

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Brian Charles Lea

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

United States District Judge for the Western District of Tennessee

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.

Offices: RFK Main Justice Building
 950 Pennsylvania Avenue Northwest
 Washington, District of Columbia 20530

Residence: McLean, Virginia

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

1983; Montreal, Canada

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.

2006 – 2009, University of Georgia School of Law; J.D. (*summa cum laude*), 2009

2004 – 2006, Union University; B.A., 2006

2002 – 2004, Christian Brothers University; no degree

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.

2025 – Present

United States Department of Justice
950 Pennsylvania Avenue Northwest
Washington, District of Columbia 20530
Deputy Associate Attorney General

2017 – 2025
Jones Day
1221 Peachtree Street Northeast, Suite 400
Atlanta, Georgia 30361
Partner (2020 – 2025)
Associate (2017 – 2019)

2015 – 2017
University of Georgia School of Law
225 Herty Drive
Athens, Georgia 30602
Visiting Assistant Professor

2012 – 2014
Jones Day
1420 Peachtree Street Northeast, Suite 800
Atlanta, Georgia 30309
Associate

2011 – 2012
Honorable Clarence Thomas
Supreme Court of the United States
One First Street Northeast
Washington, District of Columbia 20543
Law Clerk

2010 – 2011
DLA Piper LLP (US)
1201 West Peachtree Street Northwest, Suite 2800
Atlanta, Georgia 30309
Associate

2009 – 2010
Honorable Edward Carnes
United States Court of Appeals for the Eleventh Circuit
1 Church Street
Montgomery, Alabama 36104
Law Clerk

2008 – 2009
University of Georgia School of Law

225 Herty Drive
Athens, Georgia 30602
Teacher's Assistant

2008
Smith, Gambrell & Russell LLP
1105 West Peachtree Street Northeast, Suite 1000
Atlanta, Georgia 30309
Summer Associate

2008
DLA Piper LLP (US)
1201 West Peachtree Street Northwest, Suite 2800
Atlanta, Georgia 30309
Summer Associate

2007 – 2008
University of Georgia School of Law
225 Herty Drive
Athens, Georgia 30602
Teacher's Assistant

2007
Davis, Pickren, Seydel & Sneed
285 Peachtree Center Avenue Northeast, Suite 2300
Atlanta, Georgia 30303
Summer Associate

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 did not serve in the military. I registered for the selective service upon turning 18.

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.

Bleckley American Inn of Court, Master (2022 – Present)
American Law Institute, Elected Member (2020 – Present)
Best Lawyers in America, Appellate Practice (2024)
Bleckley American Inn of Court, Barrister (2018 – 2020)
Lumpkin American Inn of Court, Barrister (2013 – 2015)
Isaac Meinhard Award for Highest Academic Average, University of Georgia School of Law (2009)
Jesse and Dan MacDougal Award for First Honor Graduate, University of Georgia School of

Law (2009)

Order of the Coif, University of Georgia School of Law (2009)

ASLME Health Law Student Award, University of Georgia School of Law (2009)

Academic Scholarship, University of Georgia School of Law (2006 – 2009)

Articles Editor, *Georgia Law Review* (2008 – 2009)

CALI Excellence for the Future Awards for civil procedure, contracts and sales, torts, University of Georgia School of Law (2007 – 2009)

Faculty Awards for corporations, trusts and estates, University of Georgia School of Law (2007 – 2009)

Outstanding Political Science Minor, Union University (2006)

Alpha Chi Honor Society (approximately 2006)

Academic and Athletic Scholarships, Union University (2004 – 2006)

Sigma Tau Delta Honor Society (approximately 2004 – 2006)

President's List, Union University (2005 – 2006)

TranSouth Conference Academic All-Conference (2005 – 2006)

Academic and Athletic Scholarships, Christian Brothers University (2002 – 2004)

Dean's List, Christian Brothers University (2002 – 2004)

Gulf South Conference Academic Honor Roll (2002 – 2004)

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, Member (2009 – 2011)

American Law Institute, Elected Member (2020 – Present)

Election Litigation Members Consultative Group (2023 – Present)

Torts: Remedies Members Consultative Group (2020 – Present)

Atlanta Bar Association, Member (2014 – 2015, 2019 – 2020, 2023 – 2025)

Cobb County Bar Association, Member (2021 – 2025)

Federal Bar Association, Member (2018 – 2020)

Georgia Law Review (2007 – 2009)

Editorial Board (2007 – 2008)

Managing Board, Articles Editor (2008 – 2009)

Joseph Henry Lumpkin American Inn of Court, Barrister (2013 – 2015)

Logan E. Bleckley American Inn of Court (2018 – 2020, 2022 – Present)

Barrister (2018 – 2020)

Master (2022 – 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.

Florida, 2018

Georgia, 2009

Tennessee, 2025

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.

Supreme Court of the United States, 2021
United States Court of Appeals for the First Circuit, 2025
United States Court of Appeals for the Fourth Circuit, 2022
United States Court of Appeals for the Seventh Circuit, 2013
United States Court of Appeals for the Eleventh Circuit, 2012
United States District Court for the Northern District of Florida, 2022
United States District Court for the Southern District of Florida, 2024
United States District Court for the Middle District of Georgia, 2021
United States District Court for the Northern District of Georgia, 2010
United States District Court for the Southern District of Georgia, 2023
United States District Court for the Western District of Tennessee, 2025
Supreme Court of Georgia, 2014
Court of Appeals of Georgia, 2012

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.

St. John the Beloved Roman Catholic Church, McLean, Virginia (2025 – Present)
Federalist Society for Law & Public Policy Studies, Member (2017 – 2018, 2022 – Present)
Supreme Court Historical Society, Member (2015 – Present)
Holy Family Roman Catholic Church, Marietta, Georgia (2018 – 2025)
Eleventh Circuit Historical Society, Member (2014 – 2025)
St. Thomas the Apostle Roman Catholic Church, Smyrna, Georgia (2017 – 2018)
St. Lawrence Roman Catholic Church, Lawrenceville, Georgia (2015 – 2017)
Basilica of the Sacred Heart of Jesus, Atlanta, Georgia (2012 – 2015)
St. Peter's Roman Catholic Church, Washington, D.C. (2011 – 2012)
Cathedral of Christ the King, Atlanta, Georgia (2010 – 2011)
Church of the Holy Spirit, Montgomery, Alabama (2009 – 2010)
Una Voce, Central Alabama (2009 – 2010)
American Society of Law, Medicine, & Ethics, Member (2008 – 2010)

b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin through formal membership requirements or the practical implementation of membership policies, except that one must be Catholic to be a member of a Catholic church.

12. **Published Writings and Public Statements:**

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

With Emily C. Baker et al., *Florida Supreme Court Adopts Federal Summary Judgment Standard*, Jones Day Commentary (May 2021).

With Meir Feder et al., *Personal Jurisdiction After the Supreme Court's Decision in Ford: What Has Changed?*, Jones Day White Paper (April 2021).

On Judges: A Tribute to Chief Judge Carnes, 69 Ala. L. Rev. 688 (2018).

Situational Severability, 103 Va. L. Rev. 735 (2017).

The Merits of Third-Party Standing, Wm. & Mary Bill Rts. J. 277 (2015).

With Fazal Khan, *Paging King Solomon: Towards Allowing Organ Donation from Anencephalic Infants*, 6 Ind. Health L. Rev. 17 (2009).

Sports Are Big Business, So Stop Playing Games: Why Federal Regulation Should Require Every Sports Agent to Possess a J.D., 1 J. of Ent't & Sports L. 20 (2009).

In addition, there are or were available online Jones Day matter updates and business development documents concerning my practice areas or matters that I worked on. Although I do not recall drafting or editing these papers, I am including them here because they were once linked to my Jones Day webpage. To the best of my recollection after a thorough search, these papers include:

R.J. Reynolds wins complete defense verdict in Stoklosa smoking & health lawsuit

(November 2023).

Saleem Hakim defeats federal government petition for certiorari (February 2023).

Business groups file amici curiae brief in support of Georgia General Assembly's power to cap punitive damages (September 2022).

Augusta Chamber of Commerce and key industry leader file amicus brief in challenge to government reduction of water levels (September 2022).

R.J. Reynolds secures \$135 million victory in the Supreme Court of the Virgin Islands (July 2022).

R.J. Reynolds wins complete defense verdict in Jones wrongful death lawsuit (April 2022).

R.J. Reynolds secures Florida Supreme Court victory on fraudulent concealment claims (March 2022).

Jones Day's Punitive-Damages Product Liability Team (2022).

