

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Joshua Paul Kolar

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

United States Circuit Judge for the Seventh Circuit

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

United States District Court for the Northern District of Indiana  
5400 Federal Plaza, Suite 3500  
Hammond, Indiana 46320

Residence: Munster, Indiana

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

1976; Chicago, Illinois

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.

2000 – 2003, Northwestern University, Pritzker School of Law; J.D., 2003

1995 – 1999, Northwestern University; B.A., 1999

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.

2019 – present

United States District Court for the Northern District of Indiana  
5400 Federal Plaza, Suite 3500

Hammond, Indiana 46320  
United States Magistrate Judge

2015 – present; 2009 – 2014  
United States Navy Reserve  
3155 Blackhawk Drive, Building Number 181  
Fort Sheridan, Illinois 60037  
Assistant Officer-in-Charge, INDOPACOM 87234, Detachment Fort Sheridan  
Lieutenant Commander

2014 – 2015  
United States Navy  
International Security Assistance Force and Resolute Support Headquarters  
Kabul, Afghanistan  
APO AE 09356  
Senior Analyst, Intelligence, Operations, Plans, and Targeting  
Combined Joint Operations Center  
Lieutenant Commander

2007 – 2018  
United States Attorney's Office for the Northern District of Indiana  
5400 Federal Plaza  
Hammond, Indiana 46320  
Assistant United States Attorney  
National Security Lead and Antiterrorism Advisory Council Coordinator (2015 – 2018)

2006 – 2007; 2003 – 2005  
Mayer Brown LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
Associate

2005 – 2006  
United States District Court for the Northern District of Illinois  
219 South Dearborn Street  
Chicago, Illinois 60604  
Law Clerk for the Honorable Wayne R. Andersen

Summer 2003  
Office of the Cook County Public Defender  
69 West Washington Street, Suite 1600  
Chicago, Illinois 60602  
Law Clerk & Public Interest Law Initiative (PILI) Fellow

Fall 2002  
United States Attorney's Office for the Northern District of Illinois

219 South Dearborn Street, 5th Floor  
Chicago, Illinois 60604  
Intern (uncompensated)

Summer 2002  
Mayer Brown LLP  
190 South LaSalle Street  
Chicago, Illinois 60603  
Summer Associate

Summer 2001  
Office of the Cook County State's Attorney  
69 West Washington Street, Suite 3200  
Chicago, Illinois 60602  
Intern (uncompensated)

Winter 1999 – 2000  
Piñons Restaurant  
105 South Mill Street  
Aspen, Colorado 81611  
Busser

October 1999; Summer 1999  
Office of United States Senator Richard Durbin  
230 South Dearborn Street, Suite 3892  
Chicago, Illinois 60604  
Rally Coordinator (uncompensated) (October 1999)  
Intern (uncompensated) (Summer 1999)

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.

2009 – present  
United States Navy (2014 – 2015)  
United States Navy Reserve (2009 – 2014 and 2015 – present)  
Lieutenant Commander

I was commissioned an Ensign in the United States Navy Reserve in 2009 and continue to serve in the United States Navy Reserve as a Lieutenant Commander. From July 2014 to June 2015, I was called to active duty in support of Operation Enduring Freedom and Operation Freedom's Sentinel in Afghanistan. After completing my mobilization orders, I received an honorable discharge from active duty and was transferred back to the United States Navy Reserve.

I timely registered for the 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.

Military Awards

Department of Defense, Joint Service Commendation Medal (2022)  
Department of Defense, Defense Meritorious Service Medal (2015)  
Department of Defense, Joint Meritorious Unit Award (2015)  
Department of Defense, Afghanistan Campaign Medal (2015)  
Navy and Marine Corps Overseas Service Ribbon (2015)  
Department of Defense, Armed Forces Reserve Medal (2015)  
North Atlantic Treaty Organization, International Security Assistance Force Medal (2015)  
U.S. Navy, Rifle Marksmanship Ribbon (2014)  
U.S. Navy, Pistol Marksmanship Ribbon (2014)  
Department of Defense, National Defense Service Medal (2009)  
Department of Defense, Global War on Terrorism Service Medal (2009)

Federal Bureau of Investigation, Certificate of Appreciation (2013, 2014, 2018)

Drug Enforcement Administration, Certificate of Appreciation (April 2010, May 2010, 2012)

Northwestern University Law Review  
Member (2001 – 2003)  
Articles Editor (2002)

Northwestern University, Academic All-Big Ten (1996, 1997)

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

Calumet American Inn of Court

Federal Bar Association, Northern District of Indiana

Federal Magistrate Judges Association

National Association of Assistant United States Attorneys

Seventh Circuit Bar Association

United States District Court for the Northern District of Indiana, Local Rules Committee  
Chair (2020 – 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.

Illinois, 2003

There have been no lapses in membership. I have been an active member of the Illinois bar on judicial status since my appointment to the bench in 2018.

- 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 Seventh Circuit, 2007

United States District Court for the Northern District of Illinois, 2004

United States District Court for the Northern District of Indiana, 2007

Supreme Court of Illinois, 2003

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.

Army and Navy Club (2012 – 2014)

Briar Ridge Country Club (2020 – present)

Chicago Yacht Club (1989 – 2013)

Island Goat Sailing Society (2021 – present)

Jackson Park Yacht Club (2022)

Marines' Memorial Club (2014 – present)

Northwestern Alumni Association (various years 2001 – 2022)

Northwestern Gridiron Network (various years 2001 – 2022)

Northwestern N Club (various years 2000 – 2022)

Northwestern University, Pritzker School of Law, Student Funded Public Interest Fellowship (2002 – 2003)

Saint Thomas More Boy Scout Pack 542 (2018 – present)  
Den Leader (2018 – present)

Shedd Aquarium Auxiliary Board (2003 – 2014)  
President (2009 – 2011)  
Vice President for Membership (2005 – 2007)

Union League Club of Chicago (2003 – 2007)

Veterans of Foreign Wars (2015 – 2019)

- 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 my knowledge, none of these organizations currently discriminate on the basis of race, sex, religion, or national origin. It is my understanding that the VFW, Union League Club of Chicago, and Army and Navy Club formerly excluded women from membership, but all ended that practice well before my membership.

Prior to agreeing to lead my son's Boy Scout Den, I ensured I could do so in a way that reflected the values of diversity and non-discrimination. I am aware that the Boy Scouts formerly limited membership to boys. Membership was expanded to include girls well before my service as a den leader, and there were years when my son's den was co-ed. The Boy Scouts Membership Standards currently make clear that "[i]t is the philosophy of Scouting to welcome all eligible youth, regardless of race, ethnic background, or orientation, who are willing to accept Scouting's values and meet any other requirements of membership."

## 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.

None.

- 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.

In 2021, the United States District Court for the Northern District of Indiana's Local Rules Committee (of which I am the chair) proposed a series of rule changes, which were later adopted by the court. The proposal is representative of the Committee's work as a whole and not any single member. A copy of the notice concerning the proposed rules changes is 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 searched my files and electronic databases in an effort to identify all events responsive to this question, but there may be other events I have not been able to recall or identify.

January 27, 2023: Speaker, Naturalization Ceremony, United States District Court for the Northern District of Indiana, Hammond, Indiana. I used the same notes that were supplied in relation to the naturalization ceremony on January 25, 2019.

November 4, 2022: Speaker, Naturalization Ceremony, United States District

Court for the Northern District of Indiana, Hammond, Indiana. I used the same notes that were supplied in relation to the naturalization ceremony on January 25, 2019.

October 26, 2022: Panelist, Ethics and Negotiating Skills, Calumet American Inn of Court, Merrillville, Indiana. The panel was on mediations, judicial settlement conferences, and ethical concerns. I have no notes, transcript, or recording. The Calumet American Inn of Court has no physical address.

