

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

David Jason Hale

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

United States District Judge for the Western District of Kentucky

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: United States Attorney's Office for the Western District of Kentucky
 717 West Broadway
 Louisville, Kentucky 40202

Residence: Prospect, Kentucky

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

1967; Fort Campbell, Kentucky

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.

1989 – 1992, University of Kentucky College of Law; J.D., 1992

1985 – 1989, Vanderbilt University; B.A., 1989

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.

2010 – Present, 1995 – 1999

United States Attorney's Office for the Western District of Kentucky
717 West Broadway

Louisville, Kentucky 40202
United States Attorney (2010 – Present)
Assistant United States Attorney (1995 – 1999)

1999 – 2010
Reed Weitkamp Schell & Vice PLLC
500 West Jefferson Street, Suite 2400
Louisville, Kentucky 40202
Member (partner) (2002 – 2010)
Counsel (1999 – 2002)

2003 – 2009
RWSCV Collection Corp.
500 West Jefferson Street, Suite 2400
Louisville, Kentucky 40202
Director (2003 – 2009)
Vice President (2003 – 2009)
(Entity associated with law firm partnership)

1992–1994, Summer 1991, Summer 1990
Brown, Todd & Heyburn (now Frost Brown Todd LLC)
400 West Market Street, Suite 3200
Louisville, Kentucky 40202
Associate (1992 – 1994)
Summer Associate (Summer 1991)
Summer Associate (Summer 1990) (Lexington, Kentucky office)

Summer 1991
Greenebaum Treitz (now dissolved)
Former address:
National City Tower
101 South Fifth Street
Louisville, Kentucky 40202
Summer Associate

Summer 1989
Miller, Griffin & Marks, PSC
271 West Short Street, Suite 600
Lexington, Kentucky 40507
Runner and office assistant

Other affiliations (uncompensated):

2010 – Present
Appalachia High Intensity Drug Trafficking Area
P.O. Box 5070

London, Kentucky 40745
Board of Directors

2008 – 2010
University of Kentucky College of Law
620 South Limestone
Lexington, Kentucky 40506
Visiting Committee

2003 – 2010
Kentucky Educational Television Louisville Regional Advisory Committee
600 Cooper Drive
Lexington Kentucky 40502
Member

1996 – 2010
Fern Creek Christian Church, Inc.
9419 Seatonville Road
Louisville, Kentucky 40291
Board Member (1996 – 2010)
Corporate Secretary (approximately 2000 – 2008)

2002 – 2009
Louisville Urban League
1535 West Broadway
Louisville, Kentucky 40203
Board of Directors (2002 – 2009)
Committee Chairman (approximately 2003)
Executive Committee (approximately 2005 – 2009)
Secretary of the Board (approximately 2006 – 2009)

Approximately 1994 – 2006
Kentucky YMCA Youth Association
P.O. Box 4285
Frankfort, Kentucky 40604
Board of Directors (approximately 1994 – 2006)

2001 – 2005
Kentucky Authority for Educational Television and Foundation
600 Cooper Drive
Lexington Kentucky 40502
Authority Board and Foundation Member (2001 – 2005)
Vice-Chair of Board and Foundation (2004 – 2005)
(Received per diem reimbursement for Authority Board, but no other compensation)

Approximately 1995 – 2001
Vanderbilt University Alumni Association
110 21st Avenue, Suite 1000
Nashville, Tennessee 37203
Louisville Chapter President

1993 – 1995 (approximately)
Kentucky/Southeast Indiana Chapter of the National Multiple Sclerosis Society
(f/k/a Louisville MS Society)
1201 Story Avenue, Suite 200
Louisville, Kentucky 40206
Director

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 never served in the military. I have registered 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.

Appalachia HIDTA Director's Award (2013)

AV Preeminent 5.0 out of 5 rating by Martindale-Hubbell (2008 – present)

Listing, *The Best Lawyers in America*, Commercial Litigation (2010 ed.)

Louisville *Defender* Professional Achievement Award (2010)

Named to Louisville *Business First* Forty Under 40 Emerging Young Leaders (2006)

Listing, *Chambers USA: America's Leading Lawyers for Business*, Kentucky, Commercial Litigation (2005 – 2010)

U.S. Attorney's Award for outstanding performance in assistance to victims/witnesses, U.S. Attorney's Office (1999)

Recipient, Boehl Stopher & Graves Scholarship, awarded following competitive selection to the University of Kentucky College of Law National Moot Court Team, for the academic year (1991 – 1992)

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 (1992 – present) (with lapses)

Federal Bar Association (1995 – present) (with lapses)

Kentucky Bar Association (1992 – present)

Young Lawyers Section executive committee (approximately 1998 – 1999)

Louisville Bar Association (1992 – present) (with lapses)

Sixth Circuit Judicial Conference, Life Member (2013 – present)

The Law Club (2009 – present)

10. Bar and Court Admission:

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

Kentucky, 1992

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.

United States Court of Appeals for the Sixth Circuit, 1992

United States District Court for the Western District of Kentucky, 1992

United States District Court for the Eastern District of Kentucky, 1992

Supreme Court of Kentucky, 1992

There have been no lapses in membership.

11. Memberships:

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

Appalachia High Intensity Drug Trafficking Area Board of Directors
(2010 – Present)

Cincinnati Christian University President's Advisory Board (2007 – 2010)

- Fern Creek Christian Church (1986 – 2012)
 - Deacon (approximately 1996 – 2002)
 - Board Member (1996 – 2010)
 - Building Committee Chairman (approximately 2000 – 2003)
 - Corporate Secretary (approximately 2000 – 2008)
 - Elder (approximately 2002 – 2010)
- The Jefferson Club (approximately 1999 – 2005)
- Kentucky Authority for Educational Television and Foundation (2001 – 2005)
 - Authority Board and Foundation Member (2001 – 2005)
 - Vice-Chair of Board and Foundation (2004 – 2005)
- Kentucky Educational Television Louisville Regional Advisory Committee (2003 – 2010)
- Kentucky YMCA Youth Association Board of Directors (approximately 1994 – 2006)
- The Law Club (2009 – present)
- Leadership Kentucky (2002 – present) (with lapses)
 - Participant (Class of 2002)
- Louisville MS Society Board of Directors (approximately 1993 – 1995)
- Louisville Urban League Board of Directors (2002 – 2009)
 - Committee Chairman (approximately 2003)
 - Executive Committee (approximately 2005 – 2009)
 - Secretary of the Board (approximately 2006 – 2009)
- Sixth Circuit Judicial Conference, Life Member (2013 – present)
- University of Kentucky College of Law Alumni Association (1992 – present) (with lapses)
- University of Kentucky College of Law (2008 – present)
 - Visiting Committee (2008 – 2010)
 - Emeritus Member (2010 – present)
- Vanderbilt University Alumni Association (1989 – present) (with lapses)
 - Louisville Chapter President (approximately 1995 – 2001)
- 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 have ever discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

With John S. Reed, *Business Torts: A Fifty State Guide* (Kentucky chapter) (M. Daller ed., Aspen 2007, 2008, 2009, 2010). 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.

As the United States Attorney for the Western District of Kentucky, I co-sponsored the Kentucky Prescription Drug Abuse Summit in February 2012 with the United States Attorney for the Eastern District of Kentucky. In April 2012, we issued a summary report of the summit. Copy supplied.

Letters to the public to announce Louisville Urban League's employment and education initiatives (2004, 2005, 2006 and 2009). Although, as a board member of the Louisville Urban League, my name appeared on the letterhead, I did not sign the letters, and, to the best of my knowledge, I did not participate or consult in any way in their preparation, and the Board was never asked to vote on or approve their content. Copies 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.

None.

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

I have not kept a comprehensive list of all speeches, talks and presentations I have given. Below is my best effort to recreate my history of speaking engagements, drawing from my available files, calendars and the internet. It is possible that I have omitted presentations for which I did not retain records.

May 28, 2014: Speaker, Opening Remarks, Speaker Introductions, Panel Moderator, U.S. Attorney's PSN/PSC Training Conference, Bowling Green, Kentucky. Because the materials used at this training are law enforcement sensitive, they are not supplied. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

April 29, 2014: Speaker, Keynote Remarks, West Kentucky Educational Cooperative Prescription Drug Abuse Symposium, Eddyville, Kentucky. Speech supplied.

March 27, 2014: Speaker, Opening Remarks, U.S. Attorneys' Statewide Health Care Fraud Task Force Conference, Frankfort, Kentucky. I delivered opening remarks at the start of the conference. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

February 19, 2014: Speaker, Opening Remarks, Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR) training program, Jeffersontown, Kentucky. I delivered introductory remarks at the opening of officer safety training program sponsored by the U.S. Attorney's Office. My brief, unscripted remarks addressed the importance of such training, and thanked the event co-sponsors for partnering with the U.S. Attorney's Office. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

September 25, 2013: Moderator, Panel Discussion, Appalachian Regional Pill Abuse Summit, Johnson City, Tennessee. Notes supplied and video available at https://www.youtube.com/watch?v=Z692_ngZi5o.