R.J. Reynolds prevails in Florida Supreme Court appeal involving interpretation of punitive damages statute (November 2021).

R.J. Reynolds prevails in appeal of venue decision in Engle progeny lawsuit (September 2021).

R.J. Reynolds wins affirmance of verdict in Engle progeny lawsuit (May 2021).

Lowe's obtains Washington Supreme Court judgment allowing refund of taxes paid on defaulted PLCC credit sales (January 2020).

R.J. Reynolds wins complete defense verdict reversing \$23.4 billion punitive damages award (June 2019).

Professors seek to enjoin new Georgia law permitting students to carry guns on Georgia's public university campuses (June 2018).

Metro Atlanta Chamber weighs in on Georgia gun carry law (approximately May 2018).
I do not have a copy of this update.

DIRECTV and component manufacturers prevail on summary judgment in patent infringement case (March 2016).

Georgia Power disputes construction claims related to design of two new nuclear power units, Vogtle Units 3 & 4 (January 2016).

Former Atlanta School Superintendent Beverly Hall defends allegations of cheating on standardized tests (March 2015).

Jones Day obtains reversal and remand for civil detainee in Fourth Amendment case (January 2013). The update lists an incorrect date of January 2012.

While in law school, I performed typographical and stylistic edits of several law review articles in Volumes 42 and 43 of the Georgia Law Review, first as a member of the editorial board from 2007 to 2008 and then as an articles editor from 2008 to 2009. The authors of those articles were responsible for their substantive content. I have no record or memory of the articles I edited for the law review.

Volume 42 of the Georgia Law Review is available online at
<https://heinonline.org/HOL/Contents?handle=hein.journals/geolr42&id=1&size=2&index=&collection=journals>.

Volume 43 of the Georgia Law Review is available online at
<https://heinonline.org/HOL/Contents?handle=hein.journals/geolr43&id=1&size=2&index=&collection=journals>.

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

To the best of my recollection after a thorough search, I have not prepared or contributed to any reports, memoranda, or policy statements.

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

Letter to Hon. Chuck Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Former Law Clerks to Justice Clarence Thomas Concerning Confirmation of Joshua Divine (May 29, 2025).

Letter to Hon. Richard Durbin, Chairman, and Hon. Lindsey Graham, Ranking Member, Committee on the Judiciary, United States Senate, from Jones Day US Partners Concerning Confirmation of Sparkle Sooknanan (Mar. 11, 2024).

Former Law Clerks to Justice Clarence Thomas, Open Letter Concerning Justice Thomas (Aug. 2023).

Comments of Jones Day and Hill Ward Henderson to the Florida Supreme Court, *In re: Amendments to Florida Rule of Civil Procedure 1.510*, No. SC20-1490 (Mar. 15, 2021). A video recording of my presentation is available at <https://youtu.be/v8lwidY-Gdc>.

I do not have copies of two additional letters onto which I signed. First, in 2019, I joined a group of Jones Day partners in signing a letter to the Georgia Judicial Nominating Commission in support of the nomination of partner E. Kendrick Smith to the Georgia Court of Appeals. Second, in 2018, I joined fellow U.S. Supreme Court clerks from the 2011 Term in signing a letter to the Senate Committee on the Judiciary in support of the nomination of Jane Kucera Nitze to the Privacy and Civil Liberties Oversight Board.

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

September 12, 2025: Panelist, *Justice and Its Department*, Federalist Society Tennessee Chapters Conference, Nashville, Tennessee. Notes supplied.

January 16, 2025: Panelist, Loper Bright *and* Jarkesy, Federal Communications Bar Association, Atlanta, Georgia. The panel discussed the Supreme Court's decisions in *Loper Bright* and *Jarkesy* and the potential impact of those decisions on regulated businesses. I have no notes, transcript, or recording. The address for the Federal Communications Bar Association is 1020 19th Street NW, Suite 325, Washington, DC 20036.

October 28, 2024: Speaker, *Presentation of Early-Stage Potential Academic Research Project That Was Tentatively Titled Judge-Made Law and Judicial Abnegation*, Georgia State University College of Law, Atlanta, Georgia. Notes supplied.

October 8, 2024: Speaker, *Supreme Court Review and Preview*, American Forest and Paper Association, Atlanta, Georgia. The presentation was on the last completed and ongoing Supreme Court terms. I have no notes, transcript, or recording. The address for the American Forest and Paper Association is 601 Thirteenth Street NW, Suite 1000 N, Washington, DC 20005.

March 27, 2024: Panelist, *The Role of Precedent in Constitutional Cases*, Georgia State University College of Law, Atlanta, Georgia. The panel discussed the role of precedent in constitutional cases. I have no notes, transcript, or recording. The address for Georgia State University College of Law is 33 Gilmer Street SE, Atlanta, Georgia 30303.

February 5, 2024: Panelist, *Supreme Court Roundup*, Jones Day Atlanta CLE Academy,

Atlanta, Georgia. The panel discussed the last-completed and ongoing U.S. Supreme Court Terms, as well as selected cases pending in the Georgia Supreme Court. I have no notes, transcript, or recording. Jones Day's address is 1221 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30361.

January 31, 2023: Panelist, *Supreme Court Roundup*, Jones Day Atlanta CLE Academy, Atlanta, Georgia. The panel discussed the last-completed and ongoing U.S. Supreme Court Terms. I have no notes, transcript, or recording. Jones Day's address is 1221 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30361.

May 6, 2022: Moderator, *A Conversation With Justice Clarence Thomas*, Eleventh Circuit Judicial Conference, Atlanta, Georgia. The discussion concerned insights and anecdotes from Justice Clarence Thomas. I have no notes, transcript, or recording. A press report is supplied. The address of the United States Court of Appeals for the Eleventh Circuit is 56 Forsyth Street, Northwest, Atlanta, Georgia 30303.

March 3, 2022: Panelist, *Supreme Court Roundup*, Jones Day Atlanta CLE Academy, Atlanta, Georgia. The panel discussed the last-completed and ongoing U.S. Supreme Court Terms. I have no notes, transcript, or recording. Jones Day's address is 1221 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30361.

April 29, 2021: Panelist, *The Long Arm of the U.S.: The Reach of U.S. Courts Over Chinese Businesses*, China General Chamber of Commerce—USA, Virtual. The panel of Jones Day attorneys discussed personal jurisdiction. I have no notes, transcript, or recording. The address of the China General Chamber of Commerce USA is 19 East 48th Street, 3/F, New York, New York 10017.

February 10, 2021: Panelist, *Supreme Court Roundup*, Jones Day Atlanta CLE Academy, Atlanta, Georgia. The panel discussed the last-completed and ongoing U.S. Supreme Court Terms. I have no notes, transcript, or recording. Jones Day's address is 1221 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30361.

November 11, 2019: Speaker, *Making Points to Score Points: Tips for Succeeding on Exams*, Jones Day Atlanta Recruiting Department, Atlanta, Georgia. I spoke to area first-year law students concerning strategies for succeeding in law school, with particular focus on exam preparation and strategy. I have no notes, transcript, or recording. Jones Day's address is 1221 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30361.

January 28, 2019: Panelist, *Supreme Court Roundup*, Jones Day Atlanta CLE Academy, Atlanta, Georgia. The panel discussed the last-completed and ongoing U.S. Supreme Court Terms. I have no notes, transcript, or recording. Jones Day's address is 1221 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30361.

November 15, 2016: Speaker, *Presentation of Late-Stage Academic Research Project that Became Situational Severability*, Notre Dame Law School, Notre Dame, Indiana. I presented the work-in-progress that became my academic article discussing severability

doctrine. I have no notes, transcript, or recording. The address of the Notre Dame School of Law is 1100 Eck Hall of Law, Notre Dame, Indiana 46556.

November 3, 2016: Speaker, *Presentation of Late-Stage Academic Research Project that Became Situational Severability*, University of Florida Levin College of Law, Gainesville, Florida. I presented the work-in-progress that became my academic article discussing severability doctrine. I have no notes, transcript, or recording. The address of the University of Florida Levin College of Law is 309 Village Drive, Gainesville, Florida 32611.

March 2016: Panelist, *2016 Supreme Court Review/Preview*, University of Georgia School of Law, Athens, Georgia. The panel discussed the last-completed and ongoing U.S. Supreme Court Terms. I have no notes, transcript, or recording. The address of the University of Georgia School of Law is 225 Herty Drive, Athens, Georgia 30602.