May 17, 2022: Speaker, Indiana Supreme Court Admissions Ceremony, Indianapolis, Indiana. I welcomed new members of the bar and stressed the important roles and responsibilities of attorneys. I have no notes, transcript, or recording, but press coverage is supplied. The address of the Indiana Supreme Court is 315 Indiana State House, 200 West Washington Street, Indianapolis, Indiana, 46204.

March 1, 2022: Speaker, Naturalization Ceremony, United States District Court for the Northern District of Indiana, Hammond, Indiana. I used the same notes that were supplied in relation to the naturalization ceremony on January 25, 2019.

December 17, 2021: Speaker, Federal Practice Seminar, Comments on Local Rules and Practice, Federal Bar Association, Indianapolis Chapter, Hammond, Indiana (via Zoom). PowerPoint supplied.

November 16, 2021: Speaker, Naturalization Ceremony, United States District Court for the Northern District of Indiana, Hammond, Indiana. I used the same notes that were supplied in relation to the naturalization ceremony on January 25, 2019.

November 9, 2021: Panelist, Northwestern Veterans Law Association, Chicago, Illinois (via Zoom). The panel was on the unique skill sets and perspectives those with military experience can bring to a legal career and went over various career paths. I have no notes, transcript, or recording. The address for Northwestern University Pritzker School of Law is 375 East Chicago Avenue, Chicago, Illinois, 60611.

June 9, 2021: Speaker, Naturalization Ceremony, United States District Court for the Northern District of Indiana, Hammond, Indiana. I used the same notes that were supplied in relation to the naturalization ceremony on January 25, 2019.

November 29, 2020: Speaker, Discussion on American Government, Munster, Indiana (via Zoom), USA Girl Scouts Overseas (Paris). I gave a talk on American government to a USA Girl Scouts Overseas troop. I have no notes, transcript, or recording. The address for USA Girl Scouts Overseas is USA Girl Scouts Overseas, 420 Fifth Avenue, New York, New York, 10018.

April 30, 2020: Speaker, Navigating the Federal Courts During the COVID-19 Pandemic, United States District Court for the Northern District of Indiana, Hammond, Indiana (via Zoom). PowerPoint supplied.

October 2, 2019: Speaker, Indiana Supreme Court Admissions Ceremony, Indianapolis, Indiana. I welcomed new members of the bar and stressed the important roles and responsibilities of attorneys. I have no notes, transcript, or recording. The address for the Indiana Supreme Court is 315 Indiana State House, 200 West Washington Street, Indianapolis, Indiana, 46204.

June 11, 2019: Speaker, Investiture, United States District Court for the Northern District of Indiana, Hammond, Indiana. I gave remarks at my investiture as a United States Magistrate Judge. My remarks focused on my family and other close friends and associates, thanking them for providing support and guidance throughout my life and career. I have no notes, transcript, or recording. The address for the United States District Court for the Northern District of Indiana in Hammond is 5400 Federal Plaza, Suite 2300, Hammond, Indiana, 46320.

May 10, 2019: Speaker, Naturalization Ceremony, United States District Court for the Northern District of Indiana, Hammond, Indiana. I used the same notes that were supplied in relation to the naturalization ceremony on January 25, 2019.

January 25, 2019: Speaker, Naturalization Ceremony, United States District Court for the Northern District of Indiana, Hammond, Indiana. Notes supplied.

Spring 2017 (specific date unknown): Panelist, Pending Investigations, National Anti-Terrorism Advisory Council Coordinator's and National Security Coordinator's Conference, Springfield, Virginia. The panel was on pending investigations and was given in a classified setting. I have no notes, transcript, or recording. The annual training is organized by the United States Department of Justice, National Security Division. The address for the National Security Division is 950 Pennsylvania Avenue, Northwest, Washington, DC 20530.

December 7, 2016: Speaker, Introductory Remarks and Working with Government Investigators, InfraGard Indiana Partnership for Protection, Cyber Security Awareness Symposium, Schererville, Indiana. I discussed the importance of cybersecurity and summarized prosecutions from across the country. I have no notes, transcript, or recording. InfraGard Indiana does not have a physical mailing address.

October 12, 2016: Speaker, Working with Government Investigators and the Cyber Information Sharing Act, InfraGard Indiana Partnership for Protection, Indianapolis, Indiana. I discussed the advantages of cooperating with federal investigators after discovering a malicious cyber intrusion. I have no notes, transcript, or recording. InfraGard Indiana does not have a physical mailing address.

February 2, 2016: Speaker, Case Studies and Lessons Learned, Regional Antiterrorism Advisory Council Conference and National Security Coordinators Conference, Chicago, Illinois. I discussed lessons learned from recent cases. I have no notes, transcript, or recording. The Regional Anti-Terrorism Advisory Council was run out of the United States Attorney's Office for the Northern District of Illinois at 219 South Dearborn Street, Suite 500, Chicago, Illinois 60604.

October 15, 2015: Panelist, Economic Espionage and the Insider Threat, Federal Bureau of Investigation Corporate Counsel Forum, Global Threats to Your Company, Indianapolis, Indiana. The panel was on economic espionage threats. I have no notes, transcript, or recording. The address for the Federal Bureau of Investigation is 935 Pennsylvania Avenue, Northwest, Washington, DC 20535.

2013 (approximately, specific date unknown): Guest Lecturer, National Security Law, University of Chicago Law School. I spoke to a class on National Security Law at the University of Chicago Law School. I have no notes, transcript, or recording. The address for University of Chicago Law School is 1111 East 60th Street, Chicago, Illinois 60637

April 7, 2008: Panelist, Career Night Remarks to Northwestern Football Players, Evanston, Illinois. The panel was on networking and career paths. I have no notes, transcript, or recording, but press coverage is supplied. The address for Northwestern University is 633 Clark Street, Evanston, Illinois, 60308.

- 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.

Doug Ross, *Kolar Named Region's New Federal Magistrate*, The Times (Munster, IN) (Aug. 13, 2018). Copy supplied.

I was interviewed at various times while playing high school and collegiate football. I am unable to locate any clips, transcripts, or other records of those interviews or their dates.

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.

Since January 1, 2019, I have served as United States Magistrate Judge on the United States District Court for the Northern District of Indiana. I was appointed by the district judges of the United States District Court for the Northern District of Indiana.

The United States District Court for the Northern District of Indiana has jurisdiction over civil matters raising federal questions, civil matters with diversity of citizenship, and federal criminal matters. While the authority of magistrate judges is set forth in 28 U.S.C. § 636, district judges have broad discretion in how to use magistrate judges. In the Northern District of Indiana, civil cases other than bankruptcy appeals and certain petitions for a writ of habeas corpus are automatically assigned a magistrate judge, who handles all non-dispositive pretrial proceedings.

When the parties unanimously consent to me handling all aspects of a civil case, I rule on dispositive motions, preside over trials, and exercise the full jurisdiction of the district court. In criminal cases, I review and issue search and seizure warrants, preside over initial appearances and arraignments, rule on detention hearings and preliminary hearings regarding probable cause, and conduct final pretrial conferences. District judges routinely refer me additional matters, including settlement conferences, plea agreements, and suppression hearings. I also preside over the misdemeanor docket for the district court.

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

I have presided over three cases that have gone to verdict or judgment following trial.

- i. Of these cases, approximately what percent were:

jury trials:	67%
bench trials:	33%

- ii. Of these cases, approximately what percent were:

civil proceedings:	67%
criminal proceedings:	33%

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

See attached list of opinions.

