorable John M. Rogers, Circuit Judge of the United States Court of Appeals for the Sixth Circuit.

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

I have not practiced 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;

2012 – 2014
O'Melveny & Myers LLP
1999 Avenue of the Stars, 8th Floor
Los Angeles, California 90067
Associate

2015 – 2017
O'Melveny & Myers LLP
1625 Eye Street, NW
Washington, D.C. 20006
Counsel (2016 – 2017)
Associate (2015 – 2016)

2017 – 2020
Office of Legal Policy
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
Chief of Staff and Senior Counsel (2019 – 2020)
Counsel (2017 – 2019)

2020
Office of the Associate Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW

Washington, D.C. 20530
Chief of Staff and Deputy Associate Attorney General

2021 – present
U.S. Attorney's Office for the Middle District of North Carolina
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
First Assistant U.S. Attorney (2025 – present)
Assistant U.S. Attorney (2021 – present)

- 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.

From 2012 until 2017, I was an associate and counsel in private practice at O'Melveny & Myers LLP. From 2012 until 2014, I was in the Century City Office in Los Angeles, California. At that time, I was in the Business Litigation and Trial Practice Group. I worked on a variety of civil litigation matters for large corporate clients, including entertainment companies. In 2015, I transferred to the Washington, D.C. office, where I joined the Antitrust Practice Group. I worked on antitrust HSR and regulatory reviews, merger clearances, and merger litigation, including the successful merger of two retail companies.

From 2017 through 2020, I held several roles in the U.S. Department of Justice. When I first joined the Department, I was a counsel in the Office of Legal Policy. In that role, I oversaw the national security and cybersecurity portfolios. When I was promoted to Chief of Staff and Senior Counsel in 2019, I oversaw the daily operations of the office, including overall strategy, regulatory efforts, judicial nominations, budget, hiring, and personnel issues for over 35 attorneys and staff. In 2020, I joined the Office of the Associate Attorney General as Chief of Staff and Deputy Associate Attorney General. In that capacity, I oversaw the staff and provided support and guidance to the Department components that reported to the Associate Attorney General.

Since 2021, I have been an Assistant United States Attorney in the Middle District of North Carolina, where I have prosecuted a wide range of criminal offenses including violent crime, narcotics trafficking, immigration violations, fraud, SORNA violations, and child exploitation. In July 2025, I was named First Assistant United States Attorney for the office. In this role, I oversee the

management of the office and assist the United States Attorney in his effort to enact law enforcement priorities for the Middle District of North Carolina.

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

In private practice, I worked primarily on complex civil litigation matters for a variety of large corporate clients, including entertainment companies, retail companies, insurance companies, and manufacturers. During this time, in addition to general civil discovery, motions, and trial practice, I specialized in antitrust and healthcare law.

Since joining the Department of Justice in 2017, my client has been the United States of America. I have specialized in a wide range of criminal prosecutions, including violent crime, narcotics trafficking, immigration violations, fraud, SORNA violations, and child exploitation.

- 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.

During my time with O'Melveny & Myers, all of my practice related to litigation. I appeared in federal court, state court, and administrative proceedings occasionally with a law firm partner.

As an attorney with the Office of Legal Policy and then with the Office of the Associate Attorney General, most of my practice did not involve litigation, and I did not appear in court.

As an Assistant U.S. Attorney and First Assistant U.S. Attorney, all of my practice is in litigation. I appear in court multiple times per week.

- i. Indicate the percentage of your practice in:

- | | | |
|----|--------------------------|-----|
| 1. | federal courts: | 90% |
| 2. | state courts of record: | 5% |
| 3. | other courts: | 0% |
| 4. | administrative agencies: | 5% |

- ii. Indicate the percentage of your practice in:

- | | | |
|----|-----------------------|-----|
| 1. | civil proceedings: | 50% |
| 2. | criminal proceedings: | 50% |

- 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 two criminal cases as associate counsel to a verdict before a jury. As an associate in private practice, I assisted in a six-month jury trial involving a negligent hiring lawsuit in state 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 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. *United States v. Allred*, 1:24-CR-351 (Middle District of North Carolina; Judge William L. Osteen, Jr. presiding; jury verdict entered May 21, 2025).