July 2015: Speaker, *Presentation of Late-Stage Academic Research Project that Became The Merits of Third-Party Standing*, University of Georgia-Emory University Law Faculty Workshop, Athens, Georgia. I presented the work-in-progress that became my academic article on the doctrine of third-party standing. I have no notes, transcript, or recording. The address of the University of Georgia School of Law is 225 Herty Drive, Athens, Georgia 30602.

January 2015: Speaker, *The Proposed Revisions to the Federal Rules of Civil Procedure*, Joseph Henry Lumpkin American Inn of Court, University of Georgia School of Law, Athens, Georgia. The presentation concerned the then-prospective changes to the Federal Rules of Civil Procedure. I have no notes, transcript, or recording. The address of the University of Georgia School of Law is 225 Herty Drive, Athens, Georgia 30602.

February 26, 2014: Panelist, *Supreme Court Roundup*, Jones Day Atlanta CLE Academy, Atlanta, Georgia. The panel discussed the last-completed and ongoing U.S. Supreme Court Terms. I have no notes, transcript, or recording. Jones Day's address is 1221 Peachtree Street Northeast, Suite 400, Atlanta, Georgia 30361.

Approximately Fall 2012: Speaker, *Charlie Lea Memorial Golf Tournament*, Memphis, Tennessee. I delivered remarks concerning the long-lasting positive impacts of participation in youth sports, following a fundraiser held in honor of my late father, former Major Leaguer and Memphis Redbirds color commentator Charlie Lea. I have no notes, transcript, or recording. I cannot recall who formally sponsored the event, but the most likely candidate is Dulin's Sports Academy, an apparently closed business that was located at 7750 Trinity Road, Suite 110, Cordova, Tennessee 38018.

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

Fifth Georgia Law Grad in Seven Years to be Selected for Supreme Court Clerkship,

Georgia Law Advocate, 2011. Copy supplied.

Union Graduates Lead the Way in Law School, Union University Provost Report, 2010. Copy supplied.

UGA Law Grad to Clerk for Supreme Court Justice, Online Athens, Dec. 18, 2010. Copy supplied.

UGA Law Grad to Clerk for U.S. Supreme Court, Atlanta Business Chronicle, Dec. 14, 2010. Copy supplied.

UGA School of Law Graduate Selected to Clerk for Justice Clarence Thomas, The Red and Black, Dec. 14, 2010. Copy supplied.

Bulldogs Grab Ticket to Regionals, Cardinal & Cream, May 12, 2006. Copy supplied.

Injuries, Illness Lead to Slow Start to Baseball Season, Cardinal & Cream, Feb. 17, 2005. Copy supplied.

Students Recall Memorable Sporting Event Moments, Cardinal & Cream, Feb. 17, 2005. Copy supplied.

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

I have not held judicial office.

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

i. Of these cases, approximately what percent were:

jury trials: _____ %
bench trials: _____ %

ii. Of these cases, approximately what percent were:

civil proceedings: _____ %
criminal proceedings: _____ %

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

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and

contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

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

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

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

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

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

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

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

I have not held judicial office.

a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

b. a brief description of the asserted conflict of interest or other ground for recusal;

c. the procedure you followed in determining whether or not to recuse yourself;

d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

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

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

I have not held any public office. During late 2023, I was nominated for appointment to the Georgia Court of Appeals. The Governor of Georgia selected one of the other four finalists on February 19, 2024.

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.

Cobb County Republican Party, Member (2021 – 2025)

I have never held a position or played a role in a political campaign.

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

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

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

From 2009 to 2010, I served as a law clerk to the Honorable Ed Carnes, Circuit Judge of the United States Court of Appeals for the Eleventh Circuit.

From 2011 to 2012, I served as a law clerk to the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States.

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

I have not practiced law 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;

2010 – 2011
DLA Piper LLP (US)
1201 West Peachtree Street Northwest, Suite 2800
Atlanta, Georgia 30309
Associate

2012 – 2014
Jones Day
1420 Peachtree Street Northeast, Suite 800
Atlanta, Georgia 30309
Associate

2015 – 2017
University of Georgia School of Law
225 Herty Drive
Athens, Georgia 30602
Visiting Assistant Professor

2017 – 2025
Jones Day
1221 Peachtree Street Northeast, Suite 400
Atlanta, Georgia 30361
Associate (2017 – 2019)
Partner (2020 – 2025)

2025 – Present
United States Department of Justice
950 Pennsylvania Avenue Northwest
Washington, District of Columbia 20530
Deputy Associate Attorney General

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

- b. Describe:

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

My practice has focused on complex trial and appellate litigation. I have never focused exclusively on any specific substantive area of the law, but I have developed deep experience in a variety of areas over the years.

As a law clerk, I worked on the full range of legal issues that came before the Supreme Court and the United States Court of Appeals for the Eleventh Circuit.

While practicing with DLA Piper from 2010 to 2011, I managed complex discovery, performed legal research, and drafted briefs. I focused on business disputes, construction litigation, and white collar criminal matters. And, in pro bono matters, I represented victims of domestic violence in trial court hearings concerning their efforts to obtain protective orders against their abusers.

While practicing with Jones Day from 2012 to 2014 and 2017 to 2025, I represented clients in a range of complex litigation matters in both trial and appellate courts. I managed discovery and factual development in sprawling multi-party litigation, negotiated and litigated discovery disputes, worked with expert witnesses, oversaw the preparation of pleadings and briefs, participated in trial proceedings, and handled appeals. I also personally drafted briefs and regularly argued before trial and appellate courts. My matters covered many substantive areas, including complex statutory issues, constitutional law, criminal defense, commercial litigation, product liability disputes, tax litigation, and patent and other intellectual property disputes. Finally, I advised clients on legal issues outside of litigation and managed client relationships.

In February 2025, I joined the Department of Justice as Deputy Associate Attorney General in the Office of the Associate Attorney General. In this current role, I assist the Associate Attorney General in supervising the Divisions under his purview. I work particularly closely with the Civil Division, the Environmental and Natural Resources Division, and the Tax Division. While decision-making authority rests with Department leadership, I am responsible for the day-to-day review of litigation matters arising out of those Divisions. I provide counsel on difficult legal and litigation strategy questions and review briefs and other filings. I also appear in court on behalf of the Department and provide advice concerning potential legislation and regulations.

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

Throughout my career, I have focused on complex trial and appellate litigation. My practice has been primarily civil, although I have worked on criminal cases as well. I have been and remain a generalist, although I have had areas of particular focus at different points in my career.

While practicing with DLA Piper, I primarily represented businesses involved in commercial disputes and construction litigation. I also represented individuals in white collar criminal matters and pro bono matters.

At Jones Day, I primarily represented businesses in connection with commercial

disputes, intellectual property litigation, and products liability matters. I also worked on behalf of individuals and businesses in federal and state tax litigation, cases raising constitutional issues, and pro bono matters.

As an attorney for the Department of Justice, my clients have been the United States and federal government agencies. While I work on a wide variety of civil matters, I work most closely with the Civil Division, the Environmental and Natural Resources Division, and the Tax Division.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

During my time in private practice, I worked predominantly on litigation, and I regularly appeared in court. My work at the Department of Justice is also predominantly focused on litigation, but I appear in court less often. I have personally argued dozens of times, including arguments before both trial and appellate courts. While at Jones Day, I also appeared at trial for the purpose of arguing significant evidentiary, instructional, and legal issues and ensuring issue preservation for appeal.

i. Indicate the percentage of your practice in:

- | | | |
|----|--------------------------|-----|
| 1. | federal courts: | 25% |
| 2. | state courts of record: | 70% |
| 3. | other courts: | 5% |
| 4. | administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

- | | | |
|----|-----------------------|-----|
| 1. | civil proceedings: | 95% |
| 2. | criminal proceedings: | 5% |

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.

In my role as a partner with Jones Day's Issues and Appeals practice, I appeared at trial as associate counsel for the purpose of arguing significant evidentiary, instructional, and legal issues and ensuring issue preservation for appeal. I served in that capacity at three trials, two of which were tried to verdict. (The jury in the third case deadlocked during deliberations.) In addition to my work at trial, I have extensive experience in trial court litigation, including arguing in preliminary injunction and dispositive motion hearings, managing discovery, negotiating and litigating discovery disputes, working with experts, drafting jury instructions, and developing trial strategy.

i. What percentage of these trials were:

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

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

In addition to my work while clerking with the Supreme Court from 2011 to 2012, I have represented clients before the Supreme Court of the United States in both civil and criminal matters. For example, in *United States v. Salim Hakim*, No. 22-464 (Jan. 17, 2023), I persuaded the Supreme Court to take the rare step of denying the United States Government's petition for certiorari, which sought review of an appellate decision vacating convictions based on denial of the constitutional right to counsel. And in *Senator Lindsey Graham v. Fulton County Special Purpose Grand Jury*, No. 22A337 (Oct. 21, 2022), I had the honor of representing Senator Graham in seeking a stay and injunction pending appeal of the denial of a motion to quash a witness subpoena issued by the Fulton County Special Purpose Grand Jury. I also served as counsel of record in *De Jesus v. United States*, No. 21-168 (Aug. 3, 2021), in which my client sought post-conviction relief from his federal conviction.