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

1. *Welborn v. Ethicon Inc.*, No. 2:22-CV-92-PPS-JPK, 2022 WL 17600302 (N.D. Ind. Dec. 12, 2022), *R & R adopted*, 2023 WL 22161 (N.D. Ind. Jan. 3, 2023)

The Welborns filed this lawsuit under the Indiana Medical Malpractice Act. The litigation was removed to federal court, where the Plaintiffs filed a motion to remand and the Defendants sought a severance. The motion to remand was referred to me by the presiding district judge for a report and recommendation. I issued a report and recommendation concerning the proper interpretation of a statute that controls removal of cases that are originally filed in state court to federal court and when remand to state court is appropriate in such actions. Arguments concerning this statute were made in light of the requirements in the Indiana Medical Malpractice Act, and a split in case law. After receiving no objections, the district judge adopted my report and recommendation, remanding the action to state court.

Counsel for Plaintiffs:

Robert A. Langer  
Steven L. Langer  
Langer & Langer  
4 Indiana Avenue  
Valparaiso, IN 6383  
(219) 464-3246

Counsel for Defendants:

Steven A. Baldwin  
Joel Thaddeus Larson, Jr.  
Barnes & Thornburg, LLP  
11 South Meridian Street  
Indianapolis, IN 46204  
(317) 231-6472

2. *Williams v. Hensley et al.*, No. 3:20-CV-798 (N.D. Ind.)

Mr. Williams sued the correctional facility where he formerly served a term of imprisonment and various officials working there. Upon the required screening, the presiding district judge granted leave for Mr. Williams to proceed against a prison official on claims relating to allegations the official retaliated against Mr. Williams by placing him in restrictive housing. The case was referred to me for a judicial settlement conference. I conducted a judicial settlement conference, and the parties reached a settlement.

Plaintiff proceeded pro se

Counsel for Defendants:

Julie Tront  
Indiana Attorney General's Office  
Indiana Government Center South  
302 West Washington Street, 5th Floor

Indianapolis, IN 46204  
(317) 234-7112

3. *United States v. Summit, Inc.*, No. 2:19-CV-250-HAB-JPK, 2022 WL 2195443 (N.D. Ind. Jan. 6, 2022), *R & R adopted*, 2022 WL 2093256 (N.D. Ind. June 10, 2022)

The United States Environmental Protection Agency (EPA) brought an enforcement action against Mr. Coulopoulos and Summit, Inc., a company he ran. After the EPA's administrative prosecution of Mr. Coulopoulos, the government filed a civil action in federal court. The government moved for a default judgment on the grounds that the defendants were properly served, failed to plead or otherwise defend the case, and were previously defaulted. The presiding district judge referred the matter to me. I issued a report and recommendation detailing the claims against Mr. Coulopoulos and Summit, Inc. and recommending default judgment. Mr. Coulopoulos objected to my report and recommendation, and the presiding judge overruled his objections.

Counsel for United States:

Wayne Ault  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Counsel for Defendants:

Christian J. Jorgensen  
Dressler & Peters LLC  
70 West Hubbard Street, Suite 200  
Chicago, IL 60654  
(312) 602-7365

4. *United States v. Beasley*, No. 2:18-CR-126-JTM-JPK, 2019 WL 2648980 (N.D. Ind. June 11, 2019), *R & R adopted*, 2019 WL 2647615 (N.D. Ind. June 27, 2019)

Mr. Beasley was charged with possessing a firearm as a previously convicted felon. Following a contested hearing under the Bail Reform Act, I ordered him detained pending trial. Mr. Beasley subsequently filed a motion to suppress a firearm that was found after a traffic stop, arguing that in ordering him out of the car and conducting a pat down search, an officer conducted an unlawful search and seizure. The presiding district judge referred the motion to suppress to me for a report and recommendation. I held an evidentiary hearing, after which I issued a report and recommendation calling for the denial of the motion to suppress. The

presiding judge adopted my report and recommendation, denying the motion to suppress.

Mr. Beasley then pled guilty pursuant to a plea agreement. The presiding judge referred the plea agreement to me for a report and recommendation. I held a change of plea hearing and recommended acceptance of the plea agreement. The presiding judge adopted my recommendation.

Counsel for United States:

Caitlin M. Padula  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Counsel for Defendant:

Mark K. Gruenhagen  
833 West Lincoln Highway, Suite 450 E  
Schererville, IN 46375  
(219) 322-3000

5. *United States v. Sumbry*, No. 2:20-CR-35-PPS-JPK, 2020 WL 2092838 (N.D. Ind. May 1, 2020)

Mr. Sumbry was charged with possessing a firearm as a previously convicted felon. I held multiple hearings on detention and issued an opinion which addressed, among other things, the proper standard to apply when considering temporary release for a compelling reason under the Bail Reform Act. I ordered Mr. Sumbry detained pending trial. My order of detention was upheld on review by the presiding district judge. Mr. Sumbry has since pled guilty and is awaiting sentencing.

Counsel for United States:

Caitlin M. Padula  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Counsel for Defendant:

R. Brian Woodward  
Woodward Law Offices LLP  
Weston Court  
200 East 90th Drive

Merrillville, IN 46410  
(219) 736-9990

P. Jeffrey Schlesinger  
8396 Mississippi Street, Suite G  
Merrillville, IN 46410  
(219) 736-5555

6. *Danalds v. Berryhill*, No. 1:18-CV-233 (N.D. Ind.)

Mr. Danalds sought review of an administrative law judge's denial of his claim for disability insurance benefits and supplemental security income. The parties consented to my jurisdiction for all district court proceedings. I found that the administrative law judge did not build a logical bridge between Mr. Danalds' limitations in work settings and his ability to concentrate and the residual functional capacity assessment. Based upon these findings, as well as the need for the administrative law judge to provide greater articulation regarding the weight given to evidence provided by multiple doctors, I remanded for further proceedings before the Social Security Administration. Judgment was entered in favor of the plaintiff and my decision was not appealed.

Counsel for Plaintiff:

Theodore F. Smith, Jr.  
800 Main Street, Suite 307  
Anderson, IN 46016  
(765) 644-8410

Counsel for United States:

Keeya M. Jeffrey  
Social Security Administration  
Office of the General Counsel  
6401 Security Boulevard  
Altmeyer Building, Room 617  
Baltimore, MD 21235  
(410) 965-3807

7. *Szany v. Garcia*, No. 2:17-CV-74-PPS-JPK, 2019 WL 5027394 (N.D. Ind. July 3, 2019), *R & R adopted in part*, 2019 WL 3889560 (N.D. Ind. Aug. 19, 2019); *see also* 2019 WL 3889558 (N.D. Ind. Aug. 19, 2019); 2019 WL 3812492 (N.D. Ind. Aug. 14, 2019); 2019 WL 1490530 (N.D. Ind. Apr. 3, 2019); 2019 WL 1035798 (N.D. Ind. Mar. 5, 2019)

Ms. Szany brought claims of sexual harassment and a hostile work environment against the city of Hammond, where she remained employed as a police officer, and state law tort claims against Mr. Garcia, her former coworker. I issued multiple rulings throughout the course of discovery, including an opinion and

order addressing the proper scope of discovery, a separate order regarding a dispute over the extent of redactions required for a document filed with the court, and a determination of whether documents submitted for *in camera* review were privileged. The presiding district judge referred me several other motions stemming from issues that arose during the discovery phase of this litigation seeking dispositive relief, including Ms. Szany's motion for sanctions, Hammond's motion for a rule to show cause why Ms. Szany should not be held in contempt, and a related motion to strike. I recommended the presiding judge deny Ms. Szany's motion for sanctions after detailing why it was not supported by the record. Hammond's motion centered on three public statements Ms. Szany's counsel made to a reporter, which were repeated in a newspaper article. I found that one of the statements had the potential to run afoul of a rule of professional conduct and ordered counsel to submit an affidavit concerning the basis for the statement. The presiding judge adopted my report and recommendation "in large part" and modified it by striking the requirement for an affidavit, noting that the article was unlikely to taint a jury pool in a manner that warranted further investigation. The presiding judge later granted summary judgment to Hammond and dismissed the state law claims against Mr. Garcia for lack of federal jurisdiction.