I was co-counsel in this jury trial, prosecuting the defendant for possession of a firearm by a felon. After the defendant was pulled over for a suspected DWI violation, officers spotted what they believed to be a handgun in the center console of the vehicle the defendant was driving. The defendant refused to show the officers the inside of his console; instead, the defendant took off, dragging two police officers partially hanging from the car's windows. Officers later found the defendant hiding in the bushes and discovered a handgun on the front passenger seat of the vehicle that the defendant had been driving.

On May 21, 2025, the jury found the defendant guilty of possession of a firearm by a felon. Sentencing in this case is set for September 12, 2025.

Co-counsel

Nicole Dupré
Deputy Criminal Chief
Assistant United States Attorney
Middle District of North Carolina
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
(336) 332-6342

Counsel for Defendant

Todd Smith
Smith Giles, Attorneys At Law
110B South Maple Street
Graham, North Carolina 27253
(336) 222-7735

2. *United States v. Macias-Carrillo*, 1:22-CR-018-1 (Middle District of North Carolina; Judge William L. Osteen, Jr. presiding; judgment entered July 28, 2022).

I was co-counsel in this jury trial, prosecuting the defendant for being an alien in possession of a firearm and for illegal reentry of a deported alien. The defendant fired two shots at his ex-girlfriend's house, after which a local officer found the defendant outside a hotel. The defendant attempted to pull a handgun from his waistband when the officer went to detain him.

A jury found the defendant guilty of all counts on April 28, 2022. On July 28, 2022, the defendant was sentenced to 60 months' imprisonment and three years of supervised release. On March 11, 2024, the Fourth Circuit affirmed the criminal judgment in an unpublished per curiam opinion (No. 22-4528).

Co-counsel

Nicole Dupré
Deputy Criminal Chief
Assistant United States Attorney
Middle District of North Carolina
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
(336) 332-6342

Counsel for Defendant

Mireille P. Clough
Assistant Federal Public Defender
Middle District of North Carolina
251 North Main Street, Suite 849
Winston-Salem, North Carolina 27101
(336) 631-5278

3. *United States v. Miller*, 1:22-CR-171-1, 1:22-CR-390-1, 1:22-CR-396-1 (Middle District of North Carolina; Judge Catherine E. Eagles presiding; judgment entered May 31, 2023).

I was lead counsel and indicted this matter, prosecuting the defendant for possession of child pornography and for several crimes relating to his travel across state lines to meet a minor for sexual activity.

The defendant pled guilty to possession of child pornography, traveling to meet a minor for sexual activity, and committing a felony offense involving a minor while required to register as a sex offender. On May 31, 2023, the defendant was sentenced to 720 months in federal prison and a lifetime of supervised release.

Co-counsel

Eric Iverson
Assistant United States Attorney
Middle District of North Carolina
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
(336) 332-6302

Counsel for Defendant

Lisa S. Costner
Assistant Federal Public Defender
Middle District of North Carolina
251 North Main Street, Suite 849
Winston-Salem, North Carolina 27101
(336) 631-5172

Stacey D. Rubain
Assistant Federal Public Defender
Middle District of North Carolina
301 North Elm Street, Suite 410
Greensboro, North Carolina 27401
(336) 333-5420

4. *United States v. Long-Booker*, 1:24-CR-235 (Middle District of North Carolina; Judge Catherine E. Eagles presiding; judgment entered April 9, 2024; appeal pending).

I handled all aspects of this matter at the trial stage, from the investigation and charging to plea negotiations and sentencing. The defendant was charged with and pled to possession of a firearm by a felon after terrorizing his then-girlfriend on several occasions and shooting at her twice while her young child was in the house. The defendant was sentenced to 144 months in prison.

Co-counsel

I prosecuted this case without co-counsel.

Counsel for Defendant

John A. Dusenbury, Jr.
Assistant Federal Public Defender
Middle District of North Carolina
301 North Elm Street, Suite 410
Greensboro, North Carolina 27401
(336) 333-5455

5. *United States v. Rasheed*, 1:24-CR-62 (Middle District of North Carolina; Judge Loretta C. Biggs presiding; judgment entered October 31, 2024).

