

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Sarah Elizabeth Pitlyk
Sarah Elizabeth Martin (maiden name)

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

United States District Judge for the Eastern District of Missouri

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.

Thomas More Society
309 West Washington Street, Suite 1250
Chicago, Illinois 60606

I live in St. Louis, Missouri and work from my residence there.

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

1977; Indianapolis, Indiana.

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.

2005 – 2008: Yale Law School, J.D. 2008

2003 – 2005: Georgetown University, M.A. in Philosophy 2006

2001 – 2002: Indiana University–Purdue University Indianapolis, no degree

2000 – 2001: Harvard Extension School, no degree

1999 – 2000: Katholieke Universiteit Leuven (Belgium), M.A. in Applied Ethics, *magna cum laude*, 2001

1995 – 1999: Boston College, B.A. in Philosophy, *summa cum laude*, 1999

1997 – 1998: Oxford University, no degree (junior year abroad)

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.

2017 – present
Thomas More Society
309 West Washington Street, Suite 1250
Chicago, Illinois 60606
Special Counsel

2013 – 2016
RUNNYMEDE law group
(f/k/a Clark & Sauer, LLC)
Firm no longer extant
Associate

2011 – 2012; 2008 – 2010
Covington & Burling LLP
One CityCenter
850 Tenth Street, N.W.
Washington, D.C. 20001
Associate

2010 – 2011
United States Court of Appeals for the District of Columbia Circuit
E. Barrett Prettyman U.S. Courthouse & William B. Bryant Annex
333 Constitution Avenue, N.W.
Washington, D.C. 20001
Law Clerk to Hon. Brett M. Kavanaugh

Summer 2007
Covington & Burling LLP
One CityCenter
850 Tenth Street, N.W.
Washington, D.C. 20001
Summer Associate

Summer 2006
Vinson & Elkins LLP
2200 Pennsylvania Avenue N.W., Suite 500 West
Washington, D.C. 20037

Summer Associate

Spring 2005

Trinity University Department of Philosophy
125 Michigan Avenue, N.E.
Washington, D.C. 20017
Adjunct Instructor

2004 – 2005

Georgetown University Department of Philosophy
215 New North Hall
37th and O Streets, N.W.
Washington, D.C. 20057
Teaching Assistant

2002 – 2003

Indiana University Center for Bioethics
410 West 10th Street
HITS 3100
Indianapolis, Indiana 46202
Research Assistant

2001 – 2002

Center for Health Quality, Outcomes & Economic Research
Boston University Department of Public Health
200 Springs Road
Bedford, Massachusetts 01730
Project Manager

2000 – 2001

François-Xavier Bagnoud Center for Health & Human Rights
Harvard School of Public Health
677 Huntington Avenue
Boston, Massachusetts 02115
Research Assistant

2000 – 2001

Kaplan Test Prep
792 Beacon Street
Newton Centre, Massachusetts 02459
Test Prep Instructor

1995 – 1999 (intermittently)

2002 – 2005 (intermittently)

St. Vincent Hospital
2001 West 86th Street

Indianapolis, Indiana 46260
Medical Transcriptionist

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.

Dolores Zohrab Liebmann Fellowship (2005 – 2008)

University Fellowship, Georgetown University Graduate School (2003 – 2005)

Degree from Katholieke Universiteit Leuven conferred *magna cum laude* (2000)

Fulbright Grant, Belgium (1999 – 2000)

Degree from Boston College conferred *summa cum laude* (1999)

Phi Beta Kappa (1999)

Order of the Cross & Crown, Boston College (Arts & Sciences Honors Society)

John F. Norton Award for Outstanding Performance in Humanistic Studies, Boston College (1999)

Boston College Presidential Scholarship (1995 – 1999)

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.

Missouri Bar Association (2008 – present)

District of Columbia Bar Association (active 2009 – 2012; inactive 2012 – present)

St. Louis Lawyers for Life (2017 – 2018)

American Bar Association (2008 – 2012)

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.

Missouri (2008)

District of Columbia (2009)

I have been voluntarily inactive in the D.C. Bar since 2012 due to non-necessity. I was voluntarily inactive in the Missouri Bar for a period in 2012 – 2013 due to a brief (i.e., less than a year) hiatus from legal practice after having my second child.

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 (2019)

Ninth Circuit Court of Appeals (2018)

Eastern District of Missouri (2017)

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.

The Federalist Society for Law and Public Policy (2006 – present)

Holy Redeemer Catholic Women's League (2018 – present)

Chair, Kennard Classical Junior Academy PTO Health & Wellness Committee (2017 – 2018)

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 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.

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

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

With Rebecca Taibleson, *Brett Kavanaugh Is a Man of Rock-Solid Character and Integrity*, www.FoxNews.com, Sept. 14, 2018. Copy supplied.

Judge Kavanaugh Shows Humility to Others and the Law, Nw. Times, Sept. 5, 2018. Copy supplied.

What Does His Paper Trail Say About Brett Kavanaugh?, Wash. Post, Sept. 2, 2018, at A19. Copy supplied.

Judge Brett Kavanaugh's Impeccable Record of Constitutional Conservatism, Nat'l Rev., July 3, 2018. Copy supplied.

With Erika Fisher Lietzan, *Thoughts on Preemption in the Wake of the Levine Decision*, 13 J. Health Care Law & Policy 225 (2010). Copy supplied.

Covington & Burling LLP Food & Drug E-Alert: Trends in DDMAC Enforcement Activity During the Bush Administration (Mar. 30, 2009). Copy supplied.

With Scott D. Danzis, *FDAAA's Safety Labeling Provisions*, FDLI Update (Jan/Feb 2009). Copy supplied.