Counsel for Plaintiff:

Christopher C. Cooper  
Law Office of Christopher Cooper Inc.  
105 West Madison Street, Suite 1350  
Chicago, IL 60602  
(312) 473-2968

Counsel for Defendant Garcia:

Donald Paul Levinson  
Shana D. Levinson  
Levinson & Levinson  
384 West 80th Place  
Merrillville, IN 46410  
(219) 576-2714

Counsel for Defendant City of Hammond:

David J. Beach  
John M. McCrum  
Ryan A. Cook  
Eichhorn & Eichhorn  
2929 Carlson Drive, Suite 100  
Hammond, IN 46323  
(219) 931-0560

8. *United States v. Gibson*, 384 F. Supp. 3d 955 (N.D. Ind. 2019)

Mr. Gibson was charged with bank fraud and identity theft. The government moved for detention, arguing that Mr. Gibson posed a serious risk of flight. I heard argument on whether it was proper for me to detain Mr. Gibson based on the danger he presented to the community, and the correct interpretation of the Bail Reform Act. After the hearing, I denied the government's motion for pretrial detention. While the government was seeking review of my order, Mr. Gibson agreed to pretrial detention and later pled guilty. The plea hearing was referred to me. I recommended acceptance of the plea agreement, and the presiding district judge adopted my recommendation and later sentenced Mr. Gibson.

Counsel for United States:

Alexandra McTague  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Counsel for Defendant:

Alison Benjamin  
Paul G. Stracci  
Stracci Law Group  
11890 Broadway  
Crown Point, IN 46307  
(219) 525-1000

9. *Leal v. TSA Stores, Inc. d/b/a The Sports Authority, et al.*, No. 2:13-CV-318  
(N.D. Ind.)

Following a bicycle crash which caused injury, Ms. Leal brought product liability claims against several parties, including the store where her husband purchased the bicycle. The claims were narrowed and all parties other than the store were terminated through pretrial motions. After I conducted a settlement conference, the parties consented to my jurisdiction for all further district court proceedings. I presided over pretrial motions and a jury trial on liability, with the parties stipulating to damages. The trial centered on whether the bicycle's handlebars were adequately tightened and inspected prior to sale. The jury returned a verdict for Ms. Leal. The defendant store moved for a mistrial based upon a claim that Leal violated a pretrial ruling. That motion was later withdrawn pursuant to a settlement agreement.

Counsel for Plaintiff:

Colby A. Barkes  
Blachly, Tabor, Bozik, & Hartman LLC  
56 South Washington Street, Suite 401

Valparaiso, IN 46383  
(219) 464-1041

Counsel for Defendant:

Daniel G. Suber  
Daniel G. Suber & Associates  
1127 Augusta Street  
Oak Park, IL  
(312) 899-1811

10. *Donald v. Outlaw*, No. 2:17-CV-32-TLS-JPK, 2021 WL 1560814 (N.D. Ind. Apr. 21, 2021); *see also* 2020 WL 5640746 (N.D. Ind. Sept. 22, 2020); 2019 WL 3562158 (N.D. Ind. Aug. 6, 2019); 2019 WL 3335031 (N.D. Ind. July 24, 2019)

Mr. Donald was convicted of robbery and murder following a trial in June 1992. His convictions were subsequently overturned and all charges against him were dismissed. Mr. Donald filed his pending federal lawsuit via 42 U.S.C. § 1983 against two police officers involved in his prosecution and the City of Gary, alleging due process violations connected to an investigation, prosecution, and conviction for crimes he did not commit. I ruled on multiple discovery disputes, including two motions to quash subpoenas, which involved arguments as to the proper standard of review under the Federal Rules of Civil Procedure and/or the Administrative Procedure Act. Upon a motion for review, the presiding district judge upheld my rulings. The case remains pending before the presiding judge.

Counsel for Plaintiff:

Scott R. Drury  
6 Carriage Lane  
Highwood, IL 60040  
(312) 358-8225

Counsel for Defendant Outlaw:

Ricardo A. Hall  
Kopka, Pinkus, & Dolin  
9801 Connecticut Drive  
Crown Point, IN 46307  
(219) 794-1888

Counsel for Defendant City of Gary:

Michael E. Tolbert  
Tolbert & Tolbert LLC  
1085 Broadway, Suite B  
Gary, IN 46402  
(219) 427-0094

Counsel for United States:

Dirk D. DeLor  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5659

Counsel for Lake County Prosecutor's Office:

Christopher M. Anderson  
Deputy Attorney General  
Indiana Attorney General's Office  
Indiana Government Center South  
302 West Washington Street, 5th Floor  
Indianapolis, IN 46204  
(317) 233-8647

- 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.

1. *Welborn v. Ethicon Inc.*, No. 2:22-CV-92-PPS-JPK, 2022 WL 17600302 (N.D. Ind. Dec. 12, 2022), *R & R adopted*, 2023 WL 22161 (N.D. Ind. Jan. 3, 2023)

Counsel for Plaintiffs:

Robert A. Langer  
Steven L. Langer  
Langer & Langer  
4 Indiana Avenue  
Valparaiso, IN 6383  
(219) 464-3246

Counsel for Defendants:

Steven A. Baldwin  
Joel Thaddeus Larson, Jr.  
Barnes & Thornburg, LLP  
11 South Meridian Street  
Indianapolis, IN 46204  
(317) 231-6472

2. *Etherington v. Saul*, No. 1:19-CV-475-JVB-JPK, 2021 WL 414556 (N.D. Ind. Jan. 21, 2021), *R & R adopted sub nom. Bart E. v. Saul*, 2021 WL 411440 (N.D. Ind. Feb. 5, 2021)

Counsel for Plaintiff:

Jason Rodman  
Randal Forbes  
Forbes Rodman PC  
312 North Wayne Street  
Angola, IN 46703  
(260) 665-1002

Counsel for United States:

Kathleen Trzyna  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

3. *United States v. Sumbry*, No. 2:20-CR-35-PPS-JPK, 2020 WL 2092838 (N.D. Ind. May 1, 2020)

Counsel for United States:

Caitlin M. Padula  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Counsel for Defendant:

R. Brian Woodward  
Woodward Law Offices LLP  
Weston Court  
200 East 90th Drive  
Merrillville, IN 46410  
(219) 736-9990

P. Jeffrey Schlesinger  
8396 Mississippi Street, Suite G  
Merrillville, IN 46410  
(219) 736-5555

4. *Eastgate Invs. I, LLC v. MW Builders, Inc.*, No. 2:19-CV-304-JTM-JPK, 2020 WL 1887936 (N.D. Ind. Apr. 15, 2020)

Counsel for Plaintiff:

Christina Phillips  
Edward Eshoo, Jr.

