

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES**

**PUBLIC**

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

Erin Angela Nealy Cox

Maiden Name: Erin Angela Nealy

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

United States Attorney, Northern District of Texas

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.

3419 Westminster Avenue, #195, Dallas, Texas 75225

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

1970; Pascagoula, Mississippi

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.

SMU Dedman School of Law (formerly Southern Methodist University School of Law)

August 1992 – May 1995

Juris Doctor: Awarded May 1995, *cum laude*

University of Texas at Austin

September 1988 – May 1992

Bachelor of Business Administration (Finance): Awarded May 1992

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.

**McKinsey & Company**

2021 McKinney Avenue, #1800, Dallas, Texas 75201

Title: Senior Advisor

June 2017 – Present

**Sally Beauty Holdings Group**

3001 Colorado Street, Denton, Texas 76210

Title: Non-Executive Director, Board of Directors: Audit Committee

August 2016 – Present

**Perot Museum of Nature & Science**

2201 North Field Street Dallas, Texas 75201

Title: Member, Museum Council: Finance Committee, Board of Directors  
(Position is not compensated)

August 2016 – Present

**Quo Vadimus Advisory, LLC**

3419 Westminister Avenue, #195, Dallas, Texas 75205

Title: President & Founder

March 2016 – Present

**Young Presidents Organization: Dallas Chapter**

25 Highland Park, 100-808, Dallas, Texas 75225

Title: Member, Board of Directors

Family Chair (2016 – 2017)

Community Impact Chair (2017 – Present)

(Position is not compensated)

March 2015 – Present

**Stroz Friedberg**

3535 Travis Street, Suite 105, Dallas, Texas 75204

Title: Executive Managing Director, IRBU Leader (2014 – 2016)

Executive Managing Director (2010 – 2014)

Managing Director & Deputy General Counsel (2008 – 2010)

May 2008 – June 2016

**United States Attorney's Office**

1100 Commerce, Suite 300, Dallas, Texas 75242

Title: Assistant United States Attorney (1999 – 2008)

CHIPs Coordinator (2001 – 2004; 2005)

January 1991 – May 2008 (excluding January 2004 – July 2005 while at OLP)

**Office of Legal Policy, Department of Justice**

950 Pennsylvania Avenue, NW, Washington DC 20530

Title: Chief of Staff & Senior Counsel

January 2004 – July 2005

**Carrington Coleman Sloman & Blumenthal**  
901 Main Street, Suite 5500, Dallas, Texas 75202  
Title: Associate  
August 1998 – December 1999

**The Honorable H. Barefoot Sanders**  
**United States District Judge, Northern District of Texas**  
Title: Law Clerk  
August 1997 – August 1998

**Simpson Thacher & Bartlett**  
425 Lexington Avenue, New York, New York 10017  
Title: Litigation Associate  
August 1996 – August 1997

**The Honorable Judge Henry A. Politz**  
**Chief Judge of the U.S. Court of Appeals, Fifth Circuit**  
300 Fannin Street, 5<sup>th</sup> Floor, Shreveport, LA 71101  
Title: Law Clerk  
August 1995 – August 1996

**Carrington Coleman Sloman & Blumenthal**  
901 Main Street, Suite 5500, Dallas, Texas 75202  
Title: Summer Associate  
June 1994 – July 1994

**Jones Day (formerly Jones Day Reavis & Pogue)**  
2727 North Harwood, Dallas, Texas 75201  
Title: Summer Associate  
July 1994 – August 1994

**Scott Douglass & McConnico (formerly Scott Douglass & Luton)**  
901 Main Street, Dallas, Texas 75201  
Title: Summer Associate  
August 1994; July 1993 – August 1994

**Strain Dennis Mayhall & Bates**  
318 St. Charles Street, Baton Rouge, LA 70802  
Title: Law Clerk  
May 1992 – August 1992

**George S. Christian Consulting**  
400 West 15<sup>th</sup> Street, Suite 420, Austin, Texas 78701  
Title: Assistant; Part-time employment during college  
June 1990 – May 1992

All are compensated positions except where otherwise noted.

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. military. I was not required to register for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Professional Honors and Awards:

Women in Business Award, Dallas, Business Journal (July 2010)

“40 under 40” Top Business Leaders in the Metroplex, Dallas Business Journal (June 2009)

Federal Bureau of Investigation Service Award: In Recognition of a Distinguished Career and Outstanding Service to the Pursuit of Justice in Fraud Prosecutions (April 2008)

National Insurance Crime Bureau, Recognition for Efforts in *United States v. Andy Nguyen, et al* (April 2008)

Internal Revenue Service, Criminal Investigation Division – In Recognition of Outstanding Service and Collaboration in Support of the Mission of the Criminal Investigation Division (April 2008)

United States Postal Service Award: Recognition for Service in the Pursuit of Justice (April 2008)

FBI: Commendation for Excellence for work in *United States v. Andy Nguyen, et al.* (April 2008)

FBI, U.S. Postal Inspection Service & IRS (CID) Award: Recognized for Achievement -- *United States v. Andy Nguyen, et al*, (March 2008)

Law Dragon 500 “New Stars, New Worlds” (Summer 2006)

Texas Super Lawyer (Rising Stars Edition), Texas Monthly (July 2005)

Attorney General’s Special Act or Service Award – presented for outstanding contribution to and advocacy for new federal legislation to combat illegal online pharmacies (July 2004).