With a number of female Yale students, *Letter to the Editor: From Yale Women to Shvarts: Consider the Repercussions* (Apr. 25, 2008). Copy supplied.

Toward A Definition of "Health" as Well-Functioning, in Conference Proceedings: Teaching, Faith and Service: The Foundation of Freedom 167 (Rev. William Hund & Margaret Monahan Hogan eds., 2005) (as Sarah E. Martin). Copy supplied.

With Eric M. Meslin, *From Stem to Stern: A Brief Review of Ethical Issues in the Stem Cell Debate*, NeoReviews, July 2003, at e187 (as Sarah E. Martin). Copy supplied.

Indiana University Center for Bioethics Stem Cell Study Group, *Diverse Perspectives: Considerations About Embryonic Stem Cell Research*, Oct 2002 (as Sarah E. Martin). 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 not prepared or contributed to any such reports, memoranda, or policy statements.

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.

Letter to Hon. Chuck Grassley, Chairman, and Hon. Dianne Feinstein, Ranking Member, Committee on the Judiciary, United States Senate, from Judge Brett Kavanaugh's Female Former Law Clerks (July 12, 2018). Copy supplied.

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.

April 14, 2019: Speaker, Our Lady's Inn Gala, St. Louis, Missouri. Notes supplied.

March 8, 2019: Speaker, "Justice Kavanaugh on Life and Religious Liberty: What We Know & What We Can Expect," Bringing America Back to Life Conference, Cleveland, Ohio. Notes supplied.

January 17, 2019: Speaker, "Defending Life: From the Sidewalks up to the U.S. Supreme Court," Law of Life Summit, Washington, D.C. Notes supplied.

December 18, 2018: Speaker, Thomas More Society Christmas Party, Chicago, Illinois. I offered extemporaneous remarks on my work at Thomas More Society. I have no notes, transcript or recording. The address of Thomas More Society is 309 West Washington Street, Suite 1250, Chicago, Illinois 60606

September 12, 2018: Speaker, "Brett Kavanaugh, Religious Liberty, and the Administrative State," The Federalist Society, Orange County Lawyers Chapter, Irvine, California. Notes supplied.

September 6, 2018: Speaker, "The Jurisprudence of Judge Brett Kavanaugh," The Federalist Society, Tulsa Lawyers Chapter. Notes supplied.

September 6, 2018: Speaker, "The Jurisprudence & Judicial Philosophy of Judge Brett Kavanaugh," The Federalist Society, Oklahoma City Lawyers Chapter and Oklahoma City University School of Law Chapter, Oklahoma City, Oklahoma. Notes for this speech provided for the Tulsa event listed immediately above. Press report supplied.

August 22, 2018: Speaker, "Judge Kavanaugh's Judicial Approach: A Former Clerk's Perspective," The Federalist Society, Birmingham Lawyers Chapter, Birmingham, Alabama. Notes supplied.

August 13, 2018: Speaker, "Brett Kavanaugh, Religious Liberty, and the Administrative State," The Federalist Society, Colorado Lawyers Chapter, Denver, Colorado. Notes identical to the September 12, 2018 event listed above.

August 9, 2018: Panelist, "Who is Judge Kavanaugh?," Heritage Foundation, Washington, D.C. Video available at https://www.youtube.com/watch?v=qoo_gximL6Y. Press report supplied.

February 22, 2018: Speaker, "*Our Lady's Inn v. City of St. Louis*," Saint Louis University Law Students for Life, St. Louis, Missouri. Notes supplied.

September 22, 2014: Panelist, "Hobby Lobby Lunch & Learn," Saint Louis University School of Law, American Constitution Society Saint Louis University School of Law Chapter, the Federalist Society St. Louis Chapter, St. Louis Missouri. Notes supplied.

April 1, 2008: Introduction of Professor Mark Murphy for a talk at Yale Law School entitled "Deviance and Defectiveness in Natural Law Jurisprudence," Yale Law School, New Haven, Connecticut. Notes supplied.

February 20, 2008: Introduction of Professor Robert P. George for a talk at Yale Law School entitled "Embryo Ethics," Yale Law School, New Haven, Connecticut. Notes supplied.

September 24, 2007: Introduction of Edmund Pellegrino, M.D., for a talk at Yale Law School entitled "Physician Conscience and Patient Autonomy," Yale Law School, New Haven, Connecticut. Notes supplied.

December 14, 2006: Introduction of Professor Hadley Arkes for a talk at Yale Law School entitled "Great Expectations and Sobering Truths: Awaiting the Decision of the court on Partial-Birth Abortion," Yale Law School, New Haven, Connecticut. Notes supplied.

June 4, 2005: Speaker, "Toward a Definition of 'Health' as Well-Functioning," University of Portland's Foundation of Freedom Conference, Portland, Oregon. Copy supplied.

2002: Speaker, "Blessed are They Who Hunger and Thirst for Righteousness," Theology on Tap, Indianapolis, Indiana. I spoke about my path from being a pre-med student to studying bioethics. I have no notes, transcript, or recording. The address of the Archdiocese of Indianapolis is 1400 North Meridian Street, Indianapolis, Indiana 46202

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.

Mollie Hemingway & Carrie Severino, *Justice on Trial* (2019). Excerpted copy supplied.

Tessa Berenson, Inside Brett Kavanaugh's First Term on the Supreme Court, *Time*, June 28, 2019. Copy supplied.

Press Release, Thomas More Society, Court Refuses to Lift Contempt Fines or Remove Prejudiced Judge in Abortion Baby Parts Trafficking Trial (June 10, 2019). Copy supplied. Excerpts from my statement were reprinted in multiple outlets.