I was lead counsel and indicted this matter, prosecuting the defendant for armed robbery. On October 12, 2022, the defendant entered a gas station in Durham, North Carolina, wearing a black ski mask and armed with a handgun. He pointed the gun at the young clerk and threatened to shoot him. After collecting money from cash registers at the front and the back of the store, the defendant fled. Within minutes, officers were able to track the defendant to the residence where he had been staying because, unbeknownst to him, the stolen money included a tracking device.

The defendant pled guilty to one count of interference with commerce by robbery and one count of brandishing a firearm during and in relation to a crime of violence. On October 31, 2024, he was sentenced to 135 months in prison and three years of supervised release.

Co-counsel

Rob Lang
Former Assistant United States Attorney
Middle District of North Carolina
Retired

Counsel for Defendant

Tiffany T. McGregor
Assistant Federal Public Defender
Middle District of North Carolina
301 North Elm Street, Suite 410
Greensboro, North Carolina 27401
(336) 333-5455

5. *United States v. Dauti et al*, 1:22-CR-311 (Middle District of North Carolina; Judge Catherine C. Eagles presiding; judgments entered from March 9, 2023, until November 30, 2023; affirmed by the Fourth Circuit on April 9, 2024).

I was lead counsel and indicted this matter, prosecuting the five defendants for their participation in a methamphetamine drug trafficking ring. The named defendant coordinated an extensive methamphetamine distribution operation in the Middle District of North Carolina while still in federal custody for a previous conviction for conspiracy to distribute methamphetamine. The five defendants received sentences of 360 months, 210 months, 135 months, 126 months, and 66 months in prison. The Fourth Circuit affirmed the named defendant's sentence in an unpublished per curiam opinion on January 27, 2025.

Co-counsel

Kyle D. Pousson
Deputy Criminal Chief
Assistant United States Attorney
Middle District of North Carolina
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
(336) 332-6368

Counsel for Defendant – Enis Dauti

Aaron B. Wellman
Ivey, McClellan, Siegmund, Brumbaugh & McDonough, LLP
100 South Elm Street, Suite 500
Greensboro, North Carolina 27401
(336) 274-4658

Counsel for Defendant – Scott Alan Shores

John Scott Coalter
Coalter Law, PLLC
910 North Elm Street
Greensboro, North Carolina 27401

(336) 549-5386

Counsel for Defendant – Ashley Nichole Morrow

Andrew L. Farris
2329 Englewood Avenue
Durham, North Carolina 27705
(919) 727-9103

Counsel for Defendant – Amy Ellissa Hammer

Todd Smith
Smith Giles, Attorneys At Law
110B South Maple Street
Graham, North Carolina 27253
(336) 222-7735

Counsel for Defendant – Daniel Wayne Mize

Mark Everette Edwards
Edwards & Trenkle, PLLC
PO Box 51295
Durham, North Carolina 27717
(919) 688-9555

6. *United States v. Iturbide*, 1:22-CR-279 (Middle District of North Carolina; Judge Thomas D. Schroeder presiding; judgment entered February 24, 2023).

I handled all aspects of this matter, from the investigation and charging to plea negotiations and sentencing. The defendant was initially charged by Complaint and then federally indicted for failing to register as required under the Sex Offender Registration and Notification Act (SORNA) and for illegal reentry after committing an aggravated felony.

The defendant in this case had been deported on five separate occasions, with the fifth happening in 2015 after he served a six-year sentence for Aggravated Sexual Battery on a victim less than 13 years of age. The defendant was classified as a Violent Child Predator after that conviction, which required him to register on the Tennessee sex offender registry for life. He had also previously been convicted of federal charges for alien smuggling and improper entry by an alien.

In 2022, he was arrested by local officers for assault on a female, second degree kidnapping, and communicating threats. At no time while he was in the United States did the defendant apply to legally enter the country or register as a sex offender.

The defendant pled guilty on October 5, 2022, to one count of illegal re-entry of a

deported alien whose removal was subsequent to a conviction for the commission of an aggravated felony. On February 24, 2023, he was sentenced to 60 months in prison and three years of supervised release.

Co-counsel

I prosecuted this case without co-counsel.