Attorney General's Special Act or Service Award – presented for tireless efforts supporting the Department of Justice's response to the U.S. Supreme Court decision in *Blakely v. Washington*, 542 U.S. 296 (June 2004).

Named Top Federal Prosecutor (1 of 11) by the American Lawyer (May 2003).

Law School and College Honors and Awards:

Order of the Coif (1995)

Southern Methodist University School of Law Merit Scholarship (1993 – 1995).

Passman & Jones Merit Scholar (1994 – 1995).

Faculty Appointments Committee, student representative (1993 – 1995).

Finalist for Best Oralist, Willem C. Vis International Arbitration Moot Competition in Vienna, Austria (1995).

*Cum Laude* Graduate, SMU School of Law (1995).

Dean's List - School of Business Administration (1990 – 1992).

Research Article Accepted by the Lyndon Baines Johnson Presidential Library (1992).

Representative to Presidential Standing Committee for the Disabled (1990 – 1992).

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

State Bar of Texas (November 1995 – present)

Member, Dallas Bar Association (1998, 2003, 2008 – 2013, 2016 – present)

Member, New York State Bar Association (1997)

American Inn of Court, Patrick Higginbotham Inn of Court  
Associate (1999)  
Barrister (2003 – 2007)

Court Advisory Committee, Northern District of Texas, (July 2009 – July 2015)

Magistrate Selection Committee, Northern District of Texas (2008)

Advisory Panel Member, Tsai Center for Law, Science & Innovation, Southern Methodist University Dedman School of Law (2015 – Present)

Member, The Federalist Society (2013 – Present)

Member, The Sedona Conference Working Group on Cyber Crime (WG11) Working Group on Electronic Document Retention (2010 – 2013)

Member, E-Discovery and Commercial Litigation Committee, Dallas Bar Association (2008 – 2012)

Federal Judicial Evaluation Committee, Texas (2014 – 2017)

Southern Methodist University Law Review Association  
Staff Member (1993)  
Articles Editor (1994)

**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.

Texas, November 1995, active, no membership lapses.  
New York, April 1999, active, no membership lapses.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

U.S. Supreme Court, November 2005, active, no membership lapses.

U.S. Court of Appeals for the Fifth Circuit, May 1996, inactive, lapsed June 2012 due to inactivity.

U.S. District Court, Northern District of Texas, May 1998, active, no membership lapses.

U.S. District Court, Eastern District of Texas, January 1999, active, no membership lapses.

U.S. District Court, Southern District of Texas, February 1999, inactive, admission lapses after five years with no renewal; I did not renew.

U.S. District Court, Western District of Texas, January 1999, inactive, admitted only as Special Counsel for the Department of Justice.

U.S. Court of Appeals for the Second Circuit, admitted only for *pro hac vice* to argue an appeal while at the Department of Justice.

All Courts in the State of Texas, November 1995, active, no membership lapses.

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.

Board Member: Perot Museum of Nature & Science; Museum Council, Finance Committee (2016 – Present)

Member: Women Corporate Directors (2016 – Present)

Member: Christ the King Altar Society (2016 – Present)

Member: Royal Oaks Country Club (2012 – 2017)

Member: National Association of Corporate Directors (2016)

Member: Resource Development Committee, United Way, Dallas, Texas (2015 – Present)

Member: Young Presidents Organization (YPO): Dallas Chapter (2015 – Present)

Contributor: Security Roundtable (2015 – Present)

Founding Member: Children's Trust, a group dedicated to supporting Children's Hospital of Dallas (2002 – 2015)

Member: RSA Conference Steering Committee -- Incident Response and Forensic Investigations Track (2015)

Member: Dallas Citizens Council (2009 – 2014)

Steering Committee Member: Women of Tocqueville, United Way, Dallas, Texas (2012 – 2014)

Member: Leadership Dallas, Class of 2011

Board Member: Dallas Children's Advocacy Center, an organization that is dedicated to improving the lives of abused children in Dallas County and providing leadership at the national level on issues relating to child abuse (2007 – 2010)

Board Member: Volunteer Center of Texas (2006 – 2009)

Founding Member: Women Empowering Women Auxiliary Group/YWCA (2008)

In addition, I have made financial contributions to charitable organizations over the years. Such organizations may list me as a member by virtue of my financial contributions. I have not listed above any such organizations to which I gave funds but did not otherwise participate in programmatic activities.

- b. 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 discriminates or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

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

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

I have done my best to identify all books, articles, reports, letters to the editor, editorial pieces and other published material, including a thorough review of my personal files, and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

“Back to the Basics: A Necessary Grind for Online Retailers.” *Security RoundTable*, January 2017. Copy supplied.