On June 5, 2019, I participated in an interview with the Los Angeles Daily Journal regarding the Ninth Circuit's Ruling in the *National Abortion Federation v. Center for Medical Progress*. I have been unable to locate any articles incorporating my interview.

Carole Novielli, *Justice Clarence Thomas Gives Epic History Lesson on Abortion and Eugenics*, *Live Action*, May 29, 2019. Copy supplied.

EWTN Pro-Life Weekly (EWTN television broadcast May 9, 2019). Video available at <https://www.youtube.com/watch?v=t6rmsERFFGw>.

The Lars Larson Show (radio broadcast May 6, 2019). Recording available at <https://www.larslarson.com/the-thomas-more-society-in-partnership-with-the-susan-b-anthony-list-to-uphold-the-protect-life-rule/>.

On May 1, 2019, I participated in an interview with OneNewsNow regarding Title X amicus briefs filed by the Thomas More Society. I have been unable to locate any articles incorporating my interview.

Press Release, Thomas More Society, Federal Judges Stomp on Law Protecting Taxpayers from Forced Abortion Funding (May 1, 2019). Copy supplied. Excerpts from my statement were reprinted in multiple outlets.

Press Release, Susan B. Anthony List, Federal Judges, Pelosi Congress Work to Block

President Trump's Protect Life Rule (Apr. 30, 2019). Copy supplied. Excerpts from my statement were reprinted in multiple outlets.

Justice Kavanaugh on Life and Religious Liberty (radio broadcast Feb. 28, 2019). Recording available at <https://fromthemedian.org/2019/02/28/justice-kavanaugh-on-life-and-religious-liberty-defeating-evil-via-social-networks/>.

Press Release, Thomas More Society, Daleiden's Attorneys: Ninth Circuit Allows Planned Parenthood an "End Run" Around First Amendment (Nov. 30, 2018). Copy supplied. Excerpts from my statement were reprinted in multiple outlets.

On November 29, 2018, I participated in an interview with OneNewsNow regarding the cert petition filed by the Thomas More Society in *Center for Medical Progress v. Planned Parenthood*. I have been unable to locate any articles incorporating my interview.

Press Release, Thomas More Society, Abortions On The Basis Of Race, Sex, and Disability Are Abhorrent and On the Rise (Nov. 21, 2018). Copy supplied. Excerpts from my statement were reprinted in multiple outlets.

Janet Mefferd Live (American Family Radio broadcast Oct. 10, 2018). Recording available at <https://afr.net/podcasts/janet-mefferd-live/2018/october/janet-interviews-sarah-pitlyk-on-st-louis-sanctuary-city-ordinance-on-abortions-overruled/>.

CNN Newsroom (CNN television broadcast Oct. 8, 2018). Transcript supplied.

Samantha Gobba, *Judge Protects Freedom of Pro-Lifers*, World, Oct. 8, 2018. Copy supplied.

On October 5, 2018, I was interviewed by KSDK Channel 5 in St. Louis, Missouri. I have been unable to locate a recording of the interview.

Charlie Butts, *Judge Unhappy with Pro-Abortion Ordinance*, OneNewsNow.com, Oct. 5, 2018. Copy supplied.

How the Legal Community Is Reacting to the Planned Senate Vote on Kavanaugh (NPR radio broadcast Oct. 4, 2018). Audio available at <https://www.npr.org/2018/10/04/654518475/how-the-legal-community-is-reacting-to-the-planned-senate-vote-on-kavanaugh>.

Press Release, Thomas More Society, Judge Finds St. Louis "Abortion Ordinance" Discriminatory and Unconstitutional (Oct. 4, 2018). Copy supplied. Excerpts from my statement were reprinted in multiple outlets.

Vic Faust, *Demonstrators Want Sen. Blunt to vote 'No' on Kavanaugh*, Fox – 2 KTVI, Oct. 2, 2018. Copy supplied.

CNN Newsroom (CNN television broadcast Sept. 28, 2018). Transcript supplied.

On September 28, 2018, I was interviewed on Fox & Friends. I have been unable to locate a recording of the interview.

Press Release, Thomas More Society, Wrongly Accused Pro-Life Advocate Sucs Planned Parenthood for False Arrest (Sept. 21, 2018). Copy supplied.

CNN Newsroom (CNN television broadcast Sept. 18, 2018). Video available at <https://www.youtube.com/watch?v=Op8M752peHQ>.

Tony Mauro, *Female Clerks Stand by Kavanaugh Despite Assault Allegation*, Nat'l L.J., Sept. 18, 2018. Copy supplied. Reprinted in multiple outlets.

Kavanaugh's Views on Executive Power Not "a Predictor of What He Would Do from the Bench," Says Former Clerk (Hill.tv internet broadcast Sept. 5, 2018). Video available at <https://thehill.com/hilltv/rising/405113-kavanaughs-view-of-executive-power-is-not-a-predictor-of-what-he-would-do-from>.

Kelsey Bolar & Lauren Evans, *What 2 Women Who Actually Clerked for Kavanaugh Really Think of Him*, Daily Signal, Aug. 29, 2018. Video available at <https://www.dailysignal.com/2018/08/29/what-2-women-who-actually-clerked-for-kavanaugh-really-think-of-him/>. Copy of article supplied.

The Ed Martin Movement (radio broadcast Aug. 23, 2018). Recording available at <https://theanswerstl.com/content/blogs/ed-martin-blog-08232018>.

Fred Lucas, *What Kavanaugh is Like Behind the Scenes: Former Clerks Share Stories*, Daily Signal, Aug. 9, 2018. Video available at <https://www.dailysignal.com/2018/08/09/what-kavanaugh-is-like-behind-the-scenes-former-clerks-share-stories/>. Copy of article supplied.