September 9, 2013: Speaker, Opening Remarks, Annual Convention of the

Kentucky Sheriffs' Association, Sloan Convention Center, Bowling Green, Kentucky. I delivered brief, unscripted remarks at the opening of the convention. I thanked the sheriffs for their service, briefly mentioned areas of cooperation between sheriffs and federal law enforcement agencies, and highlighted training to be provided the convention attendees by the U.S. Attorney's Office. I have no notes, transcript or recording. The address of the Kentucky Sheriffs' Association is 2550 Ewing Road, Ewing, Kentucky 41039.

September 6, 2013: Guest Speaker, Marion County (Kentucky) Industrial Foundation Luncheon, Marion County Local Government Building, Lebanon, Kentucky. Speech supplied.

July 30, 2013: Speaker, Opening Remarks, 41st Annual Kentucky Association of Chiefs of Police Conference, Lexington, Kentucky. I delivered impromptu remarks at the opening of the conference. I have no notes, transcript or recording. The address of the Kentucky Association of Chiefs of Police is 2230 Deep Creek Road, Madisonville, Kentucky 42431.

July 25, 2013: Speaker, Remarks, Louisville Metro Criminal Justice Commission Meeting, Louisville, Kentucky. I discussed a recently announced joint federal and local law enforcement initiative with members of the Commission. I have no notes, transcript or recording. The address of the Louisville Metro Criminal Justice Commission is 514 West Liberty Street, Suite 106, Louisville, Kentucky 40202.

July 16, 2013: Speaker, Opening Remarks, State and Local Anti-Terrorism Training (SLATT) Program, Fort Knox Army Base, Kentucky. I delivered introductory remarks at the opening of an anti-terrorism training program sponsored by the U.S. Attorney's Office. My brief, unscripted remarks addressed the importance of coordination among local, state, and federal authorities, and the role of the U.S. Attorney's Office. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

May 20, 2013: Speaker, Opening Remarks, FBI Law Enforcement Executive Development Association (LEEDA) Annual Conference, Louisville, Kentucky. I delivered brief, unscripted remarks at the opening of the FBI LEEDA conference, welcoming attendees to Louisville, and highlighting the outstanding partnership between the U.S. Attorney's Office and the FBI Louisville Division. I have no notes, transcript or recording. The address of the FBI Law Enforcement Executive Development Association is 5 Great Valley Parkway, Suite 125, Malvern, Pennsylvania 19355.

May 13, 2013: Speaker, Opening Remarks, International Narcotics Interdiction Association Conference, Louisville, Kentucky. I delivered brief, unscripted remarks at the opening of the conference, welcoming attendees to Louisville, and

highlighting the role of the U.S. Attorney's Office in a collaborative law enforcement effort. I have no notes, transcript or recording. The address of the International Narcotics Interdiction Association is P.O. Box 1757, Spring Hill, Tennessee 37174.

April 17, 2013: Guest Speaker, Kentucky Coroners Conference, Louisville, Kentucky. Speech supplied.

February 28, 2013: Speaker, Assistant U.S. Attorney Retirement Dinner, Louisville, Kentucky. Outline supplied.

February 22, 2013: Speaker, Motion, Naturalization Ceremony, Louisville, Kentucky. My participation included making the formal motion for the U.S. District Court to administer the oath of citizenship to new citizens. Outline supplied.

December 19, 2012: Guest Speaker, Owensboro Rotary Club, Owensboro, Kentucky. Outline supplied.

November 28, 2012: Speaker, Opening and Concluding Remarks, Speaker Introduction, U.S. Attorneys' Statewide Health Care Fraud Task Force Conference, Frankfort, Kentucky. Although I have no notes, transcript or recording of the opening and concluding remarks, the speaker introduction is supplied.

November 1, 2012: Speaker, Keynote Remarks, FBI Citizens Academy Graduation, Louisville, Kentucky. Speech supplied.

October 30, 2012: Speaker, Opening Remarks and Speaker Introductions, U.S. Attorney's PSN/PSC Training Conference, Owensboro, Kentucky. Because the materials used at this training are law enforcement sensitive, they are not supplied. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

October 23-24, 2012: Speaker, Opening Remarks and Panel Moderator, U.S. Attorney's Bank Secrecy Act Symposium, Louisville, Kentucky. Opening remarks supplied.

August 21, 2012: Guest Speaker, Elizabethtown Rotary Club, Elizabethtown, Kentucky. Outline supplied.

August 8, 2012: Speaker, Remarks, Kentucky Association of Chiefs of Police Conference, Bowling Green, Kentucky. Outline supplied.

August 6, 2012: Speaker, Remarks, Swearing-In Ceremony for Law Enforcement Coordinator Brett Hightower, Louisville, Kentucky. I delivered brief, unscripted

remarks. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

July 24, 2012: Speaker, Opening Remarks, State and Local Anti-Terrorism Training (SLATT) Program, Louisville, Kentucky. I delivered brief opening remarks prior to the start of anti-terrorism training sponsored by the U.S. Attorney's Office. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

June 18, 2012: Speaker, Remarks, Law Enforcement Service to Victims Award Ceremony, Louisville, Kentucky. Remarks supplied.

May 17, 2012: Speaker, Remarks, Visit to Fort Campbell with Assistant Attorney General for Civil Rights Thomas Perez, Fort Campbell, Kentucky. I participated in an outreach visit to Fort Campbell to discuss the ways in which the Department of Justice and the U.S. Attorney's Office protect the rights of active duty service-members pursuant to laws such as the Servicemembers Civil Relief Act of 2003, and the Uniformed Services Employment and Reemployment Rights Act (USERRA). I have no notes, transcript or recording. The address of Fort Campbell Office of Staff Judge Advocate is OSJA, HQ, 101st Airborne Division (AASLT) & Fort Campbell 127 Forrest Road, Fort Campbell, Kentucky 42223-5208.

May 15, 2012: Speaker, Opening Remarks, U.S. Attorneys' Statewide Health Care Fraud Task Force Conference, Frankfort, Kentucky. I delivered brief remarks highlighting the importance of collaboration among state regulators, private insurance carriers, and law enforcement, in the effort to address healthcare fraud. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

May 2, 2012: Speaker, Remarks, Retirement Ceremony for U.S. Magistrate Judge E. Robert Goebel, Owensboro, Kentucky. I delivered brief, unscripted remarks thanking Judge Goebel for his service. I have no notes, transcript or recording. The address of the U.S. District Court for the Western District of Kentucky is 601 West Broadway, Louisville, Kentucky 40202.

April 4, 2012: Speaker, Guest Speaker, Paducah Rotary Club, Paducah, Kentucky. Outline supplied.

March 23, 2012: Speaker, Brief Remarks, Jefferson County Sheriff's Office Annual Awards Banquet, Louisville, Kentucky. I delivered brief, unscripted remarks at an award banquet, thanking the awards recipients for their service and highlighting the collaboration between the Sheriff's Office and federal law enforcement agencies in Louisville. I have no notes, transcript or recording. The address of the Jefferson County Sheriff's Office is 531 Court Place, Sixth Floor, Louisville, Kentucky 40202.

February 24, 2012: Speaker, Motion, Naturalization Ceremony, Louisville, Kentucky. My participation included making the formal motion for the U.S. District Court to administer the oath of citizenship to new citizens. Template of oath supplied.

February 22, 2012: Speaker, Opening Remarks, Courthouse Ribbon Cutting Ceremony, Fort Campbell, Kentucky. I delivered brief remarks on the occasion of the opening of a new courthouse facility on post. I thanked the Army for the construction of the new building and highlighted the important collaboration between the Fort Campbell Office of the Staff Judge Advocate and the U.S. Attorney's Office. I have no notes, transcript or recording. The address of Fort Campbell Office of Staff Judge Advocate is OSJA, HQ, 101st Airborne Division (AASLT) & Fort Campbell 127 Forrest Road, Fort Campbell, Kentucky 42223-5208.

February 1, 2012: Speaker, Opening Remarks and Speaker Introductions, Kentucky U.S. Attorneys' Prescription Pill Summit, University of Kentucky Medical School, Lexington, Kentucky. Outline supplied.

November 20, 2011: Speaker, Brief Remarks, Retirement Ceremony for U.S. Magistrate Judge W. David King, U.S. Courthouse, Paducah, Kentucky. I delivered brief, unscripted remarks thanking Judge King for his service. I have no notes, transcript or recording. The address of the United States District Court for the Western District of Kentucky is 601 West Broadway, Louisville, Kentucky 40202.

November 15, 2011: Speaker, Opening Remarks and Speaker Introductions, State and Local Anti-Terrorism Training (SLATT) Seminar, Elizabethtown, Kentucky. Because the materials used at this training are law enforcement sensitive, they are not supplied. The address of the U.S. Attorney's Office is 717 W. Broadway, Louisville, Kentucky 40202.

October 18, 2011: Speaker, Welcome and Concluding Remarks, U.S. Attorneys' Statewide Health Care Fraud Task Force Conference, Frankfort, Kentucky. I delivered brief remarks highlighting the importance of collaboration among state regulators, private insurance carriers, and law enforcement in the effort to address healthcare fraud. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

October 17, 2011: Speaker, Opening Remarks, Kentucky Narcotic Officers' Association Conference, Louisville, Kentucky. I delivered unscripted remarks at the opening of the conference, welcoming attendees to Louisville and highlighting the role of the U.S. Attorney's Office in narcotics cases. I have no notes, transcript or recording. The address of the Kentucky Narcotic Officers'

Association is 429 ½ East Tenth Avenue, Suite 1, Bowling Green, Kentucky 42101.