Merlin Law Group PA  
181 West Madison Street, Suite 3475  
Chicago, IL 60602  
(312) 260-0806

Counsel for Defendant:

Alexander Trueblood  
William Kelley, Jr.  
Drewry, Simmons, Vornehm LLP  
Carmel City Center  
736 Hanover Place, Suite 200  
Carmel, IN 46032  
(317) 580-4848

5. *Oliver v. Saul*, No. 1:19-CV-29-JPK, 2020 WL 1527843 (N.D. Ind. Mar. 31, 2020)

Counsel for Plaintiff:

Jason Rodman  
Randal Forbes  
Forbes Rodman PC  
312 North Wayne Street  
Angola, IN 46703  
(260) 665-1002

Counsel for United States:

Sharon Jefferson  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

6. *Otis S. v. Saul*, No. 1:18-CV-372-WCL-JPK, 2019 WL 7669923 (N.D. Ind. Dec. 19, 2019), *R & R adopted*, 2020 WL 408407 (N.D. Ind. Jan. 24, 2020)

Counsel for Plaintiff:

Jason Rodman  
Randal Forbes  
Forbes Rodman PC  
312 North Wayne Street  
Angola, IN 46703  
(260) 665-1002

Counsel for United States:

Sharon Jefferson  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

7. *Szany v. City of Hammond*, No. 2:17-CV-74-PPS-JPK, 2019 WL 3812492  
(N.D. Ind. Aug. 14, 2019)

Counsel for Plaintiff:  
Christopher C. Cooper  
Law Office of Christopher Cooper Inc.  
105 West Madison Street, Suite 1350  
Chicago, IL 60602  
(312) 473-2968

Counsel for Defendant Garcia:  
Donald Paul Levinson  
Shana D. Levinson  
Levinson & Levinson  
384 West 80th Place  
Merrillville, IN 46410  
(219) 576-2714

Counsel for City of Hammond:  
David J. Beach  
John M. McCrum  
Ryan A. Cook  
Eichhorn & Eichhorn  
2929 Carlson Drive, Suite 100  
Hammond, IN 46323  
(219) 931-0560

8. *United States v. Gibson*, 384 F. Supp. 3d 955, 957 (N.D. Ind. 2019)

Counsel for United States:  
Alexandra McTague  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Counsel for Defendant:

Alison Benjamin  
Paul G. Stracci  
Stracci Law Group  
11890 Broadway  
Crown Point, IN 46307  
(219) 525-1000

9. *Trustees of Indiana State Council of Roofers Health & Welfare Fund v. CMT Roofing, LLC*, No. 4:16-CV-87-JPK, 2019 WL 968064 (N.D. Ind. Feb. 28, 2019)

Counsel for Plaintiff:

Paul E. Stoehr  
Ledbetter Parisi LLC  
5078 Wooster Road, Suite 400  
Cincinnati, OH 45226  
(937) 619-0900

Counsel for Defendant:

Thomas A. Durphy  
Shands, Elbert, Gianoulakis & Giljum  
8235 Forsyth Boulevard, Suite 700  
Saint Louis, MS 63105  
(314) 241-3963

10. *Obenchain v. Comm'r of Soc. Sec. Admin.*, No. 1:20-CV-168-JVB-JPK, 2022 WL 10311981 (N.D. Ind. June 24, 2022), *R & R adopted sub nom. Obenchain v. Kijakazi*, 2022 WL 4545937 (N.D. Ind. Sept. 28, 2022)

Counsel for Plaintiff:

Jason Rodman  
Randal Forbes  
Forbes Rodman PC  
312 North Wayne Street  
Angola, IN 46703  
(260) 665-1002

Counsel for United States:

Sharon Jefferson  
Assistant United States Attorney  
United States Attorney's Office  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

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

To the best of my knowledge, based on a review of my records and legal databases, certiorari has only been requested in *Kennedy v. Schneider Elec.*, 893 F.3d 414 (7th Cir. 2018), *cert. denied*, 139 S. Ct. 1294 (2019).

- 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.

In *McInnis v. City of Hobart and Veteran's Village*, No. 23-1834 (7th Cir. 2023), the United States Court of Appeals for the Seventh Circuit dismissed an appeal after noting that it appeared not all parties consented, under 28 U.S.C. § 636(c), to my jurisdiction to handle dispositive motions. The clerk's office routinely handles reassignment upon consent and I have instituted procedures to confirm the consent of all parties prior to issuing dispositive orders.

*United States v. Gates*, No. 2:21-cr-98-PPS-JPK (N.D. Ind. May 10, 2023). A plea agreement was filed in two cases, one pending since 2021 and a second brought through a newly-filed information. The plea agreement included multiple charges. At the initial plea hearing, I questioned whether there was a factual basis regarding the lead count, a RICO conspiracy. The government and defense asked that the matter be reset as to that count, and at first argued that a factual basis was set forth or could be at the next hearing. I recommended acceptance of the plea agreement on the other counts. At the subsequent hearing to lay the factual basis for the RICO conspiracy, both parties agreed the factual basis was not in fact present. I informed that government that if it wanted to proceed with a plea to less than all of the counts in the plea agreement, I expected them to file an amended plea agreement. I then set the matter over for hearing. Consistent with that approach, the district judge rejected my earlier recommendation as to the acceptance of a plea to the counts for which there was a factual basis. The parties have filed an amended plea agreement, which was referred to me by the district judge and is currently pending.

*Szany v. Garcia*, No. 2:17-CV-74-PPS-JPK, 2019 WL 5027394 (N.D. Ind. July 3, 2019), *R & R adopted in part*, 2019 WL 3889560 (N.D. Ind. Aug. 19, 2019). I recommended the presiding district judge deny Ms. Szany's motion for sanctions after detailing why it was not supported by the record. That part of my report and recommendation was adopted over Ms. Szany's objection. Co-Defendant City of Hammond made a separate motion, which was decided as part of the same report and recommendation. Hammond's motion centered on three public statements Ms. Szany's counsel made to a reporter, which were repeated in a newspaper article. I found that one of the statements had the potential to run afoul of a rule of professional conduct and ordered counsel to submit an affidavit concerning the basis for the statement. The presiding judge adopted my report and

recommendation "in large part" and modified it by striking the requirement for an affidavit, noting that the article was unlikely to taint a jury pool in a manner that warranted further investigation.

- 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.

I have issued hundreds of orders, reports and recommendations, and opinions, three of which have been published in a reporter series. Approximately 200 are currently available on Westlaw. To the extent that I have issued decisions that have not been posted on a legal database like Westlaw, those decisions are maintained in the Court's CM/ECF system and are available to the public, with the exception of a small number of sealed matters.

- 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.

*Carter v. Indiana*, No. 2:21-CV-256-PPS-JPK, 2022 WL 16833590 (N.D. Ind. Nov. 8, 2022)

*Obenchain v. Comm'r of Soc. Sec. Admin.*, No. 1:20-CV-168-JVB-JPK, 2022 WL 10311981 (N.D. Ind. June 24, 2022), *R & R adopted sub nom. Obenchain v. Kijakazi*, 2022 WL 4545937 (N.D. Ind. Sept. 28, 2022)

*United States v. Banks*, No. 2:19-CR-128-JTM-JPK, 2021 WL 3486433 (N.D. Ind. June 4, 2021), *R & R adopted*, 2021 WL 3473799 (N.D. Ind. Aug. 6, 2021)

*Doe v. Purdue Univ.*, No. 2:17-CV-33-JPK, 2020 WL 2542674 (N.D. Ind. May 19, 2020)

*United States v. Beasley*, No. 2:18-CR-126-JTM-JPK, 2019 WL 2648980 (N.D. Ind. June 11, 2019), *R & R adopted*, 2019 WL 2647615 (N.D. Ind. June 27, 2019)

*United States v. Gibson*, 384 F. Supp. 3d 955 (N.D. Ind. 2019)

- 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.

I have never sat by designation on any federal court of appeals.

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:

- 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.

I determine whether it is appropriate and necessary to recuse myself in accordance with the Code of Conduct for United States Judges, relevant statutory authority, and the Seventh Circuit's Mandatory Conflict Screening Implementation Plan. I routinely consult with ethics officials from the Administrative Office of the United States Courts, while remaining cognizant that it is ultimately my responsibility to ensure that I am adhering to statutory authority and the Code of Conduct for United States Judges.