“Malware-less Hacking, Hunting and Harder Truths: Cyber Trends for 2016,” Stroz Friedberg Blog, January 5, 2016. Copy supplied.

“Dealing with Cyber Threats.” *Governance*, 2016. Copy supplied.



“Cyber Risk Demands Full Board Engagement,” Stroz Friedberg Blog, October 29, 2015. Copy supplied.

“Much Ado About Not Much: Why the October 1 EMV Deadline is Over-hyped,” Stroz Friedberg Blog, October 16, 2015. Copy supplied.

“Ashley Madison Breach Demonstrates the Importance of Hunting...Again,” Stroz Friedberg Blog, September 3, 2015. Copy supplied.

“Introducing Stroz Friedberg’s Incident Response Unit: Raptor,” Stroz Friedberg Blog, July 16, 2015. Copy supplied.

Navigating the Digital Age - The Definitive Cybersecurity Guide for Directors and Officers - *Chapter 11: Establishing a Board-Level Cybersecurity Review Blueprint*. Palo Alto Networks & NYSE, 2015. Copy supplied.

“The Need for Greed, Inside the Hacker’s Head.” *Retailing Today*, 2014. Copy supplied.

“Taking the Blame — and the Lead — to Unite Against Data Breaches.” *Chain Store Age*, 2014. Copy supplied.

“Game of Thrones Lessons for Predictive Coding,” *Texas Lawyer*, May 6, 2013. Copy supplied.

“Spot the Iceberg with the Right Question,” *Texas Lawyer*, September 3, 2012. Copy supplied.

“Kids and Cellphones – Finding a Thoughtful Way to Say Yes”, *Dallas Morning News*, March 29, 2013. Copy supplied.

“E-Discovery Lessons of Downton Abbey,” *Texas Lawyer*, April 16, 2012. Copy supplied.

“Secure the Perimeter of Firm Technology,” *Texas Lawyer*, January 21, 2013. Copy supplied.

“2012 Data Security Trends: A Look at the Risks Ahead”, *Forbes Magazine*, January 16, 2012. Copy supplied.

“Hotel Data Security Comes of Age,” *Lodging Hospitality*, December 13, 2011. Copy supplied.

Ten Years Later, the lessons learned from the Enron emails,” *Houston Chronicle*, November 9, 2011. Copy supplied.

“Lax security on passwords will cost you,” *Dallas Business Journal*, October 14, 2011. Copy supplied.

“You need to be as smart as your smartphone,” *Dallas Morning News*, May 27, 2011. Copy supplied.

“When CSI meets ESI: Lessons from the Casey Anthony Trial,” Stroz Friedberg, 2011. Copy supplied.

“Cyberattack Detection is the New Direction – Are You Prepared?” Stroz Friedberg, 2011. Copy supplied.

“Attack of the Employees,” *Industry Today*, October 2009. Copy supplied.

“Grasping the cybersecurity reality,” *Dallas Business Journal*, August 14, 2009. Copy supplied.

“Data Breaches Have Bred a Patchwork of State Laws,” *Executive Counsel Magazine*, July/August 2009. Copy supplied.

Law Review Published Note: *Medical Decision-Making for Children: A Struggle for Autonomy*, 49 SMU L. REV. 133 (1995). Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify any reports, memoranda, or policy statements I prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I have located the following:

Measuring the Cybersecurity Problem. *East West Institute*, 2013. Copy supplied.

Building Trust in Cyberspace - 3rd Worldwide Cybersecurity Summit in New Delhi. *East West Institute*, 2012. Copy supplied.

The Internet Health Model for Cyber Security, *East West Institute*, 2012. Copy supplied.

Data Security External and Internal Threats to Data, Stroz Friedberg, 2010. Copy supplied.

Juror Assessments of the Believability of Expert Witnesses: A Literature Review, Daniel W. Shuman, Anthony Champagne, Elizabeth Whitaker [participated as student author and researcher], 36 Jurimetrics J. 371 (1996). Copy not available.

- 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.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my best efforts, I have identified nothing responsive to this question but there may be other materials I have been unable to identify, find, or remember.

- 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 done my best to identify transcripts or recordings of all speeches or talks delivered, including a review of my personal files and searches of publicly available electronic databases. I frequently use the text of a speech from a prior event, speak without notes, or speak from a handwritten outline. I did not retain any outlines when I left Stroz Friedberg. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

Fifth Circuit Judicial Conference, The Gaylord Texan Resort and Convention Center, 1501 Gaylord Trail, Grapevine, Texas 76051, May 2017, “Hackers, Phisher and Squatters, Oh My! Dealing with Cyberspace When Lots of Folks Spy.” Panel Discussion on Cybersecurity Issues. Copy not available.

UTLaw CLE: “Cyber Security: Proactive Steps to Minimize Liability.” Panel discussion that analyzed the steps a company should take to minimize the likely liability when a cyber intrusion occurred. Audio Link at: <https://utcle.org/ecourses/OC6289>

Celesq AttorneysED: “A Targeted Discussion of Data Breaches –Responding to Payment Card (PCI) Breaches” – a webinar panel discussion focused on

responding to computer intrusions of companies that stored payment card information. Copy not available.