September 28, 2011: Speaker, Opening Remarks and Speaker Introduction, Civil Rights Training, Louisville, Kentucky. I delivered unscripted remarks welcoming local law enforcement officers to the U.S. Attorney's Office for a training symposium on federal civil rights enforcement. I also introduced the guest speaker. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

September 28, 2011: Speaker, Outreach Visit, Fort Knox Army post, Fort Knox, Kentucky. I participated in an outreach visit to Fort Knox with Assistant Attorney General for Civil Rights Thomas Perez to discuss ways in which the Department of Justice and the U.S. Attorney's Office protect the rights of active duty service-members pursuant to laws such as the Servicemembers Civil Relief Act of 2003, and the Uniformed Services Employment and Reemployment Rights Act (USERRA). While at Fort Knox we interacted with Army post leadership, the Staff Judge Advocate and enlisted soldiers from the various units based on post. I have no notes, transcript or recording. The address of Fort Knox Office of Staff Judge Advocate is OSJA, HQ U.S. Army Cadet Command & Fort Knox, Building 1310, Pike Hall, 50 Third Avenue, Suite 229, Fort Knox, Kentucky 40121.

July 25, 2011: Speaker, Introductory Remarks, Regional Organized Crime Information Center (ROCIC) Annual Summer Conference, Louisville, Kentucky. Introductory remarks supplied.

June 23, 2011: Speaker, Brief Remarks, Jefferson County Officers' Safety Meeting, Louisville, Kentucky. Because the materials used at this meeting are law enforcement sensitive, they are not supplied. The address of the U.S. Attorney's Office is 717 W. Broadway, Louisville, Kentucky 40202.

May 12, 2011: Guest Speaker, Kentucky Law Enforcement Council Board Meeting, Louisville, Kentucky. Outline supplied.

April 28, 2011: Guest Speaker, Law Day, Fort Knox, Kentucky. Speech supplied.

April 19, 2011: Speaker, Introductory Remarks and Speaker Introductions, U.S. Attorney's Purchase Area Law Enforcement Training Conference, Paducah, Kentucky. Notes supplied.

March 8, 2011: Speaker, Introductory Remarks, Second U.S. Attorneys' Statewide Health Care Fraud Task Force Conference, Frankfort, Kentucky. Notes supplied.

March 3, 2011: Panelist, Continuing Legal Education seminar regarding federal sentencing issues, Cincinnati, Ohio. I participated as a panelist along with two

federal judges and an assistant federal defender. As part of my remarks, I discussed the U.S. Attorney's Office process for prosecutors to obtain approval of a proposed plea agreement. I have no notes, transcript or recording, but press coverage is supplied. The address for the Cincinnati Bar Association is 225 East Sixth Street, Cincinnati, Ohio 45202.

February 25, 2011: Keynote Speaker, Judge Advocate General's (JAG) Corps Regimental Dining-In Event, Fort Knox, Kentucky. Speech supplied.

February 18, 2011: Speaker, Motion, Naturalization Ceremony, Louisville, Kentucky. My participation included making the formal motion for the U.S. District Court to administer the oath of citizenship to new citizens. Remarks supplied.

December 12, 2010: Speaker, Awards and Appreciation Ceremony for Clerk of Court, Louisville, Kentucky. I delivered brief, unscripted remarks at the send-off ceremony for the departing U.S. District Court Clerk. On behalf of the U.S. Attorney's Office, I thanked the Clerk for his service to the Court. I have no notes, transcript or recording. The address of the United States District Court for the Western District of Kentucky is 601 West Broadway, Louisville, Kentucky 40202.

November 1, 2010: Speaker, Welcome Remarks, Kentucky Narcotics Officers Association Conference, Louisville, Kentucky. Notes supplied.

October 7, 2010: Speaker, Continuing Legal Education Panel Discussion, Federal Bar Association Seminar, Louisville, Kentucky. Outline supplied.

September 29, 2010: Speaker, Brief Remarks, Police Executive Command Conference, Lucas, Kentucky. I delivered brief remarks on the role of the U.S. Attorney's Office to senior police department executives in a training seminar sponsored by the Kentucky Department of Criminal Justice Training. I have no notes, transcript or recording. The address of the Department of Criminal Justice Training is Funderburk Building, Eastern Kentucky University, 521 Lancaster Avenue, Richmond, Kentucky 40475.

September 21, 2010: Speaker, Opening Remarks, First U.S. Attorneys' Statewide Health Care Fraud Task Force Conference, Frankfort, Kentucky. Remarks supplied.

September 1, 2010: Speaker, Opening Remarks, Anti-Terrorism Advisory Committee Training conference, Louisville, Kentucky. I delivered brief opening remarks welcoming participants in the training sponsored by the U.S. Attorney's Office. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

June 29, 2010: Speaker, Opening Remarks, Crimes Against Children Training Seminar, Louisville, Kentucky. This seminar was sponsored by the U.S. Attorney's Office and the FBI Louisville Division. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

May 26, 2010: Speaker, Welcome Remarks, Anti-Terrorism Advisory Council Meeting, Louisville, Kentucky. In my welcome remarks I thanked participants for attending and participating. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 717 West Broadway, Louisville, Kentucky 40202.

June 2007, Co-presenter, National Business Institute CLE: Rules and Procedures for Federal Court Success, Louisville, Kentucky. CLE outline supplied.

As a college student, I was executive vice president of College Democrats of America in 1987 and the president in 1988. During this time I spoke at College Democrat meetings in Arizona, Tennessee and Washington, D.C., and to a convention of college newspaper editors in Washington, D.C. I do not recall the exact dates and I do not have notes, records or transcripts of the speeches.

- 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 items called for in this question, including a thorough review of my personal files and searches on publicly available electronic databases. In my official capacity as U.S. Attorney for the Western District of Kentucky, I occasionally give interviews to local radio, television and print media reporters. I do not recall all the interviews I have given or the dates on which I gave those interviews. The interviews have centered on particular cases my office has prosecuted during my term, law enforcement initiatives, community and law enforcement outreach initiatives, and Department initiatives as they have related to the Western District of Kentucky. I have located the following interviews, press conferences, and press releases listed below.

Interviews:

Andrew Wolfson, *E'town Chemo Doctors Under Investigation*, Courier-Journal, June 18, 2014. Copy supplied.

Jim Warren, *Ex-President of Lexington Glass Company Pleads Guilty to Wire Fraud in Fort Knox Case*, Herald-Leader, June 16, 2014. Copy supplied.

Untitled story regarding \$3.7 million settlement of claims against cancer clinic,

WAVE TV, June 5, 2014. Copy supplied.

Jeff D'Alessio, *E'town Medical Practice Fined Nearly \$3.8 Million*, Elizabethtown News-Enterprise, June 4, 2014. Copy supplied.

Man Sentenced for Violating Drug Trafficking, Gun Laws, KFVS, June 3, 2014. Copy supplied.

Brett Barrouquere, *USA Harvest Founder Pleads Guilty to Fraud*, Associated Press, June 3, 2014. Copy supplied.

Andrew Wolfson, *E-town Cancer Clinic Pays \$3.7 Million for Unneeded Chemo*, Courier-Journal, June 3, 2014. Copy supplied.

Charlie White, *DEA Agents Investigating Jeffersonville Doctor's Office*, Courier-Journal, April 24, 2014. Copy supplied.

Cedra Mayfield and Theo Keith, *Agents Serve Search Warrants at Two Medical Offices*, WAVE TV, April 23, 2014. Copy supplied.

FBI, DEA, Other Agencies Investigating Physicians Primary Care Locations, WLKY, April 23, 2014. Copy supplied.

Conlon, Kevin, *Kentucky Postal Worker Jailed for Stashing 44, 900 Pieces of Mail*, CNN, April 23, 2014. Copy supplied.

Joel Christie, *Lazy Mailman Sentenced to Six Months in Jail for Stashing 45,000 Letters in his Dead Mother's Basement to 'Speed Up His Route,'* Iowa News Day, April 23, 2014. Copy supplied.

Untitled story regarding execution of search warrants at physician offices. WDRB, April 23, 2014. Copy supplied.

Mark Wilson, *Former Postal Service Employee from Dawson Springs, Ky., Sentenced for Destroying, Hiding Mail*, Evansville Press, April 22, 2014. Copy supplied.

Andrew Wolfson, *Kentucky Mailman Hid Mail in Dead Mom's House*, Courier-Journal, April 22, 2014. Copy supplied.

Tom O'Neill and Andrew Wolfson, *Kentucky Harvest Food Charity Thriving Again*, Courier-Journal, April 16, 2014. Copy supplied.

Andrew Wolfson, *Former U of L Official Charged with Stealing \$2.8 Million*, Courier-Journal, April 3, 2014. Copy supplied.

Justin Story, *Former Pharmacy Employee Admits Guilt*, Bowling Green Daily News, April 2, 2014. Copy supplied.