I keep, and regularly update, a recusal list in a screening program that automatically generates a report on a daily basis to identify possible conflicts with cases assigned to me. I always recuse myself from cases where my father, or his law firm, represent any party. In addition, I recuse myself from any case I worked on while an Assistant United States Attorney.

Consistent with 28 U.S.C. § 455, and other relevant ethical canons or rules, I recused myself *sua sponte* in the following cases due to my involvement in the case, or a related matter, during my prior work at the United States Attorney's Office:

*United States v. Williams*, No. 2:01-CR-67-JTM-APR

*United States v. Rodgers*, No. 2:08-CR-2-PPS-APR

*United States v. Finnell*, No. 2:13-CV-397-JVB-APR

*United States v. Bewley*, No. 2:20-CV-4-JTM-APR

*United States v. Cundiff*, No. 2:16-CR-128-JEM

*United States v. \$89,866.18, et al.*, No. 2:16-CV-42-JEM

*Nanshan Am. Advanced Aluminum Techs., LLC v. Am. Aluminum Extrusion Co., LLC*, No. 4:19-CV-70-JVB-JEM

*United States v. 2014 Nissan Altima 2.5L VIN 1N4A3AP9EC195679*, No. 2:17-CV-119-JVB

*TAFS, Inc. v. Nanshan Am. Advanced Aluminum Techs., LLC*, No. 4:19-CV-94-JTM-JEM

I recused myself in the following cases because of a personal or business relationship with a party, as more fully set forth below. I recused consistent with 28 U.S.C. § 455, and other relevant ethical canons or rules because I believed my impartiality might reasonably be questioned and that issue could not be cured.

*Waystar Envy, Inc. v. Lybolt*, No. 2:19-CV-374-JTM-JEM. I recused myself from a case involving a former real estate agent, who represented us in the purchase of our family home.

*Kimbrough v. Team Honda*, No. 2:20-CV-57-JTM-APR. I recused myself from this case because I was purchasing a vehicle from the defendant.

*Comandella v. Town of Munster*, No. 2:17-CV-370-JEM. I recused myself from this case because of a friendship with an individual who was set to appear before me as a party representative.

*Flores v. City of South Bend*, 2:19-CV-64-PPS-JEM. I recused myself from this case due to the appearance of an attorney who was a friend of my family and whose family was involved in earlier charitable events with which I was associated.

*Jones v. Reillo et al.*, No. 2:21-CV-142-TLS. I recused myself from this case because of a friendship with an individual who was set to appear before me as a party representative.

I recused myself in the following cases because my father's law firm represented a party or an insurance company with an interest in the matter:

*National Union Fire Ins. Co. v. Gary/Chicago Int'l Airport Auth.*, No. 2:17-CV-35-JVB-APR.

*Old Republic Ins. Co. v. Gary/Chicago Int'l Airport Auth.*, No. 2:15-CV-281-JVB-APR.

*Gary/Chicago Int'l Airport Auth. v. Honeywell Int'l Inc.*, No. 2:17-CV-95-JVB-APR.

A party has moved for my recusal twice:

In *Kennedy v. Schneider Electric, Inc., f/k/a Square D Company*, No. 2:12-CV-122-JVB-JPK, plaintiff's counsel filed two motions seeking my recusal on the basis that (1)

defense counsel and I had donated to the same charitable organization in 2007 and (2) defendant and I had contemporaneous charitable connections to the Shedd Aquarium. I denied both motions, because I did not believe my impartiality might reasonably be questioned in the circumstances. *See Kennedy v. Schneider Electric*, 2019 WL 3973910 (N.D. Ind. Aug. 22, 2019); 2019 WL 4926858 (N.D. Ind. Oct. 7, 2019).

In *Doe v. Purdue University*, No. 2:17-cv-33-JPK, plaintiff's counsel moved for my recusal in July 2023 alleging that my impartiality might reasonably be questioned and that I have a personal bias or prejudice. That motion is pending.

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.

None.

- 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.

None.

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

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

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

From 2005 to 2006, I served as a law clerk to the Honorable Wayne R. Andersen of the United States District Court for the Northern District of Illinois.

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

I 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;

Summer 2003  
Office of the Cook County Public Defender  
69 West Washington Street, Suite 1600  
Chicago, Illinois 60602  
Law Clerk & Public Interest Law Initiative (PILI) Fellow

2003 – 2005; 2006 – 2007  
Mayer Brown LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
Associate

2007 – 2018  
United States Attorney's Office for the Northern District of Indiana  
5400 Federal Plaza  
Hammond, Indiana 46320  
Assistant United States Attorney  
National Security Lead and Antiterrorism Advisory Council Coordinator  
(2015 – 2018)

- 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 never served as a mediator or arbitrator in alternative dispute resolution proceedings while practicing law.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

From 2003 to 2005, I worked at Mayer Brown LLP in Chicago. My job responsibilities included drafting discovery, reviewing discovery, and assisting clients in preparing discovery responses. I also took part in the drafting of dispositive motions and attended depositions. My work focused on antitrust matters, criminal defense, internal investigations, a civil RICO case, and the pro bono representation of indigent clients.

After clerking, I returned to Mayer Brown LLP from 2006 to 2007. My practice included taking and defending depositions, representing individuals and corporations in grand jury investigations and complex civil litigation, conducting internal investigations, and engaging in the pro bono representation of indigent clients.

I joined the United States Attorney's Office for the Northern District of Indiana in 2007. From 2007 to 2018, I represented the United States in a wide array of criminal matters, including investigations and prosecutions of public corruption, terrorism-related offenses, sanctions violations, violent crimes, narcotics conspiracies, and firearms offenses. With more than a dozen jury verdicts and significant experience arguing before the Seventh Circuit Court of Appeals, my time at the United States Attorney's Office covered all aspects of federal criminal practice.

Upon joining the United States Attorney's Office, I served as the appellate point of contact, and my trial court caseload consisted mainly of firearms and narcotics violations. By 2009, the majority of my cases were proactive federal wiretap investigations targeting narcotics conspiracies, and I was taking on less appellate work. In 2011, I started working on national security investigations, and my caseload slowly shifted away from firearms and narcotics matters. In 2012, public corruption investigations involving multiple elected officials consumed a significant amount of my time. I continued working on public corruption investigations until 2016, when my national security caseload required nearly full-time attention.

I was deployed to Afghanistan as a Navy intelligence officer for portions of 2014 and 2015. Upon returning to the United States Attorney's Office, I served as the National Security Lead and Anti-Terrorism Advisory Council (ATAC) Coordinator. In that role, I managed all national security cases throughout the Northern District of Indiana, including terrorism investigations, export control matters, and sanctions violations. In addition to prosecuting cases and overseeing investigations, I worked closely with the Joint Terrorism Task Force, monitored counter-terrorism efforts, and maintained relationships with various stakeholders.

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

While at Mayer Brown (2003 to 2005 and 2006 to 2007), I was an associate representing primarily large corporations and individuals in corporate litigation or white-collar criminal investigations. During these periods, I also devoted substantial time to representing indigent defendants in pro bono matters.

From 2007 to 2018, I appeared only on behalf of the United States of America. I specialized at various times in appellate work, firearms and narcotics prosecutions, public corruption investigations, and national security matters.

- 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.