In addition, I have served as a primary drafter of filings in the following cases in which I did not appear: *McMullen v. Booker*, No. 14-789 (Jan. 1, 2015) (petition for certiorari in habeas case); *R.J. Reynolds Tobacco Company v. Izzarelli*, No. 17-802 (Nov. 28, 2017) (petition for certiorari in products liability case); *Catholic Charities Bureau, Inc. v. Wisconsin Labor & Industry Review Commission*, No. 24-154 (Feb. 3, 2025) (merits-stage amicus brief of Professor Nathan S. Chapman in religious freedom case).

I have supplied copies of the relevant briefs from each of these matters.

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. *Coates v. R.J. Reynolds Tobacco Company*, 375 So. 3d 353 (Fla. 2023); *Coates v.*

R.J. Reynolds Tobacco Company, 365 So. 3d 168 (Fla. 2023); *R.J. Reynolds Tobacco Company v. Coates*, 308 So. 3d 1068 (Fla. 5th DCA 2020); *Coates v. R.J. Reynolds Tobacco Company*, No. 1997CA004541 (Fla. 9th Judicial Circuit Court) (Judge John Jordan) (Representation: 2019 – 2024)

I represented R.J. Reynolds Tobacco Company in this products liability case. I served as lead counsel in the appellate proceedings following a \$16 million judgment for plaintiff, drafting the briefs and presenting argument to the intermediate appellate court and the Florida Supreme Court. I persuaded the intermediate court (before Judges Richard Orfinger, James Edwards, and Melanie Chase) to hold that state law requires that an award of punitive damages bear a reasonable relationship to the underlying award of compensatory damages. I then obtained affirmance of that decision from the Florida Supreme Court (before Chief Justice Carlos Muñiz and Justices Ricky Polston, Charles Canady, John Curiel, Jamie Grosshans, and Jorge Labarga). The Supreme Court remanded for proceedings concerning reduction of the \$16 million punitive award and plaintiff's request for attorneys fees. I represented R.J. Reynolds in the trial court proceedings following remand, until the case ultimately settled.

Other counsel for Defendant:

Charles R.A. Morse
Jones Day
250 Vesey Street
New York, NY 10281-1047
(212) 326-3939

Dennis Murphy
Jones Day
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114-1190
(216) 586-3939

Jason T. Burnette
Jones Day
1221 Peachtree Street, Northeast, Suite 400
Atlanta, Georgia 30361
(404) 521-3939

Troy A. Fuhrman
Marie A. Borland
Nathan Hatcher
Hill Ward Henderson
101 East Kennedy Boulevard, Suite 3700
Tampa, FL 33601
(813) 221-3900

Opposing counsel:

John S. Mills
[Then with Bishop & Mills, PLLC]
The Mills Firm, PA
501 Riverside Avenue, Suite 906
Jacksonville, FL 32202-4943
(904) 801-2444

William H. Ogle
Parama K. Liberman
Ogle Law Firm
444 Seabreeze Boulevard, Suite 800
Daytona Beach, FL 32118
(386) 253-2500

Andrew B. Greenlee
Andrew B. Greenlee, P.A.
401 East 1st Street, Unit 261
Sanford, FL 32772
(407) 808-6411

Joshua R. Gale
Wiggins Childs
101 N. Woodland Boulevard, Suite 600
DeLand, FL 32720
(386) 675-6946

2. *Eternal Word Television Network, Inc. v. Sec'y, U.S. Dep't of Health & Human Services*, 818 F.3d 1122 (11th Cir. 2016); *Roman Catholic Archdiocese of Atlanta v. Sebelius*, 2014 WL 2441742 (N.D. Ga. 2014); *Roman Catholic Archdiocese of Atlanta v. Sebelius*, 2014 WL 1256373 (N.D. Ga. 2014) (Judge William Duffey) (Representation: 2012 – 2014)

I represented the Roman Catholic Archdiocese of Atlanta, the Most Reverend Wilton D. Gregory (Archbishop of Atlanta), Catholic Charities of the Archdiocese of Atlanta, Inc., Catholic Education of North Georgia, Inc., the Roman Catholic Diocese of Savannah, and the Most Reverend John Hartmayer (Bishop of Savannah). My clients were all religious employers challenging regulations mandating that they begin covering contraceptives under their group health insurance plans or requiring them to take some action to facilitate the provision of contraceptives to their employees. I drafted the briefs to the district court and the court of appeals and otherwise coordinated the legal strategy. The district court granted an injunction protecting two of my clients (Catholic Charities and Catholic Education), but a panel of the Eleventh Circuit (before Judges Gerald Tjoflat, Lanier Anderson, and Jill Pryor) reversed over the dissent of Judge Tjoflat. (After I

withdrew to join the faculty of the University of Georgia School of Law, the Eleventh Circuit panel modified its disposition in light of *Zubik v. Burwell*, 136 S.Ct. 157 (2016). 2016 WL 11504187. I focus here on the proceedings in which I participated.)

Other counsel for Plaintiffs:

David Monde
Janine Metcalf
Jason Burnette
Jones Day
1221 Peachtree Street Northeast, Suite 400
Atlanta, GA 30361
(404) 521-3939

E. Kendrick Smith
[Formerly of Jones Day]
E. Kendrick Smith Law LLC
No business address publicly available
(404) 376-4501

Jimmy Williams
[Formerly of Jones Day]
No contact information publicly available

Stephen Forte
Smith Gambrell & Russell LLP
1105 West Peachtree Street Northeast, Suite 1000
Atlanta, GA 30309
(404) 815-3500

John Curtis Thomas
[Formerly of Brennan & Wasden LLC]
Omniscient Neurotechnology
4023 Kennet Pike #50360
Wilmington, DE 19807
(470) 845-8453

Counsel for Defendants:

Patrick Nemeroff
Megan Barbero
Adam Jed
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530
(202) 514-3511

Michelle R. Bennett
United States Department of Justice
20 Massachusetts Avenue, NW
Washington, DC 20530
(202) 305-8902

Larry Somerfeld
U.S. Attorney's Office for the Northern District of Georgia
75 Ted Turner Drive SW, Suite 600
Atlanta, GA 30303
(404) 581-6000

Michael C. Pollack
[Formerly of the United States Department of Justice]
Benjamin N. Cardozo School of Law
55 5th Avenue
New York, NY 10003
(646) 592-6541

Joshua Salzman
[Formerly of the United States Department of Justice]
Democracy Forward
P.O. Box 34553
Washington, DC 20043
(202) 991-0159

Stuart F. Delery
[Formerly of the United States Department of Justice]
Gibson Dunn & Crutcher LLP
1700 M Street NW
Washington, DC 20036-4504
(202) 955-8515

Sally Yates
[Formerly of the United States Department of Justice]
King & Spalding LLP
1180 Peachtree Street, NE, Suite 1600
Atlanta, GA 30309
(404) 572-2723

Alisa Klein
[Formerly of the United States Department of Justice]
Wilmington University School of Law
10 Beaver Valley Road
Wilmington, DE 19803

(302) 268-1280

3. *Global Communications, Inc. v. DIRECTV, Inc.*, 2015 WL 10960959 (N.D. Fla. 2015), 2015 WL 10906061 (N.D. Fla. 2015), 2015 WL 12912449 (N.D. Fla. 2015), 2014 WL 12639132 (N.D. Fla. 2014), 1 F. Supp. 3d 1305 (N.D. Fla. 2014), 2013 WL 11325041 (N.D. Fla. 2013), 2013 WL 12174645 (N.D. Fla. 2013) (Judge Robert Hinkle) (Representation: 2012 – 2014)

I represented many of the defendants in this patent infringement action involving a claimed invention for use in the delivery of satellite television services, including DIRECTV Inc.; DIRECTV Group Inc.; ACS Signal Corporation; Calamp Corp; Cal-Comp Electronics (Thailand); Funai Corporation; Humax Co. Ltd.; Humax USA Inc.; Kuehne + Nagel Inc.; LG Electronics Inc.; LG Electronics USA Inc.; Microelectronics Technology Inc.; MTI Network Inc.; Pace Americas Inc.; Phillips Consumer Electronics North America; Polecoz Electronics Ltd.; Pro Brand International Inc.; Technicolor USA Inc.; Unitron NV; Wistron Neweb Corp.; W-Neweb Corporation; Zinwell Corp.; and ZCWC Inc. The Plaintiffs asserted a variety of claims of direct and indirect infringement against DIRECTV and its foreign and domestic suppliers. I developed the defense strategy, coordinated the defendants, drafted discovery, managed discovery responses, drafted pleadings and motions, prepared for hearings, and generally managed the complex litigation. Through the planned dispositive motions practice, defendants successfully whittled down the case, leading to settlement of the remaining claims.