Bill Sanders, *Former Taylor County Deputy Pleads Guilty*, WBKO TV, April 2, 2014. Copy supplied.

Untitled story regarding indictment of Debra Kessinger, WBKO TV, April 1, 2014. Copy supplied.

Untitled story regarding a Bowling Green man pleading guilty to cultivating marijuana inside Mammoth Cave National Park, MGN Online, April 1, 2014. Copy supplied.

Former Ky. Deputy Sheriff Pleads Guilty to Anabolic Steroid Distribution, FOX19 Cincinnati, April 1, 2014. Copy supplied.

Bill Estep, *Russell County Company Pleads Guilty to Contraband-Cigarettes Charges*, Herald-Leader, April 1, 2014. Copy supplied.

Young Pleads Guilty in Federal Court to Numerous Charges, Glasgow Daily Times, March 19, 2014. Copy supplied.

Amber Ruch, *KY Man Pleaded Guilty to Trying to Sell 400 Lbs. of Marijuana*, KFVS, February 21, 2014. Copy supplied.

Andrew Wolfson, *Fort Knox Sergeant Guilty of Taking \$57K to Help Steal Fuel in Afghanistan*, Courier-Journal, February 19, 2014. Copy supplied.

Andrew Wolfson, *Louisville Executive to Pay \$1 Million over Inflated Medicare claims*, Courier-Journal, January 10, 2014. Copy supplied.

Andrew Wolfson, *Bardstown Pharmacy Owner Sentenced for Health-care Fraud*, Courier-Journal, October 1, 2013. Copy supplied.

Drew Douglas, *National Night Out*, WLKY TV, August 6, 2013. Copy supplied.

Andrew Wolfson, *Violent Crimes Sent to Federal Court to Hammer Accused Gun-Toting Criminals*, Courier-Journal, July 4, 2013. Copy supplied.

'Project Recoil' New Initiative to Catch Violent Crime Offenders, WHAS-TV, July 3, 2013. Video recording available at:
<http://www.whas11.com/news/local/Project-Recoil-aims-to--214198101.html>.

State, Feds to Discuss Violent Crime Crackdown, WLKY-TV, July 3, 2013. Video available at: <http://www.wlky.com/news/local-news/louisville-news/state->

feds-to-discuss-violent-crime-crackdown/-/9718340/20819344/-/g7kvhsz/-
/index.html.

New Violent Crime Unit Maximizes Penalties for Criminals, WDRB-TV, July 3, 2013. Video supplied.

Andrew Wolfson, *University of Louisville Hospital to Pay \$2.8 Million Settlement Over Alleged Medicare Fraud*, Courier-Journal, July 1, 2013. Copy supplied.

U.S. Attorney Removed from Sen. Mitch McConnell Recording Case, Courier-Journal, June 21, 2013. Copy supplied.

Manu Raju and John Bresnahan, *Mitch McConnell Bugging*, Politico, June 21, 2013. Copy supplied.

Brett Barrouquere, *2 Eastern Livestock Officials Sentenced to Prison*, Associated Press, May 22, 2013. Copy supplied.

Justin Story, *Eastern Livestock Former Official Get Prison Sentences*, Bowling Green Daily News, May 22, 2013. Copy supplied.

Former McMahan Fire Chief Paul Barth Pays Out More to Crusade for Children, Courier-Journal, April 13, 2013. Copy supplied.

Randy Patrick, *Crume Owner Pleads Guilty to Fraud*, Kentucky Standard, March 20, 2013. Copy supplied.

Man Gets Three Years in Prison for Real Estate Scheme, News and Tribune, February 10, 2013. Copy supplied.

Carol Cratt, *Iraqi Men Living in Kentucky go to Prison for Plot to Help al Qaeda*, CNN, January 30, 2013. Copy supplied.

Justin Story, *Two Get Prison in Terrorism Case*, Bowling Green Daily News, January 30, 2013. Copy supplied.

Michael Gossum, *Both Terrorists Sentenced In U.S. District Court*, WBKO TV, January 30, 2013. Copy supplied.

Sentencing of Alwan and Hammadi, WBKO TV, January 30, 2013. I have been unable to obtain a copy.

Justin Story, *Attorney Calls for Reduced Sentence*, Bowling Green Daily News, January 29, 2013. Copy supplied.

Jim Williams, Radio Interview Related to Alwan and Hammadi Sentencing, 84WHAS Radio, January 29, 2013. I have been unable to obtain a copy.

Jackson Purchase Medical Center, Paducah Sun, January 18, 2013. Copy supplied.

Paul Barth's Home Sale to Go to Restitution, WDRB News, January 16, 2013. Copy supplied.

Paul Barth Crusade for Children, Courier-Journal, January 16, 2013. Copy supplied.

Bullitt, Jefferson Residents Found Guilty in Oxycodone Case, Pioneer News, January 10, 2013. Copy supplied.

David A. Mann, *Feds Settle With Sleep Medicine Center*, Business First, January 3, 2013. Copy supplied.

Andrew Wolfson, *Two Brothers Convicted of Supplying Mexican Cartel Cocaine to Louisville Drug Ring*, Courier-Journal, December 16, 2012. Copy supplied.

Feds: Embezzler Bought Home, Evansville Courier & Press, November 23, 2012. Copy supplied.

Feds: Paul Barth on a Short Leash, Courier-Journal, November 22, 2012. Copy supplied.

Prosecutors Just Learned of Crusade for Children Embezzler Paul Barth's Property Transactions, Courier-Journal, November 21, 2012. Copy supplied.

James Mayes, *Officials Stress Working Together*, Owensboro Messenger-Inquirer, October 31, 2012. Copy supplied.

Law Enforcement Training Session, WFIE Evansville, October 30, 2012. I have been unable to obtain a copy.

Roger Alford, *Obama Administration Extend Appalachia's Boundaries into Hardin County*, Associated Press, October 5, 2012. Copy supplied.

Announcement of DEA Take Back In Conjunction with Warren County And Bowling Green City Schools, WBKO TV, September 25, 2012. I have been unable to obtain a copy.

Bill Estep, *Russell Springs Man Accused of Selling Cigarettes Without Paying Taxes*, Herald-Leader, September 13, 2012. Copy supplied.

Jenna Mink, *Officials Take Another Step in Their Fight Against Abuse*, Bowling Green Daily News, September 12, 2012. Copy supplied.

Announcement of New High Intensity Drug Trafficking Area Program in Hardin County, WDRB-TV, August 29, 2012. Copy supplied.

White House Puts Hardin County in Drug Initiative, SFGate, August 29, 2012. Copy supplied.

Carla Jimenez, *Local Agencies, Feds Team Up to Break Up Drug Rings*, Kentucky New Era, August 24, 2012. Copy supplied.

Justin Story, *Hammadi Pleads Guilty*, Bowling Green Daily News, August 22, 2012. Copy supplied.

Andrew Wolfson, *Iraqi Pleads Guilty to Terrorism*, Courier-Journal, August 22, 2012. Copy supplied.

Iraqi Pleads Guilty in U.S. to Supporting Insurgents, Associated Press, August 22, 2012. Copy supplied.

Brett Barrouquere, *Iraqi Man Pleads Guilty to Conspiring To Send Weapons, Money, Explosives To Al-Qaida in Iraq*, Associated Press, August 22, 2012. Copy supplied.

David Bryant, *U.S. Attorney Announces Arrests and Successful Prosecutions*, SurfKY News, August 22, 2012. Copy supplied.

Police Make Dent in Hopkinsville Drug Trade, News Channel 5, August 22, 2012. Copy supplied.

Kentucky Press Conference to Announce Results of Investigation into Drug Trafficking and the Resulting Arrests, Nashville TV Station, August 22, 2012. I have been unable to obtain a copy.

U.S. Attorney for Western District David Hale Makes Major Announcement, WHOP AM-FM Radio, August 22, 2012. Copy of online story supplied.

Deborah Highland, *Restrictions Sought in Terrorism Case*, Bowling Green Daily News, August 10, 2012. Copy supplied.

Justin Story, *Retired Police Captain to be Liaison for Attorney's Office*, Bowling Green Daily News, August 8, 2012. Copy supplied.

Michigan Man Convicted of Embezzling From Louisville Investors, Courier-Journal, July 11, 2012. Copy supplied.

Andrew Wolfson, *Woman Sentenced for Embezzling from U of L*, Courier-Journal, July 10, 2012. Copy supplied.

Paul Barth Receives Prison Time for Thefts, WHAS-11 News, June 21, 2012. Video available at: <http://www.whas11.com/outbound-feeds/yahoo-news/Fmr-McMahan-fire-chief-accused-of-embezzlement-expected-to-change-plea-159230135.html>.

Former McMahan Fire Chief Paul Barth Accepts Plea Deal, WLKY News, June 21, 2012. Video available at: <http://www.wlky.com/news/local-news/louisville-news/Former-McMahan-fire-chief-Paul-Barth-accepts-plea-deal/-/9718340/15193496/-/99ydnk/-/index.html>.

Leitchfield Man Receives 10-Year Prison Sentence in Federal Child Exploitation Case, Grayson County News Gazette, June 23, 2012. Copy supplied.