My practice consisted almost exclusively of litigation, with a small number of internal investigations while in private practice. I practiced in both state and federal court while an associate at Mayer Brown LLP, occasionally appearing in court. I joined the United States Attorney's Office in 2007 and appeared in court on an almost daily basis while I was prosecuting mostly firearms and narcotics matters from 2007 to early 2009. My court appearances decreased in frequency as I took on more long-term investigations.

i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 94% |
| 2. state courts of record:  | 5%  |
| 3. other courts:            | 0%  |
| 4. administrative agencies: | 1%  |

ii. Indicate the percentage of your practice in:

- |                          |     |
|--------------------------|-----|
| 1. civil proceedings:    | 15% |
| 2. criminal proceedings: | 85% |

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

I tried 16 cases to verdict, including one pro bono criminal bench trial in state court, one asylum hearing before an administrative law judge, and 14 federal criminal jury trials. I tried all cases with co-counsel, with the workload evenly split. Approximately half of my jury trials as an Assistant United States Attorney were cases I was responsible for indicting and where I served as primary counsel. I have also litigated numerous contested hearings in federal court. Additionally, I have briefed and argued a number of appeals in the United States Court of Appeals for the Seventh Circuit. I briefed and argued 10 appeals before the Seventh Circuit, was responsible for briefing another five matters, and argued another five matters.

i. What percentage of these trials were:

- |              |     |
|--------------|-----|
| 1. jury:     | 88% |
| 2. non-jury: | 12% |

- 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 practiced before the United States Supreme Court.

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. Elhassani*, No. 2:18-CR-33 (N.D. Ind.) (Simon, J.)

In 2018, I, along with co-counsel, prosecuted Ms. Elhassani for conspiracy to provide material support to ISIS and aiding and abetting the providing of such material support after traveling with her husband and young children to Syria. I was the primary Assistant United States Attorney responsible for the investigation and initial charging of Ms. Elhassani. I provided argument at the detention hearing, along with co-counsel. Ms. Elhassani pled guilty to charges of financing terrorism and was sentenced to 78 months, although at that time I was no longer involved with the case due to my selection as a magistrate judge.

Co-counsel for the United States:

Abizer Zanzi  
Assistant United States Attorney  
United States Attorney's Office  
Northern District of Indiana  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Opposing Counsel:

Joshua G. Herman  
Law Office of Joshua G. Herman  
53 West Jackson Boulevard, Suite 1650  
Chicago, IL 60604  
(312) 909-0434

Thomas Anthony Durkin  
Durkin & Roberts

209 South LaSalle Street, Suite 950  
Chicago, IL 60604  
(312) 981-0123

2. *United States v. Krieg*, No. 2:17-CR-146 (N.D. Ind.) (Van Bokkelen, J.)

From 2017 to 2018, I led the prosecution of Mr. Krieg for making an unregistered destructive device, mailing a destructive device, malicious use of explosive materials, possession of a destructive device in furtherance of a crime of violence, and mailing a threatening communication. As detailed in his guilty plea, Mr. Krieg mailed a pipe bomb, hoping that it would kill or injure a local attorney. The pipe bomb instead exploded at a United States Post Office in East Chicago, Indiana. Mr. Krieg also mailed a threatening communication to a separate victim. I responded to the post office shortly after the explosion and worked on the investigation and prosecution with a colleague until I left the United States Attorney's Office in December 2018. Mr. Krieg pled guilty in December 2018. In March 2019, Krieg was sentenced to 348 months of imprisonment.

Co-counsel for the United States:

Jennifer S. Chang-Adiga  
Assistant United States Attorney  
United States Attorney's Office  
Northern District of Illinois  
219 South Dearborn Street, Suite 500  
Chicago, IL 60604  
(312) 353-5300

Opposing Counsel:

Kevin Milner  
Law Offices of Kevin Milner  
1201 North Main Street, Suite A  
Crown Point, IN 46307  
(219) 406-0556

3. *United States v. Hussain*, No. 2:16-CR-42 (N.D. Ind.) (Simon, J.)

In 2016, I prosecuted Mr. Hussain for a multi-year conspiracy to violate the International Emergency Economic Powers Act (IEEPA) involving the shipment and attempted shipment of United States-origin products to Iran. The conspiracy used a company in Dubai, UAE to facilitate the transshipment of goods from the United States to Iran. The United States-origin products included air filters, mobile generators, optical equipment, and mold strength detectors used in the steel industry. Mr. Hussain pled guilty and was sentenced to 15 months imprisonment. I was the Assistant United States Attorney responsible for charging this matter. I traveled to Houston, Texas for Mr. Hussain's initial appearance and was designated a Special Assistant United States Attorney for the Southern District of Texas so that I could personally handle all aspects of the case. I represented the United States at sentencing, where the government argued for, and

obtained, a sentencing enhancement based upon national security concerns, resulting in a 15-month sentence.

Opposing Counsel:

J. Scott Maberry  
Sheppard, Mullin, Richter & Hampton LLP  
2099 Pennsylvania Avenue, Northwest, Suite 100  
Washington, DC 20006  
(202) 747-1909

Kevin R. Puvalowski (formerly with Sheppard, Mullin, Richter & Hampton LLP)  
Senior Deputy Superintendent  
Consumer Protection and Financial Enforcement  
New York State Department of Financial Services  
1 State Street  
New York, NY 10004  
(212) 709-7156

4. *United States v. Hicks*, No. 2:16-CR-150 (N.D. Ind.) (Van Bokkelen, J.)

From 2016 to 2018, I prosecuted Mr. Hicks for distributing information regarding the manufacture and use of a destructive device in furtherance of a crime of violence after he communicated his willingness to commit an attack similar to the mass casualty attack carried out at the Pulse nightclub in Orlando, Florida, and stressed that he wanted to do something “major major” without getting caught. In the agreed factual basis to the plea agreement, Mr. Hicks indicated that he shared documents concerning explosives and destructive devices and intended them for use in carrying out an attack in the United States in the name of the Islamic State of Iraq and the Levant. Mr. Hicks was sentenced to 180 months of imprisonment. I was the Assistant United States Attorney assigned to, and responsible for, this matter.

Opposing Counsel

Roxanne Mendez Johnson  
Federal Community Defenders  
Northern District of Indiana  
2929 Carlson Drive, Suite 101  
Hammond, IN 46323  
(219) 937-8020

5. *United States v. Warne*, No. 2:16-CR-23 (N.D. Ind.) (Simon, J.)

In 2018, I prosecuted Mr. Warne for embezzling funds from the community bank where he served as president after procuring more than six million dollars through fraudulent loans. I was the sole Assistant United States Attorney responsible for this matter, handling the charging, plea agreement, and sentencing. After testimony concerning the severity of the harm Mr. Warne caused, he was sentenced to 78 months of imprisonment.

Opposing Counsel

William T. Enslin (deceased)

6. *United States v. Soderquist*, No. 2:14-CR-31 (N.D. Ind.) (Lozano, J.)

From 2014 to 2016 (with a break for military leave), I, along with co-counsel, prosecuted Mr. Soderquist – the Mayor of Lake Station, Indiana – and his wife – his administrative assistant and campaign treasurer – for conspiracy, wire fraud, and false tax filings. The charges alleged that the Soderquists embezzled funds from both the campaign committee and a food pantry the city operated for its neediest residents and spent the vast majority of the proceeds at an area casino. I worked on all aspects of the investigation, indicting the case with my colleagues shortly before I left in the summer of 2014 and trying the case upon my return to the office in 2015. At trial, I provided the government’s opening statement, examined numerous witnesses, and delivered part of the government’s closing argument. The Soderquists were found guilty on all counts. Mr. Soderquist was sentenced to 42 months of imprisonment. Mrs. Soderquist received a sentence of 24 months. After guilty pleas in a related case, no appeal was taken.

Co-counsel for the United States:

Philip C. Benson  
Assistant United States Attorney  
United States Attorney’s Office  
Northern District of Indiana  
5400 Federal Plaza, Suite 1500  
Hammond, IN 46320  
(219) 937-5500

Opposing Counsel:

Scott L. King  
Lakeisha C. Murdaugh  
Scott King Group  
Barrister Court  
9211 Broadway  
Merrillville, IN 46410  
(219) 263-0715

7. *United States v. Castaldi*, 547 F.3d 699 (7th Cir. 2008) (Flaum, Rovner, Williams, JJ.)