Other Counsel for Defendants:

Gregory Castanias
Jones Day
51 Louisiana Avenue, Northwest
Washington, DC 20001-2113
(202) 879-3939

Steven J. Corr
Alexis Smith
Jones Day
555 South Flower Street, Fifteenth Floor
Los Angeles, CA 90071-2300
(213) 489-3939

Krista Schwartz
[Formerly of Jones Day]
Willkie Farr & Gallagher LLP
333 Bush Street
San Francisco, CA 94104
(415) 858-7400

E. Kendrick Smith

[Formerly of Jones Day]
E. Kendrick Smith Law LLC
No business address publicly available
(404) 376-4501

Joe C. Liu
[Formerly of Jones Day]
J.C. Liu & Co.
6463 Austin Street, Unit 5C
Rego Park, NY 11374-4091
(929) 589-9097

Louis Touton
[Formerly of Jones Day]
Retired, no business contact information publicly available

Larry D. Simpson
[Formerly of Judkins, Simpson, High & Schulte]
Larry D. Simpson, Attorney at Law
3792 Longfellow Road
Tallahassee, FL 32311-3708
(850) 508-8818

James P. Judkins
[Formerly of Judkins, Simpson, High & Schulte]
Ausley McMullen
123 Calhoun Street
Tallahassee, FL 32301
(850) 425-5333

Other Counsel for Defendant ASC Signal Corporation:

Robert Edward Pershes
[Formerly of Pershes Perkins PLLC]
Robert E. Pershes Esq., PLLC
6615 West Boynton Beach Boulevard, No. 461
Boynton Beach, FL 33437-3526
(561) 922-9039

Vijay Gibran Brijbasi
[Formerly of Dickinson Wright PLLC]
Pearl Capital Business Funding
55 Almeria Avenue, Floor 2
Coral Gables, FL 33134-6118
(929) 372-1103

Other Counsel for Defendant Calamp Corp.:

Joel Andrew Kauth
KPPB-LLP
3780 Kilroy Airport Way, Suite 320
Long Beach, CA 90806-2496
(949) 242-1021

Other Counsel for Defendant Funai Corporation:

Christopher JM Collings
[Formerly of Morgan Lewis & Bockius LLP]
Collings Law Firm
255 Alhambra Circle, Suite 800
Coral Gables, FL 33134-7412
(305) 249-1520

Counsel for Defendant Samsung Electronics America Inc. and Samsung
Telecommunications America LLC:

Joseph Rick Tache
[Formerly of Greenberg Traurig LLP]
Pillsbury Winthrop Shaw Pittman LLP
11682 El Camino Real, Suite 200
San Diego, CA 92130-2092
(858) 847-4109

Jenny Soojin Kim
[Formerly of Greenberg Traurig LLP]
Virgin Galactic
1700 Flight Way
Tustin, CA 92782
(714) 559-1999

Joel Andrew Kauth
KPPB-LLP
3780 Kilroy Airport Way, Suite 320
Long Beach, CA 90806-2496
(949) 242-1021

Eugene Kyo Chong
[Formerly of KPPB-LLP]
Chong IP Law Group
PO Box 3841
South Pasadena, CA 91031-6841
No phone number publicly available

Michael Gerard Davis
[Formerly of Goodwin Procter LLP]
No contact information publicly available

Counsel for Plaintiffs:

Guy M. Burns
Johnson Pope Bokor & Burns, LLP
400 North Ashley Drive, Suite 3100
Tampa, FL 33602
(813) 225-2500

James C. Bradley
Michael J. Brickman
Nina Fields Britt (formerly Nina H. Fields)
Rogers, Patrick, Westbrook & Brickman LLC
1037 Chuck Dawley Boulevard, Building A
P.O. Box 1007
Mt. Pleasant, SC 29465
(843) 727-6500

John Wiley Horton
Pennington, P.A.
215 South Monroe Street, Suite 200
Tallahassee, FL 32301
(850) 222-3533

Virginia Langston Ponder
[Formerly of Pennington Moore Wilkinson]
Ausley McMullen
123 Calhoun Street
Tallahassee, FL 32301-1517
(850) 425-5314

4. *Graham v. Fulton County Special Purpose Grand Jury*, 143 S. Ct. 397 (2022); *Fulton County Special Purpose Grand Jury v. Graham*, 2022 WL 17881577 (11th Cir. 2022); *Fulton County Special Purpose Grand Jury v. Graham*, 2022 WL 13682659 (11th Cir. 2022); *Fulton County Special Purpose Grand Jury v. Graham*, 2022 WL 3581876 (11th Cir. 2022); *In re: Subpoena to Non-Party Lindsey O. Graham*, 625 F. Supp. 3d 1274 (N.D. Ga. 2022); *In re: Subpoena to Non-Party Lindsey O. Graham*, 621 F. Supp. 3d 1314 (N.D. Ga. 2022) (Judge Leigh Martin May); *In re: Special Purpose Grand Jury*, No. 2022-EX-00024 (Georgia Fulton Cnty. Superior Court) (Judge Robert McBurney) (Representation: 2022)

I represented Senator Lindsey Graham in proceedings challenging a witness subpoena issued by the Fulton County Special Purpose Grand Jury. The legal challenges to the subpoena were based on constitutional immunities, including the Speech or Debate Clause. I argued the matter before the district court and briefed the case before the district court, the Eleventh Circuit, and the Supreme Court. The district court ultimately partially quashed the subpoena following a remand order from the Eleventh Circuit (Judges Charles Wilson, Kevin Newsom, and Britt Grant). I also represented Senator Graham in connection with his appearance as a witness before the Special Purpose Grand Jury.

Other counsel for Senator Graham:

Don F. McGahn
Jones Day
51 Louisiana Avenue, Northwest
Washington, DC 20001-2113
(202) 879-3939

Rob Luther
[Formerly of Jones Day]
Antonin Scalia Law School, George Mason University
3301 Fairfax Drive
Arlington, VA 22201
(703) 993-8168

Bart Daniel
Matt Austin
Nelson Mullins Riley & Scarborough LLP
151 Meeting Street, Suite 600
Charleston, SC 29401
(843) 853-5200

Opposing counsel:

Fani Willis
F. McDonald Wakeford
Fulton County District Attorney's Office
136 Pryor Street Southwest, Third Floor
Atlanta, GA 30303
(404) 612-4981

5. *Massachusetts v. National Institutes of Health*, 2025 WL 1063760 (D. Mass. 2025), *pending on appeal in* Nos. 25-1343, 25-1344, 25-1345 (1st Cir.); *Massachusetts v. National Institutes of Health*, 770 F. Supp. 3d 277 (D. Mass. 2025) (Judge Angel Kelley) (Representation: 2025 – present)

I represent defendants (the National Institutes of Health and their Director, the Department of Health and Human Services, and the Secretary of the Department of Health and Human Services) in defending against these lawsuits challenging a supplemental guidance in which the National Institutes of Health articulated a limit on the rate at which indirect costs are paid out to research grantees. I argued on behalf of defendants at the hearing on plaintiffs' motion for a preliminary injunction, and I have overseen the briefing in both the district court and the court of appeals. The district court entered a preliminary injunction against the policy, which it later converted into a permanent injunction. The matter is pending on appeal.