Paul Barth Receives Prison Time for Thefts, WHAS-TV, June 21, 2012. Video available at: <http://www.whas11.com/outbound-feeds/yahoo-news/Fmr-McMahan-fire-chief-accused-of-embezzlement-expected-to-change-plea-159230135.html>.

Todd Faulkner, *Kerr & Wilson Sentenced to Time in Prison*, WPSD Local, June 7, 2012. Video supplied.

Glasgow Tax Preparer Indicted, Arraigned, Glasgow Daily Times, April 27, 2012. Copy supplied.

Tony Cruise, Radio interview related to DEA Take-Back Initiative, 84WHAS Radio, April 25, 2012. I have no copy, transcript or recording of the interview.

JCPS, U.S. Attorney Team Up on Drug Take-Back Initiative, April 23, 2012. Copy supplied.

Laura Ungar, *Disposal of Old Medications Urged*, Courier-Journal, April 23, 2012. Copy supplied.

Daniel Fitzgerald, *Former JL French Manager Pleads Guilty*, Metal Bulletin Daily Alerts, April 6, 2012. Copy supplied.

Kevin Eigelbach, *Louisville Man Sentenced to Two Years for Mortgage Fraud*, Business First, April 6, 2012. Copy supplied.

Sarah Bennett, *Elizabethtown Opens 24-hour Prescription Disposal Site*, The News-Enterprise, March 29, 2012. Copy supplied.

Rich Miller, *Cory George Pleads Guilty to Fraud Charges; Some Elderly Residents Lost Life Savings*, News 14, March 27, 2012. Copy supplied.

Rebecca Morris, *County Man Pleads Guilty to Child Crimes*, Grayson County News Gazette, March 24, 2012. Copy supplied.

Former Deputies Sentenced to 50 Months Each, Paducah Sun, March 7, 2012. Copy supplied.

2 Ex-Deputies Sentenced to 4 Years in Prison, Associated Press, March 7, 2012. Copy supplied.

Susan Tebben, *Glasgow Man Indicted on Federal Charges*, Glasgow Daily Times, February 16, 2012. Copy supplied.

Sheldon S. Shafer, *Two New Buildings for Federal Agencies Near Broadway Now Occupied*, Courier-Journal, February 2, 2012. Copy supplied.

Keith Lawrence, *Mayfair Settles U.S. Suit*, Owensboro Messenger-Inquirer, February 2, 2012. Copy supplied.

Deborah Highland, *Beshear Targets Problem*, Daily-News, February 2, 2012. Copy supplied.

O.J. Stapleton, *A Look Back at the Big Events in Logan*, News-Democrat & Leader, January 4, 2012. Copy supplied.

Radio Interview Related to Kentucky Prescription Drug Summit, WKYU-FM Radio, January 30, 2012. I have no copy, transcript or recording of the interview.

Alex Slitz, *Terror Suspect Pleads Guilty*, Bowling Green Daily News, December 17, 2011. Copy supplied.

Waad Alwan Guilty Plea, WBKO TV, December 16, 2011. I have no copy, transcript or recording of the interview. A copy of the notes I utilized in the interview is supplied.

Iraqi Admits Trying to Send Weapons to al-Qaida, Courier-Journal, December 16, 2011. Copy supplied.

Iraqi Admits Trying to Send Weapons to al Qaeda, CBS News, December 16, 2011. Copy supplied.

Iraqi Pleads Guilty to Trying to Assist Al-Qaida, Associated Press, December 16, 2011. Copy supplied.

Bruce Schreiner, *Iraqi Man Changes Plea in Kentucky, Admits Trying to Send Weapons, Cash to al-Qaida*, Canadian Press, December 16, 2011. Copy supplied.

Justin Story, *Funds for FY Total Excess of \$23M*, Bowling Green Daily News, November 21, 2011. Copy supplied.

Andrew Wolfson, *Former Bookkeeper Charged with Embezzling \$200,000 from Little Sisters for the Poor*, Courier-Journal, November 16, 2011. Copy supplied.

Statewide Health Care Fraud Conference, WAVE-TV, October 18, 2011. I have been unable to obtain a copy.

Barry Wright, *Multiple Arrests Made in Drug Investigation Case*, West Kentucky Star, October 14, 2011. Copy supplied.

Report on Results of Two Year-Long Investigation Into Drug Trafficking And The Resulting Arrests, WPSD-TV, October 13, 2011. Video supplied.

Louisville Doctor Agrees to \$350,000 Payment in Medicare Overbilling Charge, Courier-Journal, September 27, 2011. Copy supplied.

Bill Estep, *Marion County Deputy Jailers Accused of Providing Contraband to Inmates*, Herald-Leader, September 22, 2011. Copy supplied.

Andrew Wolfson, *Oil Promoter Gets 4-Year Prison Term*, Courier-Journal, September 20, 2011. Copy supplied.

Sean Davidson, *Former J.L. French Manager Indicted*, American Metal Market, September 17, 2011. Copy supplied.

Cherry Pleads Guilty, is Ordered to Pay Fines in Dove-Hunting Case, Bowling Green Daily-News, August 26, 2011. Copy supplied.

Eastview Man Found Guilty of Child Porn Charges, Hardin County News – Enterprise, July 1, 2011. Copy supplied.

Andrew Wolfson, *Terror Trials Not a Risk, Official Says*, Courier-Journal, June 18, 2011. Copy supplied.

Andrew Robinson, *Senator Calls for Action*, Bowling Green Daily News, June 18, 2011. Copy supplied.

Andrew Wolfson, *U.S. Attorney Says Civilian Courts Pose No Security Risk in Terror Trials*, Courier-Journal, June 17, 2011. Copy supplied.

Iraqi Terrorism Suspects Waive Detention Hearing in Kentucky, Courier-Journal, June 9, 2011. Copy supplied.

Andrew Wolfson, *Case Against Iraqi Refugees in Kentucky Labeled Unique, Past Terror Prosecutions Were Outside U.S.*, Courier-Journal, June 8, 2011. Copy supplied.

Renee Montagne, *Terrorism Case Exposes Gap in Refugee Screening*, National Public Radio Morning Edition, June 8, 2011. Copy supplied and audio is available at <http://www.wbur.org/npr/137033910/terrorism-case-exposes-gaps-in-refugee-screening>.

Deborah Highland, *Terrorism Arrests in Bowling Green: Case Shows Gaps in Screening Both Suspects Able to Gain Legal Entry into U.S. Despite Arrests in Iraq*, Bowling Green Daily News, June 1, 2011. Copy supplied.

Television Interview related to Alwan and Hammadi Indictments, WHAS-11, June 1, 2011. I have no copy, transcript or recording of the interview.

Television Interview related to Alwan and Hammadi Indictments, WDRB, June 1, 2011. I have no copy, transcript or recording of the interview.

Television Interview related to Alwan and Hammadi Indictments, WAVE-3, June 1, 2011. I have no copy, transcript or recording of the interview.

Television Interview related to Alwan and Hammadi Indictments, WLKY, June 1, 2011. I have no copy, transcript or recording of the interview.

Andrew Wolfson, *2 Iraqi Refugees Indicted on Terrorism Charges in Kentucky*, Courier-Journal, June 1, 2011. Copy supplied.

Mike Columbo, Television Interview related to Federal Charges Against Alwan and Hammadi, WHAS-11, May 31, 2011. I have no copy, transcript or recording of the interview.

Maira Ansari, Television Interview related to Federal Charges Against Alwan and Hammadi, Wave-3, May 31, 2011. I have no copy, transcript or recording of the interview.

Deborah Highland, *Bowling Green Iraqis Face Terrorism Charges*, Bowling Green Daily News, May 31, 2011. Copy supplied.

Shelley Byrne, *Police Training Focuses on Collaboration*, Paducah Sun, April 20, 2011. Copy supplied.

O.J. Stapleton, *Lusk Takes Deal with Feds – Ex-Priest will get 10 Years in Prison*, News-Democrat & Leader, April 19, 2011. Copy supplied.

Valarie Honeycutt Spears, *Federal Prosecutors Ask For Help in Pursuing Nursing Home Cases*, Lexington Herald-Leader, March 9, 2011. Copy supplied.

Chris Taylor, *Hancock Named Special Assistant U.S. Attorney*, WKMS, January 6, 2011. Copy supplied.

Dani Palmer, *BRIEFS: Bombmaker Faces 12 Month Term*, Evansville Courier & Press, December 11, 2010. Copy supplied.

Glasgow Man Receives 12 Years, Glasgow Daily Times, November 10, 2010. Copy supplied.

Paula Burba, *Assistant U.S. Attorney Philip Chance Dies*, Courier-Journal, October 10, 2010. Copy supplied.

Patrick Howington, *Former Humana Employee Charged with Misusing Patient Information*, Courier-Journal, August 23, 2010. Copy supplied.

Andrew Wolfson, *Snyder Gets 8-Month Sentence*, Courier-Journal, August 17, 2010. Copy supplied.

Andrew Wolfson, *Karen Sypher Trial Prosecutors Win with Understated Delivery*, Courier-Journal, August 6, 2010. Copy supplied.

Soldier Indicted on Gun, Explosives Charges, Leaf-Chronicle, June 24, 2010. Copy supplied.

Katie Mulvaney, *Former URI Education School Chief Sentenced for Embezzling Funds*, Providence Journal, May 18, 2010. Copy supplied.