Counsel for Defendant

George Entwistle Crump, III
George E. Crump, III
PO Box 1523
Rockingham, North Carolina 28379
(910) 997-5544

7. *United States v. McDonald*, 1:21-CR-115-1 (Middle District of North Carolina; Judge Loretta C. Biggs presiding; judgment entered August 31, 2022), affirmed *United States v. McDonald*, No. 22-4516 (Chief Judge Albert Diaz, Judge Robert King, and Judge James A. Wynn presiding; decided April 9, 2024).

I was lead counsel and indicted this matter, prosecuting the defendant for drug and gun offenses. Durham police officers encountered the defendant while attempting to arrest another individual. When the officers jumped out of their vehicle to chase the suspect, the defendant revved his vehicle to flee the scene, reaching under his seat. Upon approaching the defendant's vehicle, the officer smelled marihuana. Officers searched the vehicle, finding a pistol, two digital scales, vacuum seal baggies, marihuana, and cocaine.

After the district court denied the defendant's motion to suppress, the defendant conditionally pled guilty to possession with intent to distribute cocaine and possession of a firearm by a felon. The defendant appealed, and I handled the briefing and the oral argument before the Fourth Circuit on October 31, 2023. On April 9, 2024, the Fourth Circuit affirmed the district court in a 2-1 unpublished opinion.

Co-counsel

Eric Iverson
Assistant United States Attorney
Middle District of North Carolina
101 South Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
(336) 332-6302

Counsel for Defendant

Ira R. Knight
Assistant Federal Public Defender
Middle District of North Carolina
301 North Elm Street, Suite 410
Greensboro, North Carolina 27401
(336) 333-5455

9. *United States ex. rel. Graves v. Plaza Medical Centers Corp. et. al*, 1:10-CV-23382 (Southern District of Florida; Judge Federico A. Moreno presiding; judgment entered October 31, 2017).

I defended a large insurance company against this False Claims Act (FCA) lawsuit. In 2010 (before I joined the case), a whistleblower filed a complaint alleging that Plaza Medical Centers Corporation and its owner diagnosed and billed Medicare Part C patients with more severe conditions in order to request higher reimbursements. She alleged that my client violated the FCA by failing to identify the fraud and return the alleged overpayments. The Department of Justice declined to intervene in the case in April 2014. During my time on the case, I was responsible for drafting both the summary judgment motion and the reply. I also oversaw the majority of the motions practice and affirmative defense discovery efforts as part of O'Melveny & Myers's trial leadership team. I assisted in several interviews and depositions, including second chairing the deposition for the co-defendant. In October 2017, the parties reached a settlement; the defendants agreed to pay \$3 million to the United States Government for release of the claims with prejudice.

Co-counsel

K. Lee Blalack, II
O'Melveny & Myers LLP
1625 Eye Street, NW
Washington, DC 20006
(202) 383-5374

Dave Leviss
Formerly O'Melveny & Myers LLP
Retired

Robert Donald Wike Landon, III
Formerly Kenny Nachwalter, P.A.
Deceased

Ryan C. Zagare
Formerly Kenny Nachwalter, P.A.
Assistant County Attorney

Miami-Dade County, Florida
111 NW 1st Street, Suite 2810
Miami, Florida 33128
(305) 876-7040

Counsel for Defendant

Sam S. Sheldon
Formerly Quinn Emanuel
Robbins Geller Rudman & Dowd LLP
655 West Broadway
Suite 1900
San Diego, CA 92101
(619) 231-1058

10. *FTC v. Sysco Corp.* 113 F. Supp 3d 1 (District of D.C.; Judge Amit P. Mehta presiding; judgment entered June 23, 2015).

This was a Federal Trade Commission lawsuit seeking a preliminary injunction to stop the merger of Sysco and U.S. Foods until an FTC Administrative Law Judge could hold an administrative hearing to assess the merger's legality. Within three months, the parties exchanged millions of documents, deposed dozens of witnesses, and secured over a hundred declarations. As an associate representing Sysco in this case, I was tasked with assisting with review of documents and depositions related to other national competitors and foodservice distribution consumers. I second-chaired depositions and preliminary hearing cross-examinations and also assisted in drafting the closing argument. I was responsible for coordinating a large, multi-office and multi-firm team to organize deposition designations, exhibits, and the factual record for the preliminary injunction hearing and post-hearing briefing. The preliminary injunction hearing took place in the District Court for the District of Columbia over the course of approximately eight days in early May 2015. On June 23, 2015, the district court granted the FTC's motion for preliminary injunctive relief. On June 29, 2015, Sysco announced it had terminated its merger agreement with U.S. Foods.