Data Breach & Privacy Litigation Conference, The Julia Morgan Ballroom, 465 California Street, San Francisco, California 94104, 2016, "Sleuthing: Investigation and Evidence Collection in a Cyber World." Panel Discussion on the Responding to a Cyber Event. Copy not available.

American Bar Association, Sheraton Hotel, 500 Canal Street, New Orleans, Louisiana 70130, Forum on Franchising (2015): "Data Breach: Now What?" Panel Presentation on Responding to Data Breaches. Copy not available.

American Bar Association – Annual National Institute on White Collar Crime, The Fontainebleau Hotel, 4441 Collins Avenue, Miami, Florida 33140 (2013): "eDiscovery in Government Investigation and Criminal Litigation." Panel discussion on challenges related to the production of electronically stored information and how to deal with the current issues in criminal litigation. Copy not available.

Techonomy, The Ritz Carlton Half Moon Bay, 1 Miarmontes Point Road, Half Moon Bay, California 94019 (2014): "Civil Defense Against Data Assaults." Panel Discussion on current trends in cyber intrusions. Copy not available.

Stroz Friedberg's Erin Nealy Cox Examines Data Security Trends on Expert Panel: "IAPP's 'Privacy Academy': Cutting-Edge Data Security Topics, Industry Leaders," The Fairmont Hotel, 1717 N. Akard Street, Dallas, Texas 75201 (September 15, 2011). Copy supplied.

"Raising the Bar on Attorney-Client Email Confidentiality," Webinar (2011). Copy supplied.

Additionally, I gave numerous panel discussions and talks to law firms and companies as part of my business development and relationship building activities as a leader at Stroz Friedberg. To the best of my ability, I have listed those that I had access to, or were publicly profiled. I do not have access to any notes, outlines, or calendars that would reflect more specifics. The subject matter of any discussions was related to cybersecurity, digital forensics and internal investigations.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all interviews given, including through a review of personal files and searches of publicly available electronic databases. Despite my

searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

“The Week Ahead: Congress, Industry Rev Back Up on Cybersecurity,” *Inside Cyber Security*, January 13, 2015. Copy supplied.

“To Improve Security, Retailers Must Assume Breaches Can't Be Stopped,” *Payments Source*, January 13, 2015. Copy supplied.

“Retail Security Issues Move from CIO to the C-Suite,” *FierceRetail*, January 12, 2015. Copy supplied.

“Dealing with a Data Breach; ALM cybersecurity summit offers data breach recovery tips,” *Law Technology News*, December 2, 2014. Copy supplied.

“Stroz Friedberg Releases Whitepaper Confirming Pairing Records Security Risk in Apple iOS Devices,” *Entertainment Close-up*, August 15, 2014. Copy supplied.

“Bit9 + Carbon Black and Stroz Friedberg IR Partnership,” Stroz Friedberg, July 31, 2014. Copy supplied.

“Retailers Face Pitfalls in Effort to Share Cyberthreat Info,” *Law360*, June 4, 2014. Copy supplied.

“Kicking Off a Season of Cybercrime,” *Washington Post*, December 3, 2013. Copy supplied.

“World Cybersecurity Leaders Call for Cooperation,” *Associated Press*, November 6, 2013. Copy supplied.

“Law Firms Tackle Corporate Cybersecurity,” *Texas Lawbook*, July 17, 2013. Copy supplied.

“Stroz Friedberg Cyber Experts to Explore Critical Information Security Issues at Black Hat USA 2012,” Stroz Friedberg, July 23, 2012. Copy supplied.

“Legal Experts: Cyber Security Growing Issue for Lawyers,” *Texas Lawbook*, June 29, 2012. Copy supplied.

“The Next Cold War,” *SC Magazine*, May 8, 2012. Copy supplied.

“Cyber Warfare: The Next Cold War,” *SC Magazine (eBook version)*, April 2012. Copy supplied.

“As Threats Grow, So Do Security Firms,” *Dallas Business Journal*, January 6, 2012. Copy supplied.

“DoD ID Cards Under Attack,” *SC Magazine*, January 2012. Copy supplied.

“National Security Agency Helps US Banks Battle Hackers,” *Reuters*, October 26, 2011. Copy supplied.

“Vulnerable Asia grapples with cyber security threats,” *Tilt*, June 17, 2011. Copy supplied.

“Casey Anthony CSI: A Triumph of High Tech Forensics?” *Time*, June 16, 2011. Copy supplied.

“Battling the Cybersecurity Threat – The need for technological protection has spawned a burgeoning industry in Dallas-Fort Worth,” *DFW Technology 2011*, January-February 2011. Copy supplied.

“The Protection Game,” *D CEO*, January 2011. Copy supplied.

“Where Are They Now? Hackers Beware,” Special Edition *Super Lawyers*, 2011. Copy supplied.

“Growing Pains at Stroz Friedberg,” *Harvard Business Review*, December 17, 2010. Copy supplied.