Other counsel for defendants:

Brett Shumate
Yaakov Roth
Eric McArthur
Courtney Dixon
Jenn Ultrecht
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530
(202) 305-1754

Marc Sacks
Kevin VanLandingham
Tom Ports
U.S. Department of Justice
Civil Division, Commercial Litigation Branch
P.O. Box 875
Ben Franklin Station
Washington, DC 20044-0875
(202) 307-1134

Jeff Sandberg
[Formerly of the U.S. Department of Justice]
New business contact information not yet publicly available

Leah Foley
U.S. Attorney's Office for the District of Massachusetts
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

Counsel for Plaintiff Massachusetts:

Andrew Campbell
David C. Kravitz

Katherine Dirks
Allyson Slater
Chris Pappavaselio
One Ashburton Place
Office of the Massachusetts Attorney General
Boston, MA 02108
(617) 963-2277

Counsel for Plaintiff Illinois:

Kwame Raoul
Alex Hemmer
Sam Horan
Office of the Illinois Attorney General
115 South LaSalle Street
Chicago, IL 60603
(312) 814-5526

Counsel for Plaintiff Michigan:

Dana Nessel
Linus Banghart-Linn
Neil Giovanatti
Joshua Smith
Michigan Department of the Attorney General
525 South Ottawa Street
Lansing, MI 48933
(517) 281-6677

Counsel for Plaintiff Arizona:

Kris Mayes
Joshua Bendor
Office of the Arizona Attorney General
2005 North Central Avenue
Phoenix, AZ 85004
(602) 542-3333

Counsel for Plaintiff California:

Rob Bonta
Neli Palma
Emilio Varanini
Sophia Tonnu
Daniel Ambar
California Attorney General's Office

455 Golden Gate Avenue
San Francisco, CA 94101
(415) 510-3541

Counsel for Plaintiff Colorado:

Philip Weiser
Shannon Stevenson
Colorado Department of Law
Ralph L. Carr Judicial Center
1300 Broadway, 10th Floor
Denver, CO 80203
(720) 508-6749

Counsel for Plaintiff Connecticut:

William Tong
Michael K. Skold
Connecticut Attorney General's Office
165 Capitol Avenue
Hartford, CT 06106
(860) 808-5020

Counsel for Plaintiff Delaware:

Kathleen Jennings
Ian Liston
Vanessa Kassab
Delaware Department of Justice
820 North French Street
Wilmington, DE 19801
(302) 683-8899

Counsel for Plaintiff Maine:

Aaron Frey
Sean Magenis
Thomas Knowlton
Office of the Attorney General
6 State House Station
Augusta, ME 04333-0006
(207) 626-8800

Counsel for Plaintiff Hawai'i:

Anne Lopez
David Day

Kaliko'onālani Fernandes
Department of the Attorney General
425 Queen Street
Honolulu, HI 96813
(808) 586-1360

Counsel for Plaintiff Maryland:

Anthony Brown
Julia Doyle
Adam Kirchner
Office of the Attorney General
200 Saint Paul Place, 20th Floor
Baltimore, MD 21202
(410) 576-6424

Counsel for Plaintiff Minnesota:

Keith Ellison
Liz Kramer
Office of the Minnesota Attorney General
445 Minnesota Street, Suite 600
St. Paul, MN 55101-2131
(651) 757-1010

Counsel for Plaintiff Nevada:

Aaron Ford
Heidi Stern
Office of the Nevada Attorney General
1 State of Nevada Way, Suite 100
Las Vegas, NV 89119
(702) 486-3420

Counsel for Plaintiff New Jersey:

Matthew Platkin
Angela Cai
New Jersey Office of the Attorney General
Richard J. Hughes Justice Complex
25 Market Street
Trenton, NJ 08625
(609) 376-3377

Counsel for Plaintiff New Mexico:

Raúl Torrez
Anjana Samant
New Mexico Department of Justice
P.O. Drawer 1508
Santa Fe, NM 87504-1508
(505) 490-4060

Counsel of Plaintiff New York:

Letitia James
Ester Murdukhayeva
Rabia Muqaddam
Molly Thomas-Jenson
Office of the New York State Attorney General
28 Liberty Street
New York, NY 10005
(212) 416-8883

Counsel for Plaintiff North Carolina:

Jeff Jackson
Laura Howard
Daniel P. Mosteller
North Carolina Department of Justice
PO Box 629
Raleigh, NC 27602
(919) 716-6026

Counsel for Plaintiff Oregon:

Dan Rayfield
Benjamin Gutman
Robert Koch
Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301
(503) 378-4402

Counsel for Plaintiff Rhode Island:

Peter Neronha
Jordan Broadbent
Rhode Island Office of the Attorney General
150 South Main Street
Providence, RI 02903
(401) 274-4400, Ext. 2060

Counsel for Plaintiff Vermont:

Charity Clark
Jonathan Rose
Office of the Vermont Attorney General
109 State Street
Montpelier, VT 05609
(802) 828-3171

Counsel for Plaintiff Washington:

Nicholas Brown
Spencer Coates
Ellen Range
Office of the Washington State Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
(206) 464-7744

Counsel for Plaintiff Wisconsin:

Joshua Kaul
Aaron Bibb
Wisconsin Department of Justice
17 West Main Street
P.O. Box 7857
Madison, WI 53707-7857
(608) 266-0810

Counsel for Plaintiffs Association of American Medical Colleges; The American Association of Colleges of Pharmacy; The Association of Schools and Programs of Public Health; The Conference of Boston Teaching Hospitals, Inc.; and the Greater New York Hospital Association:

John P. Bueker
Ropes and Gray LLP
800 Boylston Street
Boston, MA 02199
(617) 951-7951

Douglas Hallward-Driemeier
Stephanie Webster
Ropes and Gray LLP
2099 Pennsylvania Avenue, NW
Washington, DC 20006

(202) 508-4600

Counsel for Plaintiffs Association of American Universities; American Council on Education; Association of Public and Land-Grant Universities; Brandeis University; Brown University; Carnegie Mellon University; The Regents of the University of California; The University of Chicago; Cornell University; The George Washington University; Johns Hopkins University; Massachusetts Institute of Technology; Trustees of the University of Pennsylvania; University of Rochester; Trustees of Tufts College; and California Institute of Technology:

Ishan K. Bhabha
Lindsay C. Harrison
Lauren Hartz
Elizabeth Henthorne
Zachary Schauf
Adam Unikowsky
Jenner & Block LLP
1099 New York Avenue, NW, Suite 900
Washington, DC 20001
(202) 637-6327

Shoba Pillay
Jenner & Block LLP
353 North Clark Street
Chicago, IL 60654
(312) 923-2605

Counsel for Association of American Universities; Association of Public Land-Grant Universities; and American Council on Education:

Paul Clement
James Xi
Kyle Eiswald
Clement & Murphy, PLLC
706 Duke Street
Alexandria, VA 22314
(202) 742-8900

Daryl J. Lapp
Troutman Pepper Locke LLP
111 Huntington Avenue
Boston, MA 02199-7613
(617) 239-0100

6. *Rintoul v. Philip Morris USA, Inc.*, 2024 WL 3735894 (Fla. 2024); *Philip Morris USA, Inc. v. Rintoul*, 395 So. 2d 184 (Fla. 4th DCA 2024); *Philip Morris USA*,

Inc. v. Rintoul, 342 So. 3d 656 (Fla. 4th DCA 2022) (Representation: 2020 – 2024)

I represented R.J. Reynolds Tobacco Company in appellate proceedings challenging an approximately \$157 million plaintiff's judgment in this wrongful death lawsuit. I oversaw the drafting of the appellate briefs and argued the appeal. In addition to evidentiary and legal errors supporting a new trial, the appeal presented an argument that the plaintiff had forfeited his constitutional challenge to a rule that precluded recovery of damages for loss of consortium and pain and suffering, and that his challenge in any event failed based on the facts of his case. The intermediate appellate court (before Judges Spencer Levine, Mark Klingensmith, and Martha Warner) reversed for a complete new trial, while holding that the plaintiff could not recover damages for loss of consortium and pain and suffering. The Florida Supreme Court (Chief Justice Carlos Muñiz and Justices Charles Canady, Jorge Labarga, John Couriel, Jamie Grosshans, Renatha Francis, and Meredith Sasso) reversed and remanded for reconsideration in light of an intervening decision concerning the availability of damages for loss of consortium and pain and suffering. On remand, the intermediate appellate court again ordered a new trial on all issues, but with the possibility for recovery of damages for loss of consortium and pain and suffering. My understanding is that the case resolved after I departed Jones Day.