Joan Frawley Desmond, *Will Brett Kavanaugh Protect Religious Freedom?*, Nat'l Catholic Register, July 24, 2018. Copy supplied.

A Closer Look with Sheila Liaugminas (Relevant Radio broadcast July 17, 2018). Recording available at <https://relevantradio.com/2018/07/a-closer-look-with-sheila-liaugminas-july-17-2018/>.

Clerking for Brett Kavanaugh (Sacred Heart Radio broadcast July 12, 2018). Recording available at <https://soundcloud.com/sacred-heart-radio/sarah-pitlyk-clerking-for-brett-kavanaugh>.

Press Release, Thomas More Society, Thomas More Society Applauds President Trump's Nominee for US Supreme Court (July 11, 2018). Copy supplied.

Elizabeth Williamson, *Judge Kavanaugh's Former Clerks: Diverse, and Deployed to Vouch for Him*, N.Y. Times, July 11, 2018. Copy supplied.

On July 11, 2018 I participated in an interview with EWTN Radio. I have been unable to locate a recording.

Press Release, Judicial Crisis Network, Former Clerks for Judge Kavanaugh Send Their Support (July 10, 2018). Copy supplied.

Press Release, Thomas More Society, U.S. Supreme Court Refuses to Overturn Gag Order in Planned Parenthood Video Exposé Lawsuit (Apr. 3, 2018). Copy supplied.

Patti Armstrong, *The Fallout of IVF: Embryos Treated as Property*, Nat'l Catholic Register, Nov. 21, 2017. Copy supplied.

Press Release, Thomas More Society Attorneys Say the City Has No Case for Abortion Sanctuary Ordinance (Sept. 28, 2017). Copy supplied. Excerpts from my statement were reprinted in multiple outlets.

Samantha Gobba, *California Bill Threatens Freedoms of Religion and Speech*, Pathway, Oct. 13, 2017. Copy supplied.

On September 28, 2017, I participated in an interview with American Family Radio. I have been unable to locate a recording.

Press Release, Thomas More Society, Thomas More Society Files United States Supreme Court Brief Detailing Dangers (Aug. 28, 2017). Copy supplied.

During 2017, I participated in an interview with Summer Ballentine of the Associated Press. I have been unable to locate any articles incorporating my interview.

Susan Berry, *Abortion Industry Slams Bill Targeting Ambulance Calls to Clinics*, Breitbart, July 10, 2017. Copy supplied.

Samantha Gobba, *Missouri Legislature Opens Pro-Life Special Session*, World, June 19, 2017. Copy supplied.

Maryann Gogniat Eidemiller, *Pro-life Legal Battles Continue Across the Country*, Our Sunday Visitor, June 6, 2017. I have requested a copy and will supplement my answer to this question if a copy is located.

Jo Mannies, *Missouri Expects More Abortion Clinics, Along with Push for More Restrictions*, St. Louis Pub. Radio, May 30, 2017. Copy supplied. Supplemental audio available at <https://news.stlpublicradio.org/post/missouri-expects-more-abortion-clinics-along-push-more-restrictions#stream/0>

Faith on Trial (Iowa Catholic Radio broadcast May 30, 2017). Recording available at <https://soundcloud.com/iowacatholicradio/fot-052017?in=iowacatholicradio/sets/fot-17>.

Janet Mefferd Today (American Family Radio broadcast May 26, 2017). Recording available at <https://soundcloud.com/janetmefferdtoday/5-26-17-janet-mefferd-today>.

On May 24, 2017, I participated in a radio interview with Ave Maria Radio. I have been unable to locate a recording.

Michael Gryboski, *Catholic Archdiocese, Others Suing St. Louis Over Ordinance to Force Hiring of Pro-Abortionists*, Christian Post, May 23, 2017. Copy supplied.

A St. Louis City Abortion Sanctuary Law (Issues, etc. internet radio broadcast May 23, 2017). Recording available at <https://issuesetc.org/2017/05/23/1433-a-st-louis-city-abortion-sanctuary-law-sarah-pitlyk-52317/>.

On May 23, 2017, I participated in a television interview for the Allman Report that aired on ABC 30, the St. Louis ABC affiliate. I have been unable to locate a recording.

Kevin McDermott, *St. Louis Archdiocese, Others Sue City over Abortion Anti-Discrimination Ordinance*, St. Louis Post-Dispatch, May 23, 2017. Copy supplied.

Press Release, Thomas More Society, *Abortion Proponents Not "Protected Class" According to Lawsuit Against St. Louis* (May 22, 2017). Copy supplied.

Paul Strand, *Protected Status for Abortion Supporters? The Ordinance that's Sparking a Lawsuit*, CBN News, May 22, 2017. Copy supplied.

Jim Salter, *Catholics Challenge St. Louis' 'Abortion Sanctuary' Law*, Associated Press (May 22, 2017). Copy supplied. Reprinted in multiple outlets.

On May 22, 2017, I participated in a radio interview for the Mark Cox Show. I have been unable to locate a recording.

Greg Edwards, *Abortion Opponents Sue St. Louis over Discrimination Law*, St. Louis Bus. J., May 22, 2017. Copy supplied.

M. Najeeb Ahmed, *Grad Student Wins Coveted Fellowship*, Hoya (Geo. Univ.), Sept. 2, 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 never held judicial office.

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

i. Of these, approximately what percent were:

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

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

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

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

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

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

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

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

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

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by

which you may be recused without your knowledge, please include a general description of that system.). Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have never held judicial office.

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

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

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

I have never held 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 been a member or officer of any political party or election committee, nor have I played any 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 2010 to 2011, I served as a law clerk to the Honorable Brett M. Kavanaugh,

Circuit Judge of the United States Court of Appeals for the District of Columbia Circuit.