In 2008, I briefed and argued an appeal from the prosecution of Mr. Castaldi, who had been convicted of 13 counts of mail fraud and embezzlement from an employee benefit plan he ran for a local union. Mr. Castaldi challenged the sufficiency of the indictment, the sufficiency of the evidence, the admissibility of certain evidence, and his sentence. The conviction and 30-month sentence were upheld.

Opposing Counsel:

Clark Holesinger

Mr. Holesinger surrendered his law license after a criminal conviction and his contact information is not readily available.

8. *United States v. Clinton*, No. 2:08-CR-96 (N.D. Ind.) (Van Bokkelen, J.), *aff'd*, 591 F.3d 968 (7th Cir. 2010) (Bauer, Kanne, and Tinder, JJ)

From 2008 to 2009, I, along with co-counsel, prosecuted Mr. Clinton for possessing a firearm as a previously convicted felon. I was responsible for the investigation and charging of the case, representing the government with co-counsel during a suppression hearing and at trial. I conducted witness examinations and delivered the opening statement and closing rebuttal argument. At sentencing, Mr. Clinton challenged whether a previous conviction should be considered a crime of violence. I represented the government on appeal, briefing and arguing the case before the Seventh Circuit. The Seventh Circuit affirmed the conviction and sentence of 100 months of imprisonment.

Co-counsel for the United States:

Jennifer S. Chang-Adiga

Assistant United States Attorney

United States Attorney's Office

Northern District of Illinois

219 South Dearborn Street, Suite 500

Chicago, IL 60604

(312) 353-5300

Opposing Counsel:

P. Jeffrey Schlesinger

8396 Mississippi Street, Suite G

Merrillville, IN 46410

(219) 736-5555

9. *United States v. Zitt*, No. 2:09-CR-35 (N.D. Ind.) (Lozano, J.), *aff'd*, 714 F.3d 511 (7th Cir. 2013) (Posner, Kanne, Williams, JJ.)

From 2009 to 2013, I prosecuted Mr. Zitt for conspiracy to distribute one kilogram or more of heroin. Mr. Zitt proceeded to a jury trial and was convicted on all counts. At sentencing, I introduced evidence of heroin overdoses, including at least one fatality. The defendant was sentenced to a term of life imprisonment. I handled this investigation from its inception through sentencing, seeking an indictment as heroin overdoses were increasing in the area. I was lead counsel, delivering opening statements, examining multiple witnesses, and providing the government's closing rebuttal argument. I was also responsible for presenting evidence and argument at sentencing. The verdict and life sentence were upheld on appeal.

Co-counsel for the United States (trial):

Jennifer S. Chang-Adiga  
Assistant United States Attorney  
United States Attorney's Office  
Northern District of Illinois  
219 South Dearborn Street, Suite 500  
Chicago, IL 60604  
(312) 353-5300

Co-counsel for the United States (sentencing):  
Jacqueline L. Jacobs (retired)

Opposing Counsel:  
Adam Tavitias  
751 East Porter Avenue, Suite 3  
Chesterton, IN 46304  
(219) 245-2655

10. *Spagnola et al v. Kilrea et al.*, 1:02-CV-270 (N. D. IL)

From 2003 to 2005, I represented Mr. Weisbach, the founder and former CEO of HALO, a promotional products company. Weisbach and other former executives were sued by a class of shareholders alleging violations of the Securities Exchange Act. I was a new associate at Mayer Brown LLP and assisted with discovery, including depositions, and conducted legal research. A class of stockholders was certified. The class claims ultimately settled, with court approval.

Co-counsel  
The Honorable Thomas M. Durkin  
U.S. District Court, Northern District of Illinois  
219 South Dearborn Street, Suite 1446  
Chicago, IL 60604  
(312) 435-5840

Michele L. Odorizzi (retired)

Sheri Drucker Davis  
CareerBuilder  
200 North LaSalle, Suite 900  
Chicago, IL 60601  
(773) 331-7670

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s).

(Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

As an associate at Mayer Brown, I took part in internal investigations involving multiple witness interviews, significant document review, and presentations to enforcement officials, including a United States Attorney's Office. One matter was resolved through the payment of a civil fine, with an agreement that the government would not seek criminal charges. A separate matter involved interviews of several current and former senior executives and the preparation of a report for the audit committee of a board of directors.

As the Chair of the Local Rules Committee, I led efforts to streamline court practices where possible, oversaw the rewriting of rules related to summary judgment practice, and ensured that changes to the Federal Rules of Civil Procedure were reflected in our Local Rules and General Orders.

I have never performed any lobbying activities or registered as a lobbyist.

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.

None.

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

None.

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

As indicated above, I currently serve in the United States Navy Reserve. I have no other outside employment, and have no plans to pursue any outside employment. If it is not inconsistent with my judicial duties, if confirmed I plan to continue my service with the Navy Reserves.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items

exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

When my nomination is formally submitted to the Senate, I will file my Financial Disclosure Report and will supplement this Questionnaire with a copy of that Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

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

If confirmed, I would handle any matters involving actual or potential conflicts of interest by applying the Code of Conduct for United States Judges, 28 U.S.C. § 455, and other relevant ethical cannons or rules, as I do in my current role as a United States Magistrate Judge.

My father is a retired partner with Tressler LLP. I have recused myself from any matter where Tressler LLP represents one or more parties and would continue to do so as a circuit judge. I would also recuse myself from any case handled by my former spouse, who practices law in Chicago, and from any case handled by a family member. Neither my former spouse nor any family members who are lawyers are currently regularly appearing before the Seventh Circuit or, to the best of my knowledge, work on Seventh Circuit appeals.

I would recuse myself from any matter in which I have participated during my government service as a counsel, advisor, or material witness. I also would recuse myself from any matter where I served as lawyer or material witness while in private practice in the matter in controversy, or where a lawyer with whom I previously practiced law served during such association as a lawyer or material witness.

I do not own any individual stocks and have no financial arrangements that are likely to present potential conflicts of interest. I would recuse myself if my personal financial holdings or dealings created a need for recusal.

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

As a magistrate judge, I determine whether it is appropriate and necessary to recuse myself in accordance with federal law, 28 U.S.C. § 455, the Code of Conduct for United States Judges, and other relevant ethical canons, rules, and advisory opinions. If confirmed, I would continue to do so as a circuit judge.

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

As a United States Magistrate Judge and, formerly, as an Assistant United States Attorney, I am and was unable to take on direct pro bono representations. During that time, however, I have remained involved in my community through sustained and significant volunteer efforts. My time commitment for this volunteer work has varied, as my family, work, and military obligations have dictated. I served as a volunteer with a group at the Shedd Aquarium that raised funds targeted at providing field trips and other educational opportunities for children and conducted beach cleanups throughout Chicagoland. More recently, I helped lead a Boy Scout den, where we taught young scouts about the importance of civic engagement and community service.

While in private practice, I dedicated hundreds of hours each year to pro bono matters. Most of this time was spent representing indigent criminal defendants, including a juvenile in a post-conviction proceeding. I also represented a client who was seeking asylum, as well as a client in a landlord/tenant dispute.

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 March 3, 2023, an official from the White House Counsel's Office contacted me to determine whether I was interested in speaking further about potential nomination to the United States Court of Appeals for the Seventh Circuit. I interviewed with attorneys from the White House Counsel's Office on March 6, 2023. Since March 10, 2023, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On March 10, 2023, I spoke with staff from Senator Young's office. On June 7, 2023, I met with a staff member from Senator Braun's office. On July 6, 2023, I met with Senator Braun. On July

27, 2023, my nomination was submitted 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.