Louisville Lawyer Who Rented Dead Man's Condo Pleads Guilty, Courier-Journal, May 18, 2010. Copy supplied.

Felner Sentenced to 63 Months in Prison, Business First, May 17, 2010. Copy supplied.

Andrew Wolfson, *Hale Confirmed for U.S. Attorney*, Courier-Journal, May 1, 2010. Copy supplied.

Andrew Wolfson, *Two U.S. Attorneys Confirmed for Kentucky*, Courier-Journal, April 30, 2010. Copy supplied.

Jack Brammer, *No Investigation on Hiring, Raises*, Herald-Leader, January 17, 2008. Copy supplied.

Stephenie Steitzer, *Treasurer Rejects Firing Request*, Courier-Journal, October 13, 2007. Copy supplied.

Jack Brammer, *A Fresh Start, 'Unbridled Cleanup' of Government*, Lexington Herald-Leader, May 3, 2007. Copy supplied.

Peter Smith, *Governor Hopeful Redefines 'Values' Vote*, Courier-Journal, March 5, 2007. Copy supplied.

Richelle Hickman, *David J. Hale*, Louisville Business First, September 29, 2006. Copy supplied.

James Carroll, *Iraq Veteran Plans to Run against Northup*, Courier-Journal, December 15, 2005. Copy supplied.

Tom Loftus, *E. Kentucky Road-Work Companies Settle Suit*, Courier-Journal, November 1, 2005. Copy supplied.

Kim Wessel, *Tow-Firm Owner once Pretended to be DEA Agent*, Courier-Journal, December 20, 1997. Copy supplied.

Press Conferences:

On July 3, 2013, I held a press conference in the U.S. Attorney's Office in Louisville. The event was to announce "Project Recoil," a new, joint federal and local law enforcement initiative. Copy of press announcement supplied.

On October 23, 2012, I spoke at the Pre-Election Fraud Press Conference in the state capitol in Frankfort, Kentucky. Other participants included the Kentucky Secretary of State, the U.S. Attorney for the Eastern District of Kentucky, and the Commissioner of the Kentucky State Police. The event was to announce coordinated law enforcement efforts to discourage election fraud. I have no notes, transcript or recording.

On October 4, 2012, I participated in a press conference at the Elizabethtown Police Department in Elizabethtown, Kentucky, to announce that Hardin County, Kentucky had received designation as a High Intensity Drug Trafficking Area

(HIDTA) by the Office of National Drug Control Policy. Remarks to press supplied.

On September 25, 2012, I held a press conference at the Bowling Green Police Department, in Bowling Green, Kentucky, to announce a joint federal and local initiative to make parents of schoolchildren aware of the DEA prescription pill take-back event. Notes supplied.

On August 22, 2012, I held a press conference in Hopkinsville, Kentucky, to announce the results of a joint federal and local law enforcement initiative. Remarks to press supplied.

On April 23, 2012, I held a press conference at the headquarters of the Jefferson County School Board to announce a joint federal and local initiative to make parents of schoolchildren in Louisville aware of the DEA prescription pill take-back event. Remarks to press supplied.

On March 28, 2012, I participated in a press conference in Elizabethtown, Kentucky, to discuss efforts by the Elizabethtown Police Department to raise awareness of prescription pill abuse. I have no notes, transcript or recording.

On October 13, 2011, I held a press conference in Paducah, Kentucky to announce the results of a joint federal and local law enforcement initiative. Remarks to press supplied.

On June 17, 2011, I held a press conference to discuss the charges in *United States v. Alwan and Hammadi*. Remarks to press supplied.

Press Releases:

In an effort to keep the public informed of the work done by the United States Attorney's Office, the office issues press releases on matters routinely. I have supplied a list that represents what I believe to be a complete list of press releases that have been released during my tenure as United States Attorney, as well as copies of those press releases.

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 never held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____
 - i. Of these, approximately what percent were:

jury trials:	_____%
bench trials:	_____% [total 100%]
civil proceedings:	_____%
criminal proceedings:	_____% [total 100%]

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

each such case, and for each provide the following information:

I have never 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 was appointed as the United States Attorney for the Western District of Kentucky on April 30, 2010, by President Barack Obama.

On June 13, 2001, Kentucky Governor Paul E. Patton appointed me to a four-year term on the Kentucky Authority for Educational Television (KET), the oversight board of Kentucky's public television network. I served until the completion of my term in 2005.

- 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 volunteered on a number of political campaigns in Kentucky. I generally served as an advisor and, on occasion, co-hosted fundraisers. Campaigns where I served in this role include Ben Chandler for Congress (2008, 2006, 2004), Jonathan Miller for Governor (2007), Ben Chandler for Governor (2003), Jonathan Miller for State Treasurer (2003, 1999), and John Y. Brown for Secretary of State (1995). I also served as a volunteer lawyer for the Ben Chandler for Governor campaign in 2003. In that capacity I represented the

campaign in a single matter related to a routine post-campaign audit by the Kentucky Registry of Election Finance.

When I was in college, I was president of the College Democrats of America in 1988, and executive vice president in 1987. At that time, the College Democrats of America was affiliated with the Democratic National Committee. To the best of my recollection and records, I do not believe I was directly involved in campaign work through this organization.

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;

I have not served as a judicial law clerk.

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

I have never 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.

1992 – 1994

Brown, Todd & Heyburn (now Frost Brown Todd LLC)
400 West Market Street, Suite 3200
Louisville, Kentucky 40202
Associate Attorney

1999 – 2010

Reed Weitkamp Schell & Vice PLLC
500 West Jefferson Street, Suite 2400
Louisville, Kentucky 40202
Member (Partner) (2002 – 2010)
Counsel (1999 – 2002)

1995 – 1999, 2010 – Present

United States Attorney's Office for the Western District of Kentucky
717 West Broadway
Louisville, Kentucky 40202
United States Attorney (2010 – Present)
Assistant United States Attorney (1995 – 1999)

- 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 never 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.

When I began practicing as an associate with Brown, Todd & Heyburn in 1992, I was assigned to the litigation section of the firm, where I worked on a variety of matters including insurance defense, product liability defense, business disputes and some criminal matters. My work was largely that of a typical litigation associate in a large firm: legal research, drafting, and reviewing and preparing documents produced in discovery. I participated in numerous depositions, court hearings, and trial preparation. I handled approximately three small state court trials.

My practice changed significantly when I began work as an Assistant U.S. Attorney in 1995. While in the U.S. Attorney's Office for the Western District of Kentucky, I worked in both the civil and criminal divisions. During my first year in the U.S. Attorney's Office, I was largely assigned cases from the civil division. I handled federal program foreclosures, Social Security disability appeals, Federal Tort Claims Act matters, and affirmative civil enforcement cases. I also worked with the U.S. Department of Labor on a disputed union election case. My civil work included all manner of pre-trial discovery and motion practice. Beginning in 1996, I began to carry a significant criminal caseload. My criminal trial practice began by second-chairing a robbery/racketeering trial and a gambling/money laundering trial. Thereafter, I was responsible for a number of general crimes cases from pre-indictment investigation, pre-trial motion practice through trials, plea hearings, sentencing hearings and appeals. I tried bank robbery, drug and illegal firearm, and counterfeiting cases to verdict. I also handled fraud, violent crime, identity theft and child exploitation cases. I was also afforded the opportunity to argue three cases before the U.S. Court of Appeals for the Sixth Circuit.

In October 1999, I left the U.S. Attorney's Office to join Reed Weitkamp Schell & Vice PLLC, as a litigator. My work at Reed was less trial-intensive than was my service in the U.S. Attorney's Office. I generally represented businesses and business owners in contractual and other disputes. In addition to business and contractual disputes, I worked on a variety of cases, including antitrust matters, representation of a disability

insurance carrier, professional malpractice matters, employment litigation, and state constitutional and regulatory matters. Most of the work I did while at Reed was in Kentucky state and federal courts.

In May 2010, I became the United States Attorney for the Western District of Kentucky. Since then, the nature of my work has been multifaceted. I supervise all federal criminal investigations, prosecutions and appeals in the district; all affirmative and defensive civil litigation in which the United States is a party; all administrative, personnel, and operational activity of the U.S. Attorney's Office; all federal, state and local law enforcement coordination; all community and media outreach; and all coordination with the Department of Justice. My responsibilities as United States Attorney include working with the 92 other United States Attorneys, the Executive Office for United States Attorneys, and the Department of Justice to develop strategies to effectively address the priorities of the Department and the Western District of Kentucky.

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

As the United States Attorney, and as an Assistant United States Attorney, my only client has been the United States government. Currently, I have responsibility over all federal criminal investigations and prosecutions, as well as responsibility to represent the United States in all civil cases, in the Western District of Kentucky. As an Assistant United States Attorney, I practiced in both civil and criminal litigation.

At Brown, Todd & Heyburn, I represented insurance companies, manufacturing businesses, franchise business owners and banks.

At Reed Weitkamp Schell & Vice PLLC, my practice included representation of pharmaceutical manufacturers; business entities with mineral interests in disputes with leaseholders; physicians and medical practice groups in contract and other business disputes; and an executive in a dispute among shareholders following the sale of a closely held healthcare company. I also routinely represented a life insurance company and a financial institution.