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

I have never practiced alone.

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

2008 – 2010; 2011 – 2012
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, D.C. 2001
Associate

2013 – 2016
RUNNYMEDE law group
(f/k/a Clark & Sauer, LLC)
Firm no longer extant
Associate

2017 – present
Thomas More Society
309 West Washington Street, Suite 1250
Chicago, Illinois 60606
Special Counsel

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 alternative dispute resolution proceedings.

b. Describe:

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

While at Covington & Burling, my practice consisted mainly in providing regulatory advice to manufacturers of pharmaceuticals, biologics, and medical devices. In 2013, after moving to St. Louis, I turned my focus to litigation, practicing for several years in a small civil litigation boutique, working for

individual and corporate clients. At the beginning of 2017, I moved to the Thomas More Society, a public interest law firm, where I litigate cases involving civil and constitutional rights, especially those protected by the First Amendment. My practice still spans both trial and appellate-level litigation, with a concentration in dispositive motions, appeals, and amicus briefs.

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

As a member of Covington & Burling's Food & Drug Practice Group, I advised mainly name-brand pharmaceutical and medical device manufacturers, and to a lesser extent, manufacturers of biologics, cosmetics, and food products.

At the RUNNYMEDE law group, I represented a wide range of clients in an equally wide range of civil disputes, from a major telecommunications company in municipal tax litigation to an individual mother in a custody dispute over frozen embryos.

At the Thomas More Society, we specialize in defending the constitutional and civil rights of religious believers and other advocates. I have represented a wide variety of individuals and entities within that broad category, including, *inter alia*, an investigative journalist; the State of Iowa, a Bible college, peaceful protestors, a maternity home for homeless pregnant women, Catholic elementary schools, a private business-owner, and a young woman suffering from a brain injury.

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.

Around two-thirds of my legal practice has been litigation, with the bulk of the remaining one-third comprising my first few years of practice, when I worked as a regulatory attorney. At present, my practice is approximately 95% litigation, 5% counseling. My principal responsibilities include drafting dispositive motions, appellate briefs, and amicus briefs for cases all over the country.

i. Indicate the percentage of your practice in:

- | | | |
|----|--------------------------|-----|
| 1. | federal courts: | 50% |
| 2. | state courts of record: | 30% |
| 3. | other courts: | 0 % |
| 4. | administrative agencies: | 20% |

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.

Because of their complex character, many of the cases I've worked on, both at TMS and at Clark & Sauer/RUNNYMEDE, are still being litigated. I am aware of three that have gone to final judgment. I was chief counsel on one of those three and associate counsel on the other two. I am not aware of any settlements, except as to attorneys' fees.

What percentage of these trials were:

1. jury: _____%
2. non-jury: _____%

Few of my cases have involved trials, and for those that have, the trials have not occurred during my tenure on the case. One of my current cases is scheduled for a six-week civil trial beginning September 30, 2019.

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.

Brief for the American Civil Rights Union and the American Civil Rights Institute as *Amici Curiae* in Support of Petitioner, *Schuette v. Coalition to Defend Affirmative Action, Integration and Immigrant Rights and Fight for Equality by any Means Necessary*, 572 U.S. 291 (2014) (No. 12-682). Brief available at 2013 WL 3362089.

Brief of Senate Parliamentary Experts Robert B. Dove and Martin B. Gold as *Amici Curiae* In Support of Respondent, *NLRB v. Noel Canning*, 573 U.S. 513 (2014) (No. 12-1281). Brief available at 2013 WL 6173790.

Brief of 67 Catholic Theologians and Ethicists as *Amici Curiae* in Support of Hobby Lobby Stores, Inc., and Conestoga Wood Specialties Corp., *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682 (2014) (Nos. 13-354 & 13-356). Brief available at 2014 WL 316716.

Brief of Respondent Enterprise Leasing Company-Southeast, LLC, in Response to Petition for Writ of Certiorari, *NLRB v. Enter. Leasing Co.-S.E., LLC*, 573 U.S. 958 (2014) (No. 13-671). Brief available at 2014 WL 60743.

Brief of Missouri Liberty Project and Missouri Forward Foundation as *Amici Curiae* in Support of Petitioners, *King v. Burwell*, 135 S. Ct. 2480 (2015) (No. 14-114). Brief available at 2014 WL 7474063.

Motion and Brief of American Association of Pro-Life Obstetricians & Gynecologists, Charlotte Lozier Institute, National Catholic Bioethics Center, National Association of Catholic Nurses-U.S.A., and Catholic Medical Association as *Amici Curiae* in Support of Petitioner, *M.C. v. C.M.*, 138 S. Ct. 239 (2017) (No. 17-129). Brief available at 2017 WL 3809734.

Motion and Brief of American Association of Pro-Life Obstetricians & Gynecologists, Charlotte Lozier Institute, National Catholic Bioethics Center, National Association of Catholic Nurses-U.S.A., Catholic Medical Association, Concerned Women for America, Center for Family & Human Rights, and American College of Pediatricians as *Amici Curiae* in Support of Petitioners, *Cook v. Harding*, 139 S. Ct. 72 (2018) (No. 17-1487). Brief available at 2018 WL 2558407.

Brief of the Restoration Project; Pastor Joseph Parker, Pastor of Greater Turner Chapel A.M.E. Church; Everlasting Light Ministries; Protect Life and Marriage Texas; and the Thomas More Society as *Amici Curiae* in Support of Petitioners, *Box v. Planned Parenthood of Ind. & Ky., Inc.*, 139 S. Ct. 1780 (2019) (No. 18-483). Brief available at 2018 WL 6042850.