Other Counsel for Defendant R.J. Reynolds Tobacco Company:

Stephanie Parker
Jones Day
1221 Peachtree Street Northeast, Suite 400
Atlanta, GA 30361
(404) 521-3939

Eric Lundt
Jones Day
Brickell World Plaza
600 Brickell Avenue, Suite 3300
Miami, FL 33131
(305) 714-9700

Ken Grose
Jones Day
325 John H. McConnell Boulevard, Suite 600
Columbus, Ohio 43215
(614) 469-3939

Charles Morse
Jones Day
250 Veasey Street
New York, NY 10281

(212) 326-3939

Paul Reichert
Jones Day
51 Louisiana Avenue, Northwest
Washington, DC 20001-2113
(202) 879-3939

Mike Carvin
[Formerly of Jones Day]
No contact information publicly available

Robert Weill
Gray Robinson
401 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, FL 33301

Counsel for Defendant Philip Morris USA Inc.:

Scott Chesin
Shook, Hardy, and Bacon LLP
1325 Avenue of the Americas
New York, NY 10019
(212) 779-6106

Katie Calderon
Stephanie Sankar
Melissa Plunkett
Shook, Hardy, and Bacon LLP
2555 Grand Boulevard
Kansas City, MO 64108-2613
(816) 474-6550

Counsel for Plaintiff:

Bard D. Rockenbach
Burlington & Rockenbach, P.A.
1601 Forum Place, Suite 600
West Palm Beach, FL 33401
(561) 721-0400

Scott Schlesinger
Jonathan Gdanski
Brittany Barron
Schlesinger Law Offices, P.A.
1212 Southeast Third Avenue

Fort Lauderdale, FL 33316
(954) 467-8800

Steven Ebner
Shutts & Bowen LLP
200 S. Biscayne Boulevard, Suite 4100
Miami, FL 33131
(305) 358-6300

Daniel Nordby
Shutts & Bowen LLP
215 South Monroe Street, Unit 804
Tallahassee, FL 32301
(850) 241-1717

7. *R.J. Reynolds Tobacco Company v. Gerald*, 76 V.I. 656 (V.I. 2022); *Gerald v. R.J. Reynolds Tobacco Company*, No. 631/2010 (V.I. Superior Court); *Brown v. R.J. Reynolds Tobacco Company*, No. 692/2010 (Virgin Islands Superior Court) (Judges Michael Dunston and Sigrid Tejo) (Representation: 2019 – 2023)

I represented R.J. Reynolds Tobacco Company in these consolidated product liability actions, which were tried in a single proceeding before separate juries. After the juries awarded a combined total of \$160 million, I developed the post-trial and appellate strategy and oversaw the drafting of the post-trial motions and appellate briefs. The appeal to the Virgin Islands Supreme Court (before Chief Justice Rhys Hodge, and Justices Maria Cabret and Ive Swan) resulted in vacatur of judgments totaling \$135 million (including interest). I then supervised follow-on litigation on remand. The cases ultimately resolved following the appellate decision.

Other Counsel for Defendant:

John Walker
Jason Burnette
Jones Day
1221 Peachtree Street Northeast, Suite 400
Atlanta, GA 30361
(404) 521-3939

Simone R.D. Francis
Ogletree, Deakins, Nash, Smoak & Stewart LLC
The Tunick Building, Suite 201
1336 Beltjen Road
St. Thomas, VI 00802-4701
(340) 714-1235

Chad Messier

Dudley Newman Feuerzeig LLP
1000 Frederiksberg Gade
St. Thomas, VI 00802-6736
(340) 774-4422

Gregory H. Hodges
[Formerly of Dudley Newman Feuerzeig LLP]
No contact information publicly available

Mike Carvin
[Formerly of Jones Day]
No contact information publicly available

Counsel for Plaintiffs:

J. Russell Pate
The Pate Law Firm
P.O. Box 370
Christiansted, VI 00821
(340) 777-7283

Meredith Lever
Public Health Advisory Institute
360 Huntington Ave., #117CU
Boston, MA 02115
(888) 991-8728

Michael D. Weisman
Law Office of Michael D. Weisman
3158 Robinson Road
Missouri City, TX 77459
(832) 617-7494

Gordon C. Rhea
[Formerly of Rogers, Patrick, Westbrook & Brickman, LLC]
Virgin Islands Department of Justice, Office of the Attorney General
213 Estate La Reine
Christiansted, VI 00850
(340) 773-0295

Dana M. Hrelac
[Formerly of Horton, Dowd, Bartschi & Levesque, P.C.]
Pullman & Comley LLC
90 State House Square
Hartford, CT 06103-3702
(860) 424-4300

Brendon P. Levesque
[Formerly of Horton, Dowd, Bartschi & Levesque, P.C.]
Barry, Taylor & Levesque LLC
989 Main Street
Manchester, CT 06040
(860) 956-3071

8. *Robinson v. R.J. Reynolds Tobacco Company*, 2022 WL 15627276 (Fla. 2022); *Robinson v. R.J. Reynolds Tobacco Company*, 324 So. 3d 1287 (Fla. 1st DCA 2021); *Robinson v. R.J. Reynolds Tobacco Company*, No. 1D19-2893 (Fla. 1st Cir.) (Judge Joel Boles) (Representation: 2019 – 2022)

I represented R.J. Reynolds Tobacco Company in proceedings following reversal of a \$13.4 billion judgment. I assisted in development of case strategy in advance of the retrial and argued important legal issues at the retrial proceedings. I also oversaw the preparation of filings relating to the retrial proceedings, which resulted in a complete defense verdict. I then served as lead counsel in defending that verdict in appellate proceedings. I persuaded the intermediate appellate court (Chief Judge Lori Rowe and Judges Kemmerly Thomas and Rachel Nordby) to affirm before convincing the Florida Supreme Court to deny review.

Other counsel for Defendant:

Stephanie Parker
John Walker
Emily Baker
Jones Day
1221 Peachtree Street Northeast, Suite 400
Atlanta, GA 30361
(404) 521-3939

Tim Fiorta
Jones Day
North Point
901 Lakeside Avenue
Cleveland, OH 44114
(216) 586-3939

Charles Morse
Jones Day
250 Veasey Street
New York, NY 10281
(212) 326-3939

Lindsey Jump

[Formerly of Jones Day]
No publicly available business address
(614) 301-4267

Charles F. Beall, Jr.
Larry Hill
Moore, Hill & Westmoreland, P.A.
350 West Cedar Street
Maritime Place, Suite 100
Pensacola, FL 32502
(850) 434-3541

Counsel for Plaintiff

Douglas F. Eaton
Eaton & Wolk, PL
2665 Bayshore Drive, Suite 609
Miami, FL 33133
(305) 249-1640

Maria Sperando
Law Office of Maria Sperando
4606 Northwest Red Bay Circle
Jensen Beach, FL 34957
(772) 485-4772

Willie Gary, Senior
Gary, Williams, Parenti, Watson & Gary, PLLC
221 South Osceola Street
Stuart, FL 34994
(772) 283-8260

Diana Correa
[Formerly of Gary, Williams, Parenti, Watson & Gary, PLLC]
No business address publicly available
(954) 654-6094

Charles L. Scott, Junior
[Formerly of Gary, Williams, Parenti, Watson & Gary, PLLC]
Kelley Uustal
500 North Federal Highway, Suite 200
Fort Lauderdale, FL 33301
(954) 522-6601

Larry Strauss
[Formerly of Gary, Williams, Parenti, Watson & Gary, PLLC]

Ged Lawyers, LLP
7171 North Federal Highway
Boca Raton, FL 33487-1612
(561) 995-0812

Howard M. Acosta
[Formerly of Law Office of Howard M. Acosta]
Jax Litigation Group, PA
P.O. Box 600519
Saint Johns, Florida 32260-0519
(904) 446-9817

9. *Sheffield v. R.J. Reynolds Tobacco Company*, 329 So. 3d 114 (Fla. 2021); *R.J. Reynolds Tobacco Company v. Sheffield*, 266 So. 3d 1230 (Fla. 5th DCA 2019) (Representation: 2017 – 2021).

I represented R.J. Reynolds Tobacco Company in this product liability action. The jury awarded the plaintiff \$6.8 million based on wrongful death claims arising out of the death of her husband, including \$5 million in punitive damages. I developed the appellate strategy and then drafted briefs and presented argument to the intermediate court, persuading that court (before Judges James Edwards, Jay Cohen, and Brian Lambert) to hold that a large category of wrongful death claims is subject to statutory amendments that presumptively eliminate punitive damages when there has already been an award of punitive damages based on the same course of conduct. I then drafted the appellate brief to the Florida Supreme Court (before Chief Justice Charles Canady and Justices Ricky Polston, Alan Lawson, Carlos Muñiz, John Curiel, Jamie Grosshans, and Jorge Labarga), which affirmed the decision of the intermediate appellate court. The case resolved following the decision of the Florida Supreme Court.