- 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.

Since beginning the practice of law in 1992, approximately 90% of my practice has been in litigation. From 1992 to 1994, I appeared in court occasionally as a litigation associate in a large law firm. From 1995 to 1999, I worked as an Assistant U.S. Attorney and frequently appeared in court for hearings and trials.

From 1999 to 2010, while in private practice, I appeared in court occasionally. Since 2010, as United States Attorney, I have occasionally attended court hearings and trials. I currently supervise litigation that takes place almost entirely in federal courts. While in private practice from 1999 to 2010, approximately 50% of my practice was before state courts, other courts and administrative agencies. Although the majority of my practice has been in criminal litigation, approximately 90% of my work was in civil proceedings from 1999 to 2010.

i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 98% |
| 2. state courts of record: | 2% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 20% |
| 2. criminal proceedings: | 80% |

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 approximately 14 cases to verdict. I was sole counsel in eight trials, co-counsel in four trials and associate counsel in two trials.

i. What percentage of these trials were:

- | | |
|--------------|------|
| 1. jury: | 100% |
| 2. non-jury: | 0% |

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

I have never appeared 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. Harris*, Case No. 96-CR-0024 (W.D. Ky. 1996); *aff'd*, 238 F.3d 777 (6th Cir. 2001).

This was a case about a murder that occurred on the Fort Campbell Army post. In 1996, the defendants attempted to rob two active duty soldiers outside a convenience store on the post at gunpoint. During the course of the robbery, the gun went off, striking one of the soldiers, who died a short time later from the wound. The defendants were minors at the time of the crime. The first significant issue in the case involved the transfer of the defendants from juvenile to adult status. This step involved an interim appeal to the U.S. Court of Appeals for the Sixth Circuit. I handled the oral arguments on this interim appeal. (I have been unable to obtain records of the appeal other than the Sixth Circuit docket numbers, 97-5809 and 97-5810.) After successfully litigating the transfer issue in the Sixth Circuit, I worked at all steps of the pretrial preparation of the case. The trial began in U.S. District Court in Paducah, Kentucky, in October 1998. After seating a jury, the defendants pleaded guilty. In June 1999, I was responsible for witness testimony and arguments during a contested sentencing hearing. The defendants received 480-month sentences. The case was subsequently appealed to the Sixth Circuit which upheld the sentences.

Dates of representation: 1996 – 1999

Presiding Judge: Senior U.S. District Judge Edward H. Johnstone

Co-counsel:

Former Assistant U.S. Attorney A. Duane Schwartz (retired)

Counsel for Defendant Harris:

Scott T. Wendelsdorf
Western Kentucky Federal Defender, Inc.
629 Fourth Avenue
Louisville, Kentucky 40202
502-584-0525

Counsel for Defendant Gaines:

Len W. Ogden, Jr.
111 South Fourth Street

Paducah, Kentucky 42001
270-444-7575

2) *United States v. Brooks*, Case No. 97-CR-0024 (W.D. Ky. 1997), *aff'd*, 209 F.3d 577 (6th Cir. 2000).

This case involved charges of armed bank robbery and illegal firearms possession. The defendants, along with other accomplices, robbed approximately eight banks before their capture. The robberies were particularly violent, with robbers jumping on teller counters and wielding a sawed-off shotgun. I was the lead AUSA during the investigation and pretrial phase of the case. The defendants left Louisville after robbing over \$300,000 from area banks, and were not located for several weeks. Initially, defendants Brooks and Marks pleaded guilty, along with three other accomplices. After pleading guilty, the defendants successfully petitioned the court to withdraw their plea agreements and proceed to trial. I tried Brooks and Marks along with another AUSA, dividing the jury trial responsibilities between us. The case was evidence-intensive, involving forensic evidence developed by the FBI laboratory, witness evidence, cooperating witnesses and physical evidence. Brooks and Marks were convicted and subsequently received long sentences. On appeal, the Sixth Circuit upheld the convictions and sentences.

Dates of representation: 1997 – 1999

Presiding Judge: U.S. District Judge Thomas B. Russell

Co-Counsel at Trial:

Former Assistant U.S. Attorney Michael Mazzoli
600 West Main Street, Suite 300
Louisville, Kentucky 40202
502-589-6190

Counsel for Defendant Brooks:

Michael L. Boylan
200 South Fifth Street, Suite 10N
Louisville, Kentucky 40202
502-581-9206

Counsel for Defendant Marks:

Armand I. Judah
539 West Market Street, Second Floor
Louisville, Kentucky 40202
502-584-6266

- 3) *United States v. Aguon*, Case No. 97-CR-00024, (W.D. Ky. 1997), *aff'd*, 209 F.3d 577 (6th Cir. 2000).

The *Aguon* case was a companion case to the case against Brooks and Marks. I tried it as sole counsel in July 1998. Aguon had been involved in only approximately two of the eight armed bank robberies after he escaped from jail in an adjoining county. The case involved significant testimony from traumatized victim witnesses, who were testifying regarding some of the robberies for the second time in three months, and also involved the difficult testimony of cooperating witnesses. The case was evidence-intensive, involving forensic evidence developed by the FBI laboratory, witness evidence, cooperating witnesses and physical evidence. The conviction that followed the jury trial was upheld by the Sixth Circuit in an appeal consolidated with the case against Brooks and Marks.

Dates of representation: 1997-1999

Presiding Judge: U.S. District Judge Thomas B. Russell

Counsel for Defendant:

Vincent F. Heuser, Jr.
3600 Goldsmith Lane
Louisville, Kentucky 40220
502-479-0645

- 4) *United States v. Brown*, Case No. 98-CR-0010 (W.D. Ky. 1998), *aff'd*, 230 F.3d 1360 (6th Cir. 2000).

I was assigned the case following the defendant's arrest by local police in Owensboro, Kentucky. The charges against the defendant included possessing cocaine with intent to distribute, and being a felon in possession of a firearm. I was the sole counsel at trial. Immediately before the start of trial, the defendant pleaded guilty to being a felon in possession of a firearm and the lesser charge of simple possession of cocaine, leaving for the jury the question of whether he intended to distribute the cocaine. The case turned in part on expert trial testimony from a Kentucky State Police detective with considerable narcotics experience. The jury convicted the defendant on the more serious distribution charge. The conviction and sentence were upheld by the Sixth Circuit in an opinion that examined the appropriateness of expert law enforcement testimony.

Dates of representation: 1998 – 1999

Presiding Judge: U.S. District Judge Joseph H. McKinley

Counsel for Defendant:

Scott T. Wendelsdorf

Western Kentucky Federal Defender, Inc.
629 Fourth Avenue
Louisville, Kentucky 40202
502-584-0525

5) *United States v. Ables*, Case No. 94-CR-0070 (W.D. Ky. 1995), *aff'd*, 167 F.3d 1021 (6th Cir. 1999).

I was assigned to work on this case as associate counsel to senior AUSA Marisa Ford. The case involved charges of operating an illegal gambling business and related money laundering. The defendants operated a bingo hall as a charitable entity, asserting that proceeds earned on any particular day would be donated to a tax exempt organization. The case involved numerous witnesses regarding the operation of the bingo hall and the bingo hall's relationship with various community-based charitable organizations. My pretrial responsibilities were to interact with case agents and to assist in the preparation of numerous witnesses. During trial I handled witness testimony and assisted in the management of the evidence submitted to the court. The trial lasted over three weeks. Attendant to the criminal trial were claims made by the community-based organizations for a share of the criminally forfeited proceeds of the crime. The trial resulted in the conviction of the two main operators of the bingo hall. The convictions were subsequently upheld by the Sixth Circuit.

Dates of representation: 1995 – 1996

Presiding Judge: U.S. District Judge Thomas B. Russell

Co-Counsel:

Assistant U.S. Attorney Marisa J. Ford
717 West Broadway
Louisville, Kentucky 40202
502-582-5911

Counsel for Defendant Ables:

G. Murray Turner
440 South Seventh Street, Suite 300
Louisville, Kentucky 40202
502-584-6375

Counsel for Defendant Lampton:

Fred Radolovich
(no current business contact information available)

Counsel for Defendant Bennett:

Jerry McGraw
1700 UPS Drive, Suite 106
Louisville, Kentucky 40223
502-423-1075

6) *Tucker v. Northwestern Mut. Life Ins. Co.*, Case No. 00-CV-587 (W.D. Ky. 2000).

I was lead counsel for a disability insurance carrier in a case involving insurance contract claims made by a dental surgeon. The case involved complex medical issues and interpretation of insurance contract provisions. Pretrial discovery included numerous fact depositions, as well as medical and engineering expert depositions. We mediated the case on two separate occasions before two different mediators. After extensive pretrial discovery and motion practice, the matter was settled following the second mediation conference. No appeal was taken.