Petition for Writ of Certiorari, *Ctr. for Med. Progress v. Planned Parenthood Fed. of Am.*, 139 S. Ct. 1446 (2019) (No. 18-696). Brief available at 2018 WL 6192287.

Reply Brief in Support of Petition for Writ of Certiorari, *Ctr. for Med. Progress v. Planned Parenthood Fed. of Am.*, 139 S. Ct. 1446 (2019) (No. 18-696). Brief available at 2019 WL 1115832.

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. *Our Lady's Inn v. City of St. Louis*, 349 F.Supp.3d 805 (E.D. Mo. 2018) (Fleissig, J.).

On behalf of a mission for homeless pregnant women, Catholic elementary schools, and a private business owner, the Thomas More Society challenged the constitutionality of a municipal ordinance that criminalized discrimination on the basis of "reproductive health

decisions,” where that term was defined so broadly as to include profession of a point of view. On cross-motions for summary judgment, the District Court held that, as applied, the ordinance violated the nonprofit corporations’ First Amendment right to expressive association. The Court also held that the ordinance, as written, required the owner of a closely-held business to provide insurance coverage for abortion and contraception over his sincere religious objection, and that it therefore violated Missouri’s Religious Freedom Restoration Act. The City did not appeal and settled with our clients for \$172,500 in attorneys’ fees.

As counsel of record for the plaintiffs, I worked with a small litigation team on strategy, research, and drafting of all filings. I worked with clients to develop factual affidavits, interacted with opposing counsel and the Court, and conducted dozens of media interviews about the case.

Dates of Representation: 2017 – 2018

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2. *Nat’l Abortion Fed. v. Ctr. for Med. Progress*, 926 F.3d 534 (9th Cir. 2019) (Rawlinson, Watford, Friedland, J.J.).

On behalf of Defendants-Appellants David Daleiden and Center for Medical Progress, the Thomas More Society appealed the District Court's decision (2017 WL 3021024) to hold them vicariously in contempt for actions of Mr. Daleiden's defense counsel in a related criminal case. The Ninth Circuit disclaimed jurisdiction over the appeal, finding that the contempt was civil, not criminal, and could therefore not be appealed before final judgment in the underlying case. A petition for rehearing en banc and motion for attorneys' fees have been denied. A motion to enforce the surety liability is pending in the District Court.

As a member of a small team representing Mr. Daleiden and CMP, I was a principal drafter of our arguments before the District Court, and I presented oral argument before the Ninth Circuit. I was also the chief architect of the Petition for Rehearing En Banc and have contributed to all subsequent briefing.

Dates of Representation: 2017 – present

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3. *Does v. Univ. of Washington*, No. 2:16-cv-01212-JLR (W.D.Wa.); No. 16-36038 (9th Cir.); No. 18-35003 (9th Cir.).

My client requested records from a publicly-funded research laboratory at the University of Washington. Individuals named in the documents sued to have all identifying information, including job titles and institutional affiliations, redacted from the documents before disclosure. The United States District Court for the Western District of Washington enjoined the release of that information, *see* 2016 WL 8738682, and we have pursued redress through two appeals to the Ninth Circuit.

I joined the case in January 2017 at the beginning of our first Ninth Circuit appeal and have been principally responsible for all briefing since then. Our first trip to the Ninth Circuit resulted in reversal and remand for the District Court to remedy deficiencies we identified. *See* 695 Fed. Appx. 265 (9th Cir. 2017) (Tashima, McKeown, Nguyen, J.J.). After supplementary briefing, the District Court reissued the preliminary injunction, largely unchanged. We are awaiting a decision in our second appeal before the same Ninth Circuit panel.

Dates of Representation: 2017 – present

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4. *Planned Parenthood Fed. of Am. v. Ctr. for Med. Progress*, Case No. 3:16-cv-00236-WHO (N.D.Cal.) (Orrick, J.)

My client, an individual investigative journalist, is one of several defendants in a lawsuit alleging that an undercover investigation into fetal tissue trafficking violated federal racketeering and wiretapping statutes and several state laws. The now nearly-four-year-old litigation initially focused on the application of California's anti-SLAPP laws in federal court. The Supreme Court denied certiorari on that issue earlier this year. *See* 139 S.Ct. 1446 (2019). The parties finished discovery and briefing of cross-motions for summary judgment in July 2019. Trial is currently scheduled to begin September 30, 2019.

I joined a sizeable litigation team in late 2017 and since then have drafted and edited a wide variety of filings including, *inter alia*, written discovery responses, summary judgment briefing, a writ of mandamus to the Ninth Circuit and reply in support thereof, and a petition for writ of certiorari to the United States Supreme Court and reply in support thereof. We are currently engaged in pre-trial matters, e.g., jury instructions, motions in limine, *Daubert* motions, witness examination outlines.

Dates of Representation: 2017 – present

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5. *Nat'l Abortion Fed. v. Ctr. for Medical Progress*, Case No. 15-cv-03522-WHO (N.D. Cal.) (Orrick, J.); Dkt. No. 18-17195 (9th Cir.).

The plaintiff, a trade organization, alleges racketeering and other federal and state claims against my client and others for attending its conferences under assumed identities in order to investigate fetal tissue procurement practices. NAF obtained a preliminary injunction barring the release of any video footage recorded at its conferences. The defendants contested that injunction as an unconstitutional prior restraint all the way to the United States Supreme Court, which denied certiorari. *See* 138 S.Ct. 1438 (2018).