Co-counsel

Richard G. Parker
Formerly O'Melveny & Myers LLP
Milbank LLP
1850 K Street, NW, Suite 1100
Washington, D.C. 20006
(202) 835-7530

Edward "Ted" David Hassi
Formerly O'Melveny & Myers LLP
Debevoise & Plimpton

801 Pennsylvania Avenue N.W.
Washington, D.C. 20004
(202) 383-8135

Counsel for Defendant

Stephen Weissmann
Formerly Deputy Director of the Bureau of Competition, FTC
Gibson, Dunn & Crutcher LLP
1700 M. Street, N.W.
Washington, D.C. 20036
(202) 955-8678

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.)

As an Assistant U.S. Attorney, much of my work involves legal work that does not proceed to litigation. For example, I assess and evaluate potential cases and make decisions about whether to initiate a federal prosecution, and I frequently advise and assist federal law enforcement agents in the course of ongoing investigations. During my time at the Office of the Associate Attorney General, I helped with the Office's supervision of both litigating and non-litigating components of the Department of Justice. And as an attorney with the Office of Legal Policy, I worked on policy development for the Department of Justice, including handling the Office's national security and cybersecurity portfolios and working with colleagues on various other policy matters.

While in private practice with O'Melveny & Myers LLP, I advised clients on various legal matters, including matters pertaining to pending litigation and other matters related to compliance issues or other corporate legal questions.

Before law school, I was an employee of the nonprofit Women Thrive Worldwide and registered as a lobbyist representing the organization, advocating on economic policies positively impacting women in developing countries. Women Thrive Worldwide has since ceased its operations.

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

Legal Writing, University of Pennsylvania Law School, 2010 – 2011. I taught legal writing to a section of first-year law students. I am unable to locate a copy of the syllabus.

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.

Because of my federal government service, I will be entitled to receive a pension under the Federal Employees Retirement System.

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 do not have any 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).

When my nomination is formally submitted to the Senate, I will file my mandated Financial Disclosure Report and supply a copy to this Committee.

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.

If confirmed, I will recuse in any litigation where I may have played a role. I will also recuse in any case where my husband, a practicing attorney, represents any party. For any real or potential conflict, or any relationship that could give rise to the appearance of a conflict, I would carefully assess on a case-by-case basis whether recusal or some other action is warranted.

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

If confirmed, I would carefully evaluate any potential conflict of interest by reviewing the recusal statute and the Code of Conduct for United States Judges, and any other relevant laws and rules.

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.

During my time in private practice, I devoted many hours to pro bono work, including representing a veteran in an effort to increase his benefits. I was listed on the D.C. Bar's "Pro Bono Honor Roll" in 2014 and 2015 in recognition of the time I spent on pro bono matters. As a federal government attorney, my ability to provide legal services outside of that job is narrowly circumscribed, but my day-to-day job duties in that role involve engaging with the community and advocating for the victims of crime.

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 February 11, I was contacted by staff from Senator Budd's office regarding the judicial vacancies in the Middle District of North Carolina. On April 3, I was contacted by staff from Senator Tillis's office regarding the judicial vacancies in the Middle District of North Carolina. On April 9, I had a phone interview with staff for Senator Tillis. On April 16, a staff member for Senator Tillis contacted me on behalf of Senator Tillis and Senator Budd and asked for me to submit written materials such as a resume and list of writings. On June 3, I met separately with Senator Tillis and Senator Budd in person regarding my interest in the position. On July 23, I interviewed with attorneys from the White House Counsel's Office at the Eisenhower Building in Washington, D.C. On August 7, the White House Counsel's Office contacted me to inform me that I was under consideration for the position. Since that time, I have been in contact with the White House Counsel's Office and the Department of Justice Office of Legal Policy regarding the nomination. On August 20, the President called me to inform me of my nomination to the federal bench.

b. Has anyone involved in the process of selecting you as a judicial nominee

discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AFFIDAVIT

I, Lindsey Ann Freeman, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

8/14/2025
(DATE)

Lindsey Ann Freeman
(NAME)

Kristen N McGarity 8/14/2025
(NOTARY)