“Stroz Friedberg Lands \$115M Investment,” *Dallas Business Journal*, October 1, 2010. Copy supplied.

“Erin Nealy Cox Industry Leader, Women in Business Awards,” *Dallas Business Journal*, July 16, 2010. Copy supplied.

“You Need to Know Erin Nealy Cox,” *D CEO*, January-February 2010. Copy supplied.

“New Law Targets Rogue Internet Pharmacies,” *National Law Journal*, June 29, 2009. Copy supplied.

“Erin Nealy Cox, 40 Under 40,” *Dallas Business Journal*, June 12, 2009. Copy supplied.

“Bills Tackle Businesses Data Security,” *Dallas Business Journal*, April 12, 2009. Copy supplied.

“Bills Tackle Businesses Data Security,” *Dallas Business Journal*, April 10, 2009. Copy supplied.

“No hiding on your hard drive,” *Dallas Morning News*, November 2, 2008. Copy supplied.

“Independent Investigation,” *Dallas Business Journal*, October 24, 2008. Copy supplied.

“Companies Keep Watch, Covertly,” *National Law Journal*, September 2, 2008. Copy supplied.

“The Pill Mill Killer,” *Super Lawyers Rising Stars*, 2005. Copy supplied.

“Erin Nealy Cox, Northern District of Texas,” *American Lawyer*, May 2003. Copy supplied.

**13. 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 never held any public office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

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

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

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
  - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I served as a law clerk to the Honorable H. Barefoot Sanders, United States District Judge, Northern District of Texas from August 1997 – August 1998.

I also served as law clerk to the Honorable Judge Henry A. Politz, Chief

Judge of the U.S. Court of Appeals, Fifth Circuit, 300 Fannin Street, 5<sup>th</sup> Floor, Shreveport, LA 71101 from August 1995 – August 1996.

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

I have not practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

**United States Attorney's Office**

1100 Commerce, Suite 300, Dallas, Texas 75242

Title: Assistant United States Attorney (1999 – 2008)

CHIPs Coordinator (2001 – 2004; 2005)

**Office of Legal Policy, Department of Justice**

950 Pennsylvania Avenue, NW, Washington DC 20530

Title: Chief of Staff & Senior Counsel

January 2004 – July 2005

**Carrington Coleman Sloman & Blumenthal**

901 Main Street, Suite 5500, Dallas, Texas 75202

Title: Associate

August 1998 – December 1999

**Simpson Thacher & Bartlett**

425 Lexington Avenue, New York, New York 10017

Title: Litigation Associate

August 1996 – August 1997

- 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 in any alternative dispute resolution.

b. Describe:

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

My professional career, excluding my two federal judicial clerkships, has largely been in two parts: first, the practice of law primarily as a federal prosecutor but also as an associate for two commercial litigation firms,



Simpson Thacher & Bartlett and Carrington Coleman Sloman & Blumenthal. And second, my work as a consultant in the area of cybersecurity investigations and risk.

While I spent a little over two years practicing in the commercial litigation sections of two large law firms, the bulk of my practice as a lawyer was serving as a full-time Assistant United States Attorney in the Northern District of Texas. I started in the General Crimes Section, spent a number of years in the Cyber Crime Section, and finished out my time in the office within the White Collar Crimes/Major Fraud Section. During my tenure as a federal prosecutor, I was responsible for leading several significant cybercrime investigations and prosecutions nationwide and serving as the District's Computer Hacking Intellectual Property Coordinator (CHIP). I also handled complex cases of white-collar fraud, intellectual property theft, immigration, and public corruption matters. Additionally, I served a detail to Main Justice as Chief of Staff and Senior Counsel to the Office of Legal Policy in Washington, D. C. In this capacity, I had the privilege of working on high-priority legislative and policy initiatives for the Department of Justice.

After leaving the Department of Justice, I joined Stroz Friedberg, a global leader in investigations and risk management (now a wholly owned subsidiary of Aon). Ultimately, I served as an Executive Managing Director and in this capacity, I led the Incident Response Business Unit for Stroz Friedberg. I was responsible for leading and managing the overall operations of the entire business unit across the world, including supervising the first responders and investigators, threat intelligence analysts and malware specialists in multiple offices. These responders were deployed to assist corporate clients affected by cyber attacks, state-sponsored espionage and data breach cases. Our cases, and the majority of my work at Stroz Friedberg, was dedicated to internal investigations related to suspected data breaches and network intrusions.

After Stroz Friedberg, I was elected to the Board of Directors for Sally Beauty Holdings, a publicly traded international retailer and distributor of professional beauty supplies with revenues of \$3.8 billion annually. In addition, I currently serve as a Senior Advisor to McKinsey & Company in the Risk and Cyber Practice.

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

During my time in private practice, as a lawyer or a consultant, my clients have been various business entities, including financial institutions, retailers, oil and gas companies, hotels and technology companies. In private law practice, I worked exclusively in commercial litigation. During my time as a consultant, I specialized in cybersecurity and risk advisory with an emphasis on internal investigations following a suspected computer

intrusion or breach of a corporate network. As a prosecutor, my only client was the United States and my docket was exclusively criminal cases.