When the case returned to the District Court, the plaintiff dismissed all but four of their claims, leaving only state law claims. The defendants moved for dismissal of the case for, among other reasons, lack of federal jurisdiction and failure to plead cognizable damages. The defendants also moved for dissolution of the preliminary injunction because developments during the ensuing three years had undermined the factual basis relied on by the District Court. Finally, the defendants filed an anti-SLAPP motion, putting the onus on NAF to produce admissible evidence for each of its claims before proceeding any further in a lawsuit aimed at

suppressing the defendants' First Amendment rights. The District Court denied all three motions (2018 WL 5879786), and the defendants appealed the denials of the motion to dissolve the preliminary injunction and anti-SLAPP motion. That appeal is pending.

I joined a sizeable litigation team in June 2017 and since then have substantially contributed to briefing at all stages, including seeking Supreme Court review of the preliminary injunction, seeking dismissal of the case on jurisdictional and other grounds, and appealing the denial of the anti-SLAPP motion and the motion to dissolve the preliminary injunction.

Dates of Representation: 2017 – present

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6. *McQueen v. Gadberry*, 507 S.W.3d 127 (Mo. App. 2016) (Clayton, Van Amburg, Dowd, J.J.).

The RUNNYMEDE law group represented Jalesia McQueen, a mother who was seeking custody of two frozen embryos created with her ex-husband, in the appeal of her marital dissolution decree. The central issue was whether frozen embryos qualify as “persons” or “property” under Missouri law. On a small team of lawyers, I was one of the principal drafters of our appellate briefing and contributed substantially to oral argument preparation. The Missouri Court of Appeals, Eastern District ruled against Ms. McQueen over a strong dissent, and the Supreme Court of Missouri declined to hear the case. Thereafter I was not involved in the case, but my understanding is that Ms. McQueen decided not to pursue certiorari to the United States Supreme Court.

Dates of Representation: 2015 – 2016

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7. *Planned Parenthood of the Heartland, Inc. v. Reynolds*, Case No. EQCE083074 (Iowa Dist. Ct. for Polk County) (Huppert, J.).

The Governor of Iowa retained the Thomas More Society to defend a legislative ban on abortion after a fetal heartbeat is detected against a legal challenge under the Iowa Constitution. After the defendants moved to dismiss, the Iowa Supreme Court found (for the first time, in a different case) that the Iowa Constitution protects a fundamental right to abortion. The Iowa state court ruled that our defense of the heartbeat law was foreclosed by that holding.

Dates of Representation: 2018 – 2019

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8. *People of the State of California v. Daleiden*, Case Nos. 2502505 & 17006621 (Cal. Sup. Ct.) (Hite, J.).

My client and an associate have been indicted for fourteen alleged violations of a California law that prohibits the recording of “confidential communications,” and one count of conspiracy. A two-week preliminary hearing is scheduled for early September, after several postponements. I have been assisting Mr. Daleiden’s criminal defense team with briefing of pre-trial issues that implicate Mr. Daleiden’s Sixth Amendment right to a fair trial, such as whether the accusers may testify anonymously at the preliminary hearing, whether evidence used at the preliminary hearing can be sealed thereafter, and whether third party special interest groups may intervene in order to assist the prosecution.

Dates of Representation: 2018 – present

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9. *City of Aurora, Missouri v. Spectra Commc'ns Grp., LLC*, Nos. 12SL-CC02896 (St. Louis County Cir. Ct.) (Vincent, J.); SC94208 (Mo. 2014)

A number of Missouri municipalities brought suit against our client, a telecommunications company, over the scope of their municipal business license taxes and other ordinances. The lawsuit has been ongoing from 2012 to present, but I worked on it (and a number of related suits) for 3.5 years, from early 2013 through late 2016, while I was with Clark & Sauer/RUNNYMEDE law group. On a team of three to five attorneys, and collaborating with a small group of attorneys at another firm, I was substantially involved in many significant filings, both at the trial court and on appeal, including discovery requests and responses, dispositive motions, and appellate briefs. I also helped to prepare our senior attorney for oral argument before the Missouri Supreme Court.

Dates of Representation: 2013 – 2016

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10. *Charter Communications Operating, LLC v. SATMAP Inc. et al.*, Case Nos. 13SL-CC03154, 15SL-CC0335 (Circuit Court of St. Louis County).

Clark & Sauer LLC (later RUNNYMEDE law group) represented a technology company in a dispute with a cable company over how much money the technology company owed upon termination of a services agreement. The plaintiff sued our client twice. After our client prevailed in the first suit, the plaintiff sued again for a lesser sum, which we argued was barred by *res judicata*. As a member of a small team, I contributed to trial court briefing in both lawsuits, with principal responsibility for briefing cross-motions for judgment on the pleadings in *SATMAP II*. I also contributed to oral argument preparation on appeal in *SATMAP I* and in the trial court for *SATMAP II*.

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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.)

I have never engaged in lobbying activities.

During the first few years of my career, I was a member of Covington & Burling's Food & Drug practice group, where my practice consisted mainly in providing regulatory advice to clients. That advice took various forms. Primarily, I researched and advised clients in response to specific complex regulatory questions, but I also produced bulletins and articles on issues of general interest to our regulatory clients and participated in audits of client advertising and promotion practices and regulatory compliance protocols. During my time at Covington, I also advised the District of Columbia Historical Society on a matter of District of Columbia non-profit corporations law on a *pro bono* basis.

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

"Bioethics," Trinity University (D.C.), Spring 2005: A case-based introduction to the field of philosophical bioethics. I covered the basics of a few classic ethical theories (Kantian deontology, utilitarianism, and natural law) and then guided students in using those methodologies to examine ethical questions that arise in the field of medicine. Topics covered included: Medical Paternalism and Informed Consent; Reproduction and Parenthood (Abortion, Surrogacy, Reproductive Technologies); Enhancement, Eugenics, and Human Genetics; Euthanasia and Physician-Assisted Suicide; and Justice in the Distribution of Health Care. Syllabus supplied.