Other counsel for Defendant:

Emily Baker
Simon Hansen
Jack Williams
Jason Burnette
Jones Day
1221 Peachtree Street Northeast, Suite 400
Atlanta, GA 30361
(404) 521-3939

Noel Francisco
Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001-2113
(202) 879-3939

Charles Morse
Jones Day
250 Veasey Street
New York, NY 10281
(212) 326-3939

Troy A. Fuhrman
Marie A. Borland
Hill Ward Henderson
101 East Kennedy Boulevard, Suite 3700
Tampa, FL 33601
(813) 221-3900

Counsel for Plaintiff

Melvin B. Wright
Colling, Gilbert, Wright LLC
801 N. Orange Avenue, Suite 830
Orlando, FL 32801
(407) 783-8335

Lisa Ann Thomas
[Formerly of Colling, Gilbert, Wright LLC]
Office of Judges of Compensation Claims
225 South Westmonte Drive, Suite 3300
Altamonte Springs, FL 32714-4218
(407) 961-5826

David J. Sales
David J. Sales, P.A.
1857 Morrill Street
Sarasota, FL 34236
(941) 957-0888

10. *Stoklosa v. R.J. Reynolds Tobacco Company*, No. 2019-L-012409 (Ill. Cook Cnty. Circuit Court) (Judge Brendan O'Brien) (Representation: 2019 – 2023)

I represented R.J. Reynolds Tobacco Company in this product liability action, which reportedly was the first smoking-and-health trial in Chicago. I served as associate counsel for legal issues. In that role, I led the development of R.J. Reynolds' legal strategy as it prepared for its first proceedings in this jurisdiction, supervised the preparation of motions, argued legal issues during the course of trial, and ensured issue preservation in preparation for any appeal. The case resulted in a mistrial when the jury deadlocked during deliberations. A retrial resulted in a defense verdict and judgment, from which the plaintiff did not appeal.

Other counsel for Defendant:

José Isasi
Jihan Walker
Tori Roberts
Jones Day
110 North Wacker Drive, Suite 4800
Chicago, IL 60606
(312) 782-3939

Joyce McKinnis
Jones Day
325 John H. McConnell Boulevard, Suite 600
Columbus, OH 43215
(614) 469-3939

Marc Walters
Jones Day
North Point
901 Lakeside Avenue
Cleveland, OH 44114-1190
(216) 586-3939

Opposing counsel:

Alex Alvarez
Michael Alvarez
Nick Reyes
Xavier Navarro
The Alvarez Law Firm
3251 Ponce de Leon Boulevard
Coral Gables, FL 33134
(305) 853-9415

Philip Holden
[Then with the Alvarez Law Firm]
Jimenez Mazzitelli Mordes
9350 Dixie Highway Ph 5
Miami, FL 33156-2944
(305) 548-8750

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.)

In private practice, the majority of my work was in litigation. However, I regularly advised clients concerning compliance with existing statutes and regulations as well as the potential ways in which new statutes or regulations could impact their interests. I also provided advice concerning regulatory processes. As Deputy Associate Attorney General, I assist the Associate Attorney General in supervising the Divisions under his purview. I work particularly closely with the Civil Division, the Environmental and Natural Resources Division, and the Tax Division. In addition to reviewing and assisting with litigation from the Department's litigating components, I work on regulatory and policy matters, including review of potential new legislation and regulations.

I have not performed any lobbying activities, and I am not and have never been 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 copies to the committee.

I taught courses during my time on faculty with the University of Georgia School of Law.

During the fall semester of 2015, I taught Conflict of Laws. The course covered ways in which courts attempt to resolve disputes that concern two or more jurisdictions or sovereigns. The major topics included various approaches to choice of law, preemption, the *Erie* doctrine, and considerations of comity.

During the spring semester of 2016, I taught Civil Procedure. The course covered the doctrines and rules governing civil disputes, with particular focus on federal litigation. The major topics included personal jurisdiction, subject matter jurisdiction, venue, the *Erie* doctrine, and class actions.

During the fall semester of 2016, I taught two courses. The first course was a seminar on stare decisis, co-taught with Justice Clarence Thomas. The course covered vertical and horizontal stare decisis, with particular focus on various approaches to horizontal stare decisis in the federal courts. The second course was Remedies. The course covered both legal remedies, including damages, and equitable remedies, including injunctive relief and restitution.

During the spring semester of 2017, I taught Criminal Procedure I. The course covered rights that are implicated during the investigatory stages of the criminal process, prior to prosecution. Major topics included the Fourth Amendment and the Fifth Amendment, including the privilege against self-incrimination.

I no longer have the syllabi for these courses.

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.

Based on my service at Jones Day, I will receive a private pension, payable monthly from retirement to death. The exact amount is not yet known.

Jones Day also holds a retainer for payment of any taxes relating to the period of my service with the firm. The remaining amount, if any, will be paid to me in 2028.

Finally, Jones Day is holding a mandatory retirement contribution that will be deposited into my 401(k) during December 2025.

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.

No.

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 transmitted to the Senate, I will file my Financial Disclosure Report and 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.

Two categories of cases are most likely to present conflicts issues. First, because my wife is a practicing attorney, potential conflicts could arise in cases in which she represents a party. If confirmed, I would recuse myself from any proceeding in which my wife was acting as a lawyer. *See* 28 U.S.C. § 455(b)(5)(ii).

Second, potential conflicts could arise in cases related to my current service as a government lawyer or my prior service in private practice. If confirmed, I would recuse myself from any proceeding in which, during my government service, I had participated as counsel, adviser, or material witness or had expressed an opinion concerning the merits. *See* 28 U.S.C. § 455(b)(3). I would also recuse myself from any matter in which, during my time in private practice, either I or a lawyer with whom I was then practicing had participated. *See* 28 U.S.C. § 455(b)(2).

Finally, I will evaluate any real or potential conflict, or relationship that could give rise to appearance of conflict, on a case-by-case basis and determine appropriate action with the advice of parties and their counsel, including recusal where necessary.

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

If confirmed, I would carefully review and address any potential conflicts of interest under the standards set forth in 28 U.S.C. § 455 and Canon 3C of the Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances. I would further consult any judicial decisions or Judicial Conference opinions applying the rules to particular cases or 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.

Throughout my career, I have served the disadvantaged and engaged in other forms of public service. Since February 2025, I have served at the United States Department of Justice, where I daily work alongside my colleagues to protect and defend the U.S. Constitution and uphold the rule of law. Earlier in my career, I served the public as a judicial law clerk (2009 to 2010 and 2011 to 2012) and as a law professor (2015 to 2017).

In private practice, I devoted a significant portion of my practice—approximately 100 hours per year—to pro bono work. In *United States v. Salim Hakim*, No. 22-464 (U.S.), I persuaded the Supreme Court to take the rare step of denying the United States Government's petition for certiorari, which sought review of an appellate decision vacating convictions based on denial of the constitutional right to counsel. I also represented indigent clients in other appellate matters before the Seventh and Eleventh Circuits and the Supreme Court of the United States. Earlier in my career, I represented pro bono a defendant facing RICO charges in proceedings before a Georgia trial court and the Georgia Supreme Court. In addition, I represented victims of domestic violence in seeking protective orders against their abusers. And throughout my time in private practice, I advised my colleagues on legal issues in pro bono matters and mooted their arguments. While serving as a law professor, I similarly advised and mooted students representing clients in connection with the law school's clinical programs.

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.

There is no selection commission of which I am aware in my jurisdiction. In November 2024, I submitted a Questionnaire and related materials to Senator Blackburn and Senator Hagerty, through an email address provided on their websites. In July 2025, I interviewed with representatives from the offices of Senator Blackburn and Senator Hagerty. Later that month, I separately interviewed with Senator Blackburn and a member of her staff and Senator Hagerty and a member of his staff.

On September 11, 2025, I interviewed with attorneys from the White House Counsel's Office at the Eisenhower Building in Washington, D.C. On September 16, 2025, the White House Counsel's Office contacted me to let me know that I was in consideration for the nomination. Since then, I have been in contact with officials from the White House Counsel's Office and the Justice Department's Office of Legal Policy regarding the nomination.

On November 14, 2025, President Trump called to inform me that he had selected me for nomination. On November 18, I met with Senator Blackburn, members of her staff, and a representative from the Office of Legal Policy to discuss my nomination and the confirmation process. That same day, I also met with a member of Senator Hagerty's staff, again with a representative from the Office of Legal Policy.

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, Brian Charles Lea, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

Nov. 19, 2025
(DATE)

[Signature]
(NAME)

Jeremiah Jurgens Jr.
(NOTARY)



District of Columbia
Signed and sworn to (or affirmed) before me
on 11/19/25 by _____
Date Name(s) of individual(s) making Statement
Jeremiah Jurgens Jr.
Signature of Notarial Officer
Financial Services Officer
Title of Office
My commission expires: 9/14/2029