- 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.

As a private attorney, I appeared in court on a monthly basis. As a federal prosecutor, I appeared in court on an almost daily basis. For the last eight years while as a consultant, I have not appeared in Court.

- i. Indicate the percentage of your practice in:

1. federal courts; 100%
2. state courts of record; 0%
3. other courts; 0%
4. administrative agencies 0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings; 2%
2. criminal proceedings. 98%

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

During my tenure as a federal prosecutor, I litigated to judgement/conclusion well over 200 hundred cases in the service at the Department of Justice. I have tried to verdict or final decision (not settled) approximately seven cases in Federal District Court. I was lead or co-counsel on all cases except for two cases where I served as associate counsel (only participating at trial counsel).

- i. What percentage of these trials were:

1. jury; 100%
2. non-jury. 0%

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

I have not practiced before the Supreme Court of the United States.

15. **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. Tuan (Andy) Nguyen, et al  
Case No. 3:07-CR-00178-P-1  
U.S. District for the Northern District of Texas  
The Honorable Jorge A. Solis  
(2006 – 2008)

The Defendant Andy Nguyen, and 21 other Defendants were charged in a 71-count indictment alleging Conspiracy to Commit Mail Fraud and Health Care Fraud, in violation of 18 USC §§1349; Mail Fraud, in violation of 18 USC §§ 1341 & 2; Conspiracy to Launder Money, in violation of 18 USC §§ 1956(a)(1)(A)(i) and 1956(a)(1)(B)(I) and 2 and 1956(h). Nguyen pled guilty to multiple counts of mail fraud, healthcare fraud and conspiracy to launder money. Defendant Nguyen was sentenced to 96-months confinement and ordered to pay \$772,887.91 in restitution. Several law firms and chiropractic clinics also were implicated in the scheme. In total, there were 27 convictions, 22 to the indictment and five to Informations filed as part of the guilty pleas. I represented the United States as lead counsel.

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2. United States v. Etienne Konan

Case No. 3:07-00075-D-1  
U.S. District Court for the Northern District of Texas  
The Honorable Sidney A. Fitzwater  
(2007 – 2008)

The Defendant was charged with false declarations before a grand jury or court, in violation of 18 USC §§ 1623. Defendant was a fact witness before the grand jury in a tax fraud investigation. Defendant made several false statements while under oath. The Defendant was indicted for the false testimony before the grand jury. The Defendant pled guilty on the first day of his trial. The Court sentenced him to 13-months confinement followed by supervised release. I represented the United States as lead counsel at trial.

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3. United States v. Robert David Neal  
Case No. 3:06-00335-G-1

U.S. District Court for the Northern District of Texas  
The Honorable A. Joe Fish  
(2005 – 2008)

On October 26, 2006, the Defendant, Robert Neal, was charged with Wire Fraud and Aiding and Abetting, in violation of 18 USC §§ 1343 and 2; and Forfeiture Allegations, in violation of 18 USC §§ 981(a)(1)(C) and 28 USC §§ 2461. Neal had previously been convicted of filing false tax returns, for which he served a 27 month term of imprisonment. At the time of the new offenses, Neal was serving a three-year term of supervised release. Evidence in the case revealed that as part of the scheme, Neal forged the signature of the district judge purportedly allowing him to work in the insurance business. Neal pled guilty without a plea agreement on the eve of trial. Testimony at sentencing from the lead FBI Agent on the case revealed that Neal threatened the life of the prosecutor and agent involved in the investigation and attempted to tamper with witness testimony. The District Court sentenced Neal to 240 months on each count to run consecutive, but only to the extent to produce an aggregate sentence of 327 months. I represented the United States as lead counsel.

Principal Counsel for Opposing Party:  
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4. United States v. Edward Joseph Wedelstedt, Goalie Entertainment Holdings, Inc., et al  
Case No. 3:05-CR-00043-K  
U.S. District Court for the Northern District of Texas  
The Honorable Ed Kinkeade  
(2005 – 2006)

The Defendant, a national operator of several sexually-oriented businesses, was indicted on charges of transporting obscene matters for sale or distribution and engaging in a conspiracy to defraud the United States in violation of 18 U.S.C. §§ 1465, Transportation of Obscene Material. The Defendant was indicted with six individual Defendants and the corporate entity, Goalie Entertainment Holdings, Inc. (GEH). The Defendant pled guilty and admitted to displaying one of the videos named in the indictment in his stores in Texas. He admitted the video was obscene as judged by community standards in the Northern District of Texas. The Defendant further admitted to conspiring with certain arcade managers within his company to

have large amounts of cash generated by his company's arcade operations to be provided directly to him, giving him absolute control over the funds.

At sentencing, the Court held a lengthy evidentiary hearing and the Defendant was sentenced to 13 months-confinement and a court-ordered forfeiture in the amount of \$1.25 million. A condition of his term of supervised release after confinement was the requirement to cease operations of his adult bookstores and video arcades in Texas and to forfeit the real property associated with the Texas stores. I represented the United States as co-counsel at trial and on appeal.