Dates of representation: 2000 – 2002

Presiding Judges: U.S. District Judge Jennifer B. Coffman, U.S. Magistrate Judge James D. Moyer

Counsel for Plaintiff:

Harold Storment
239 South Fifth Street, Suite 1800
Louisville, Kentucky 40202
502-589-5533

7) *Ky. State Treasurer v. Sec'y of Fin.*, Case No. 02-CR-00855 (Ky. Cir. Ct., Franklin Cty. 2002); *Attorney General v. Office of the Governor*, Case No. 04-CI-00719 (Ky. Cir. Ct., Franklin Cty.); *see also Governor of Kentucky v. Attorney General*, Case No. 2005-SC-00046-TG (Ky.).

I represented the Kentucky Department of Treasury in litigation that followed from the failure of the state legislature to pass budget legislation, leading to a potential shutdown of state government operations. In the first case, the Treasurer brought suit against the state finance cabinet in an effort to seek a judicial ruling on the extent to which the Treasurer could continue to authorize payments for ongoing and necessary government operations at the direction of the Governor, but in the absence of legislative approval. The case was eventually rendered moot by a subsequent budget compromise. However, a similar situation developed in 2004, leading to a suit by the Attorney General against the Governor, Treasurer and numerous other entities. The Kentucky Supreme Court ultimately ruled on the constitutionality of the executive spending plan.

Dates of representation: 2002, 2004 – 2005

Presiding Judge: Franklin Circuit Judge William Graham

Counsel for Defendant Secretary of Finance:

Sheryl G. Snyder
400 West Market Street, Suite 3200
Louisville, Kentucky 40202
502-568-0247

Counsel for Intervening Defendant:

Christopher L. Lilly
700 Capital Avenue, Suite 319
Frankfort, Kentucky 40601
502-564-8100

8) *Smith v. Hanson Aggregates Davon, Inc.*, Case No. 07-CR-00259 (Ky. Cir. Ct., Carter Cty. 2007).

I was lead counsel for defendant Hanson, a national aggregates producer. This case centered upon a limestone quarry operation in eastern Kentucky. The case, typical of similar matters I handled, included a dispute over royalties under a contract which provided certain rights to extract minerals from the land. I handled the pretrial motion practice and preparation of experts. I was also responsible for negotiation of the resulting confidential settlement agreement. No appeal was taken.

Dates of representation: 2007 – 2008

Presiding Judge: Carter Circuit Judge Rebecca Phillips

Co-Counsel:

William H. Wilhoit
103 South Hord Street
Grayson, Kentucky 41143
606-474-8833

Counsel for Plaintiff:

Charles M. Johnstone
1129 Virginia Street East
Charleston, West Virginia
304-343-7100

9) *Comm'r of the Ky. Dept. of Ins. v. AIK Co.*, Case No. 04-CI-01067 (Ky. Cir. Ct., Franklin Cty. 2004).

I was lead counsel for a group of companies who were former members of a failed workers' compensation self-insurance fund. In the course of litigation over the rehabilitation and liquidation of the fund, I participated as counsel in a group member committee approved by the court. I also participated in discovery, numerous hearings and in the court-ordered mediation, which resulted in a settlement agreement governing the ongoing court-monitored liquidation of the fund.

Dates of representation: 2004 – 2009

Presiding Judge: Franklin Circuit Judge Thomas Wingate

Counsel for Plaintiff:

Walter L. Sales
Paul C. Harnice
Stoll Keenon Ogden
500 West Jefferson Street
2000 PNC Plaza
Louisville, Kentucky 40202
502-333-6000

10) *Snyder v. EPI Corp.*, Case No. 05-CR-05565 (Ky. Cir. Ct., Jefferson Cty. 2005).

This case involved a contractual dispute between the former chief executive officer of a closely held healthcare company and the other board members of the company. The parties disagreed over the terms of the company's sale to a third party and the impact the sale had on provisions in the terminated CEO's employment contract. I was associate counsel in the trial for the plaintiff CEO. The jury returned a verdict in favor of the CEO and awarded him over \$8.4 million. No appeal was taken.

Dates of representation: 2005 – 2010

Presiding Judge: Jefferson Circuit Judge James Shake

Counsel for Defendants:

K. Gregory Haynes
Wyatt, Tarrant & Combs LLP
500 West Jefferson Street, Suite 2800
Louisville, Kentucky 40202
502-562-7363

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.)

After being sworn in as United States Attorney in May 2010, and completing a review of operations, I began developing several important priority initiatives. One of the first to be addressed was the status of relationships between federal and local law enforcement in the District. In order to enhance and improve these important relationships, we organized and sponsored law enforcement training conferences in Paducah and Owensboro. These conferences focused on the national priority programs of Project Safe Neighborhoods and Project Safe Childhood. Each of the conferences included personal participation and co-sponsorship by the Commissioner of the Kentucky State Police, the FBI Special Agent in Charge, the ATF Special Agent in Charge, the U.S. Marshal, and the U.S. Secret Service Special Agent in Charge. Bringing federal law enforcement leaders together with local chiefs of police and sheriffs in these settings proved effective in facilitating better coordination and cooperation, directly led to establishment of joint federal/local initiatives in the District, and has enhanced the mission of the U.S. Attorney's Office.

Addressing violent crime is a Department and District priority. In support of that priority, I have worked with local and federal law enforcement in Louisville to establish a new gun charge review initiative, called Project Recoil. The program includes the violent crime unit of the Louisville Metro Police Department, the Jefferson County Commonwealth's Attorney Office, Jefferson County Attorney, ATF, the U.S. Marshals Service, and FBI. Every two weeks, local prosecutors and federal prosecutors meet with senior Louisville police detectives and federal agents and analysts, to review recent arrests involving firearms. During the meetings, the law enforcement officers exchange intelligence and develop joint investigative strategy, and the prosecutors consider which cases may be appropriate for federal prosecution. This initiative is aimed at addressing the repeat serious offenders who cycle through local criminal justice systems and yet continue to perpetrate violence, and drug-related offenses. To support Project Recoil, and other related initiatives we are developing, I established an anti-violent crime unit in the U.S. Attorney's Office, staffed with experienced prosecutors.

I have made the epidemic of prescription pill abuse a priority in the District. In February 2012, I co-sponsored with U.S. Attorney for the Eastern District of Kentucky Kerry Harvey a statewide prescription pill summit. Over 300 people, including high school students, attended to hear medical, pharmacy, education, and law enforcement experts, along with local community leaders and statewide elected leaders, discuss the impact that prescription pill abuse is having on our communities and schools. The summit successfully focused attention on the issues, and facilitated communication and cooperation among regulators, law enforcement officials, and community leaders. As a follow-up to the conference, I initiated a public awareness campaign. I have worked with

local DEA leadership to enhance the effectiveness of the DEA prescription pill take back initiative in Louisville and Bowling Green. I asked leadership of the Jefferson County Schools – the largest system in Kentucky – to help focus parents’ attention on prescription pill abuse among teens. JCPS agreed to host a press event and a take back location at their headquarters. The events proved successful, with large amounts of prescription pills turned in to DEA for disposal. We successfully repeated this effort in Bowling Green, with the assistance of the local school boards, and local law enforcement leadership.

I previously represented the Kentucky Department of Treasury as outside counsel. The representation included assistance to the Treasury in establishing a state-sponsored college savings program pursuant to IRS section 529. This work included assistance with draft legislation, draft regulations, and review of vendor contracts.

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

I have never taught a course.

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

The only future benefits I expect to receive are from a self-directed 401(k) retirement plan.

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 such plans, commitments or agreements if confirmed.

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

See the attached Financial Disclosure Report.

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

See the 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.

Should I be appointed, I initially would have a conflict with cases and matters that were pending in the U.S. Attorney's office while I was U.S. Attorney. I would address any such conflict by working with the Clerk of the Court to ensure that I was not assigned any such cases. If any matter were to arise that involved an actual or potential conflict of interest, I would handle it by careful and diligent application of the Code of Conduct for United States Judges, as well as other relevant canons and statutory provisions.

- 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 will carefully review any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other laws, rules and practices governing such circumstances.

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

While in private practice, my pro bono work was varied. I provided pro bono legal assistance to my former church throughout a building project from 2000 to 2005. I have also provided informal counsel to a number of civic and charitable organizations, where I have served as a volunteer and director, including the Louisville Urban League, Kentucky Educational Television and Kentucky Youth Association.

In 2002 to 2003, I represented a retired minister in a dispute with a brokerage firm. Initially this client was referred to me as a paying client, but after assessing his situation I subsequently represented him on a pro bono basis and obtained a financial settlement on his behalf from the brokerage firm.

From approximately 2004 to 2009, I served as a volunteer youth baseball coach for a local recreation association. I have also spent time serving numerous charitable

organizations, including the Louisville Urban League, where I chaired a committee on reentry programs for nonviolent offenders.

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 January 24, 2013, I was contacted by a staff member for Senator Mitch McConnell who requested that I complete a questionnaire for review by the Senator's staff. On February 12, 2013, I submitted the completed questionnaire. On March 11, 2013, I met with Representative John Yarmuth in Louisville, Kentucky. On February 26, 2013 and August 22, 2013, I met with staff members for Senator Rand Paul in Louisville, Kentucky. Since July 31, 2013, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On November 6, 2013, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On June 19, 2014, the President submitted my nomination to the Senate.

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

No.

AFFIDAVIT

I, David J. Hale, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

6-19-14
(DATE)

David J. Hale
(NAME)

Jennifer Gayle Bailey
(NOTARY)