"Introduction to Philosophy: Freedom," Georgetown University, Spring 2005: An introduction to philosophical inquiry by examining the writings of various influential philosophers on the subject of free will. Reading included Aquinas, Hume, Kant, Nietzsche, and William James. As a teaching assistant for Professor Bill Blattner, I conducted weekly discussion sessions with groups of undergraduate students on the subjects discussed in lectures and guided them through writing analytical papers. No syllabus is available.

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.

I do not anticipate any such receipts or compensation.

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

I have no plans, commitments, or agreements to pursue outside employment.

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

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

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed to the Eastern District of Missouri, I will recuse myself from any litigation in which I have ever played a role. For a period of time, I anticipate recusing myself from any case in which my current firm, the Thomas More Society, represents a party. I will also recuse myself in any litigation in which my sister, Mary Catherine Hodes, should appear as counsel for any party. Otherwise, I am not aware of any personal circumstances that would increase the likelihood of conflicts of interest, but I would conscientiously consider recusal in any situation in which my partiality is questioned, and I would determine how to address any real or apparent conflict of interest in consultation with parties and their counsel.

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 evaluate any potential conflicts of interest under 28 U.S.C. § 455, Canon 3C of the Code of Conduct for United States Judges, and all other laws, rules, practices, and procedures governing such circumstances. In considering the standards set forth in those rules, I would consult judicial decisions and opinions of the Judicial Conference applying the rules to particular 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.

I have spent the last several years of my career working for a donation-funded public interest law firm, whose services are all provided free of charge to our clients. I also did pro bono work at both of my previous for-profit firms. Highlights of the legal services I have provided to disadvantaged clients over the course of my legal career include: representation of a woman suffering from an anoxic brain injury in a Department of Health and Human Services disability discrimination complaint against a facility that denied her admission (~30 hours to date); representation of peaceful protestors falsely accused of violence or threats (~40 hours to date on two ongoing matters); representation of a mother seeking to gain custody of her frozen embryos (~150 hours); representation of non-profit entities in both litigation and non-litigation matters, for example, representation of a mission for homeless pregnant women in a challenge to an unconstitutional ordinance (~210 hours); representation of African-American pro-life advocacy groups as amici in support of a law banning racially discriminatory abortion (~55 hours); representation of a collection of Catholic theologians and ethicists as amici in the cases that culminated in the Supreme Court's *Hobby Lobby* decision (no record of time spent); advising the District of Columbia Historical Society on an issue of District of Columbia non-profit corporation law (no record of time spent).

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.

I received an email from Senator Josh Hawley's office on January 29, 2019, setting up a phone call two days later, during which a member of Senator Hawley's staff asked if I would consider submitting my name for consideration for the recently-vacated

seat on the Eastern District of Missouri. On February 5, I informed the staffer by email that I was interested in being considered. I spoke with Senator Hawley and two staffers by phone on March 27.

I met with Senator Blunt and his chief of staff at the Senator's Washington office on March 15.

On May 17, I interviewed with members of the White House Counsel's Office and the Department of Justice in Washington, D.C. That same day I also met with Senator Blunt in his Washington office.

On June 26, the White House Counsel's Office informed me by phone that I had tentatively been selected as the nominee. On August 14, the President announced his intent to submit my nomination to the Senate.

Throughout this process I have been in contact with representatives of the White House Counsel's Office and 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.

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		12	722	Notes payable to banks-secured (auto)		29	664
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule		141	613	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable – see schedule		289	824
Real estate owned – see schedule		400	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		40	620				
Cash value-life insurance							
Other assets itemize:							
Willis Towers Watson Retirement SVF		70	000				
				Total liabilities		319	488
				Net Worth		345	467
Total Assets		664	955	Total liabilities and net worth		664	955
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	No		
On leases or contracts				Are you defendant in any suits or legal actions?	No		
Legal Claims				Have you ever taken bankruptcy?	No		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities

JPMCB SmartRetirement CIT 2040 Fund	104,920.61
JPMORGAN EQUITY INCOME CL I	5,062.54
ISHARES EDGE MSCI MIN VOLATILITY ETF	3,797.40
AB INCOME ADVISOR CL	3,226.25
LOOMIS SAYLES GROWTH CL Y	3,181.71
METROPOLITAN WEST TOTAL RETURN BOND CL M	2,911.94
Insured Cash Account	2,750.13
INVESCO OPPENHEIMER DEVELOPING MARKETS CL Y	2,693.48
T ROWE PRICE CAP APPREC INVESTOR CL	2,210.27
CARILLON SCOUT MID CAP CL I	1,549.60
ARTISAN INTL VALUE INVESTOR CL	1,482.43
ALGER SMALL CAP FOCUS CL Z	1,363.97
JANUS HENDERSON SMALL CAP VALUE CL T	1,263.48
AMPIO PHARMACEUTICALS, INC	321.36
MO 529 #1 - Vanguard Blended Moderate Growth Portfolio	367.74
MO 529 #2 - Vanguard Interest Accumulation Portfolio	636.74
MO 529 #3 - Vanguard Blended Growth Portfolio	59.68
MO 529 #3 - Vanguard Interest Accumulation Portfolio	687.37
MO 529 #4 - Vanguard Growth Portfolio	3,126.48
Total Listed Securities	141,613.18

Real Estate Owned

Personal Residence	\$ 400,000
Total Real Estate Owned	400,000

Real Estate Mortgages Payable

Personal Residence – Mortgage	\$ 289,824
Total Real Estate Mortgages Payable	289,824

AFFIDAVIT

I, Sarah E. Pitlyk, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

8/26/2019
(DATE)

Sarah E. Pitlyk
(NAME)

[Signature]
(NOTARY)