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Linda C. Groves (retired)

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5. United States v. Kodjovi "Marshall" Haden  
Case No. 3:05-CR-109-P  
U.S. District Court for the Northern District of Texas  
The Honorable Jorge A. Solis  
(2005 – 2006)

Defendant, Kodjovi "Marshall" Haden, was charged with making, transferring, and distributing counterfeit securities with the intent to deceive, in violation of 18 U.S.C. §§ 513(a). Defendant pled not guilty and requested a jury trial. The jury convicted Defendant on all counts. He was sentenced to 132-months confinement. I represented the United States as co-counsel at trial.

Co-Counsel:  
Mark Penley

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Principal Counsel for Opposing Party:  
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6. United States v. Clayton H. Fuchs, Waldrick Lemons, Eugene Gonzales, et al.  
Case No. 3:02-CR-00369-P-1  
U.S. District Court for the Northern District of Texas  
The Honorable Jorge A. Solis  
(2002 – 2004)

In 1999, Defendant Clayton Fuchs, a licensed pharmacist, set up an online pharmacy. Fuchs hired Defendant Eugene Gonzales to supervise several of the pharmacy's employees and hired Defendant Waldrick Lemons as pharmacist. Fuchs established relationships with several physicians (who were also charged) that approved and signed prescriptions of hydrocodone, a Schedule III controlled substance. The doctors were paid for each signed prescription. Either Fuchs or Lemons, assisted as pharmacists, to fill the prescriptions. Then the prescriptions were dispensed to patients throughout the United States. By the time Main Street was shut down, the pharmacy was processing between 300 and 500 prescriptions per day, approximately 70% of which were for hydrocodone.

Defendant Fuchs was charged with Conspiracy to distribute a controlled substance, in violation of 21 U.S.C. §§ 846; Continuing a criminal enterprise in violation of 21 U.S.C. §§ 848; Money laundering in the selling, distribution & disbursement of a controlled substance, and forfeiture allegation, in violation of 18 U.S.C. §§ 1956-6801 and 21 U.S.C. §§ 853(a)(1)&(2), and 18 U.S.C. §§ 982(a)(1); Dispensing of a controlled substance, in violation of 21 U.S.C. §§ 841(a)(1); Money laundering, in

violation of 18 U.S.C. §§ 1956-3300. Defendant Gonzales was charged with Money laundering in the selling, distribution & disbursement of a controlled substance, and forfeiture allegation, in violation of 18 U.S.C. §§ 1956-6801, 1956-3300, and 21 U.S.C. §§ 853(a)(1)&(2), and 18 U.S.C. §§ 982(a)(1); Engaging in monetary transactions in excess of \$10,000 in property derived from specified unlawful activity, in violation of 18 U.S.C. §§ 1957. Defendant Lemons was charged with multiple counts of Conspiracy to distribute a controlled substance, in violation of 21 U.S.C. §§ 846. Defendants pled not guilty and a lengthy jury trial commenced. All three Defendants were found guilty. Fuchs was sentenced to 240-months confinement. Lemons was sentenced to 5 months of probation for a term of 5 years with 6-months home confinement. Defendant Gonzales was sentenced to 30-months confinement.

I represented the United States as co-counsel at trial. This was the first conviction of a white-collar Defendant pursuant to the Drug Kingpin statute 21 U.S.C. §§ 848.

Co-Counsel:

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7. United States v. Michael John Mullins  
Case No. 3:92-CR-397  
U.S. District Court for the Northern District of Texas  
The Honorable Jerry L. Buchmeyer  
Case No. 3:97-CV-911, 315 F.3d 449 (5<sup>th</sup> Cir. 2002)  
U.S. Court of Appeals for the Fifth Circuit  
(2002)

Michael John Mullins was arrested and convicted by a jury of being a felon in possession of a shotgun under 18 U.S.C. § 922(g)(1). The jury sentenced him to 235-months confinement. Four years after trial, Mullins filed a petition under 18 U.S.C. § 2255 asserting his counsel prevented him from testifying at trial over his desire to do so. The District Court agreed and vacated his sentence. I represented the United States on appeal as lead counsel and argued the appeal before the Fifth Circuit. The Fifth Circuit reversed the District Court and affirmed Mullins' conviction.

Principal Counsel for Opposing Party:  
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8. United States v. Henry Wang  
Case No. 3:02-CR-00137-R-1  
U.S. District Court for the Northern District of Texas  
The Honorable Jerry L. Buchmeyer  
(2001 – 2002)

The Defendant was charged with fraud activity facilitated by computers, in violation of 18 USC §§ 1030(a)(4). After months of developing proprietary code for his employer, the Defendant left his job and went to a competitor taking the code with him. The Defendant pled guilty and the District Court held a lengthy evidentiary hearing to determine the value of the code stolen by Wang. The evidentiary hearing presented novel issues of valuation of the e-commerce software for purposes of the sentencing guidelines. The Defendant was sentenced to probation for 3 years with 180 consecutive days of home confinement. I represented the United States as lead counsel.

Principal Counsel for Opposing Party:  
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9. United States v. Brian Russell Stearns  
Case No. AA-99-CR-230  
U.S. District Court for the Western District of Texas  
The Honorable James R. Nowlin  
(2000 – 2002)

Brian Russell Stearns was charged in an eighty-two (82) count indictment alleging securities fraud, in violation of 15 U.S.C. §§ 77(y)(f); mail fraud, in violation of 18 U.S.C. §§ 1341; wire fraud, in violation of 18 U.S.C. §§ 1341; making false statements, in violation of 18 U.S.C. §§ 1014; Social Security Card fraud, in violation of 42 U.S.C. §§ 408; money laundering, in violation of 18 U.S.C. §§ 1956-4999; and possessing a firearm as a felon, in violation of 18 U.S.C. §§ 922 while operating a “Ponzi” scheme. Stearns pled not guilty and a jury trial commenced. The Defendant was found guilty on all counts. Afterwards, there was a second trial for purposes of asset forfeiture. The jury awarded over \$35,000,000 in assets forfeited to the federal government. The Defendant was sentenced to 360 months because of his convictions on all counts. The

Defendant appealed his conviction to the Fifth Circuit including the length of his sentence, which was at the top of the sentencing guidelines. The Fifth Circuit affirmed the trial court and upheld the sentencing.

The U.S. Attorney's Office of the Western District of Texas was recused. I was appointed Special Prosecutor in the case by the Department of Justice and I represented the case as co-counsel at trial and on appeal.

Co-Counsel:  
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Principal Counsel for Opposing Party:  
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10. United States v. Larry A. Roberts  
Case No. 3:01-CR-00125-L-1  
United States District Court for the Northern District of Texas  
The Honorable Sam A. Lindsay  
(2000 – 2001)

Defendant was charged with the sexual exploitation of minors, in violation of 18 USC §§ 2252A(a)(5)(B). Defendant pled guilty and was sentenced to 27 months. At sentencing, Defendant pursued a mental health defense to sentencing enhancements that presented novel issues to the court and a lengthy hearing was held. I represented the United States as lead counsel at trial and on appeal where the conviction and sentencing were affirmed.

Principal Counsel for Opposing Party:  
Richard Tex McConathy (Deceased)

16. **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.)

During my tenure as an Assistant U.S. Attorney, I served as the District's Computer Hacking and Intellectual Property Coordinator (CHIP). In addition, I was appointed to a nationwide working group responsible for coordinating and prosecuting complex cybercrime cases across the U.S.

While at Main Justice in the Office of Legal Policy (OLP), I helped to direct the tactical operations of OLP coordinating and advancing the Department's highest priority policy and legislative initiatives. During my tenure, the office focused on counter-terrorism strategies in the wake of 9/11 as well as efforts to improve traditional law enforcement and criminal justice efforts. In addition, I supported and assisted OLP's efforts in leading the Department-wide response to the U.S. Supreme Court decision in *Blakely v. Washington*, 542 U.S. 296 (2004).

While at Stroz Friedberg, I opened and led the Dallas office, and then I was promoted to supervise the Central Region. Ultimately, I was given responsibility for running an entire business unit within the firm that operated across the twelve offices of Stroz Friedberg. As such, I was responsible for leading the overall operations of the business unit, including supervising the first responders and investigators, threat intelligence analysts and malware specialists. This specialized business unit was responsible for running significant internal investigations related to network intrusions and suspected data breaches within large corporate environments.

My professional practice has been wholly litigation primarily in the area of criminal prosecutions of federal law and consulting in the areas of cybersecurity investigations, digital forensics, and risk advisory. I have not engaged in any lobbying activities.

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

I have not taught any courses during my career.

18. **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.

My spouse and I will receive income from retirement accounts from previous employers when we are eligible.

19. **Outside Commitments During 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.

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

See my SF-278 as provided by the Office of Government Ethics.

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

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors 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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement I have entered with the Department's designated agency ethics official.

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

In the event of a potential conflict of interest, I will consult with the ethics officials in the Executive Office of the United States Attorneys, Department of Justice.

23. **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. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

During my time in private practice as a lawyer, I volunteered on a periodic basis over two years with the Dallas Voluntary Attorney Program (DVAP) in their East Dallas and South Dallas legal clinics. The Dallas Volunteer Attorney Program coordinates the provision of free legal help and access to the justice system for low-income people in our community.

During my almost 10 years at the Department of Justice, my legal career was devoted to public service and much of my work directly benefitted victims of crimes and disadvantaged persons.

During my time as a consultant over a period of eight years, I consistently volunteered with organizations such as Meals on Wheels, Children's Advocacy Center's Holiday Gift Drive, The Bridge North Texas Homeless Shelter, assisting low-income high school girls write college essays as part of UW's Women of Tocqueville, and renovating the library at the ChildCareGroup's MLK Center.

In addition, over the years I have participated in many mentoring activities with law students such as networking lunches and dinners. I do this several times a year.