

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Steven Daniel Grimberg

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

United States District Court for the Northern District of Georgia

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

Office: Nardello & Co.  
999 Peachtree Street, Suite 1130  
Atlanta, Georgia 30309

Residence: Marietta, Georgia

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

1974, New York City, New York

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.

1995 – 1998, Emory University School of Law; J.D. (*with distinction*), 1998

1991 – 1995, University of Florida, B.A. (*with honors*), 1995

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.

2018 – Present  
Nardello & Co.  
999 Peachtree Street, Suite 1130

Atlanta, Georgia 30309  
Managing Director, General Counsel-Americas

2012 – Present  
Emory University School of Law  
1301 Clifton Road, N.E.  
Atlanta, Georgia 30322  
Adjunct Professor

2010 – 2017  
United States Department of Justice  
75 Ted Turner Drive S.W., Suite 600  
Atlanta, Georgia 30303  
Assistant United States Attorney and Deputy Chief, Economic Crime Section

2005 – 2010  
United States Department of Justice  
601 D Street, N.W.  
Washington, D.C. 20004  
Trial Attorney, Tax Division

2002 – 2005  
Hunton & Williams LLP  
600 Peachtree Street, N.E., Suite 4100  
Atlanta, Georgia 30308  
Associate

1999 – 2002  
Muller Mintz, PA  
200 South Biscayne Boulevard, Suite 3600  
Miami, Florida 33131  
Associate

Summer 1997; 1998 – 1999  
Vial, Hamilton, Koch & Knox LLP  
1717 Main Street, Suite 4400  
Dallas, Texas 75201  
Summer Associate (1997)  
Associate (1998 – 1999)

1997 – 1998  
Johnson, Prioleau & Kenison, LLC  
41 Marietta Street, NW, Suite 600  
Atlanta, Georgia 30303  
Law Clerk (part-time)

1997  
Georgia Supreme Court  
Chief Justice Robert Benham  
244 Washington Street, Room 572  
Atlanta, Georgia 30334  
Intern

Summer 1996; Summer 1997  
Littler Mendelson, PC  
1100 Peachtree Street, NE, Suite 2000  
Atlanta, Georgia 30309  
Summer Associate

1996 – 1997  
Emory University School of Law  
Professor Polly Price  
1301 Clifton Road  
Atlanta, Georgia 30322  
Research Assistant

Other Affiliations (uncompensated):

2018 – Present  
U.S. Chamber of Commerce  
Technology Litigation Advisory Committee  
1615 H Street, N.W.  
Washington, D.C. 20062  
Member

2017 – Present  
Timber Ridge Foundation (Timber Ridge Elementary School)  
5000 Timber Ridge Road  
Marietta, Georgia 30068  
Board Member

2010 – Present  
Lamar Inn of Court  
Emory University School of Law  
1301 Clifton Road  
Atlanta, Georgia 30322  
President (2018 – Present)  
President-Elect and Treasurer (2017 – 2018)  
Secretary (2016 – 2017)  
Executive Committee (2012 – Present)

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including

dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

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

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

Director's Award for Superior Performance, Executive Office of U.S. Attorneys, *SpyEye Botnet Investigation* (2017)

United States Attorney's Award, U.S. Attorney's Office for the Northern District of Georgia, *United States v. Annamalai, et al.* (2017)

Certificate of Appreciation for Outstanding Assistance and Support of Law Enforcement Responsibilities, Internal Revenue Service-Criminal Investigation (2016)

Cyber Boot Camp, Federal Bureau of Investigation National Cyber Investigative Joint Task Force (2015)

Certificate of Appreciation for Outstanding Service on Behalf of Crime Victims (2015)

Certification of Appreciation for Outstanding Service on Behalf of Crime Victims (2014)

United States Attorney's Award, U.S. Attorney's Office for the Northern District of Georgia, *United States v. Lawrence Eppelbaum* (2013)

Certificate of Appreciation for Outstanding Service on Behalf of Crime Victims, *United States v. Mitchell Gross* (2013)

Certificate of Appreciation for Outstanding Assistance and Support of Law Enforcement Responsibilities, U.S. Department of Treasury (2012)

Recognition Plaque for Outstanding Work and Contribution to "Operation Stop the Flow" and "Operation Go with the Flow", Internal Revenue Service-Criminal Investigation (2010)

Master, Lamar Inn of Court, Emory University School of Law (2010 – Present)

Director's Award for Superior Performance, Executive Office of U.S. Attorneys, *United States v. Juan Rene Caro, et al.* (2009)

Outstanding Attorney Award, U.S. Department of Justice, Tax Division (2009)

Recognition Plaque, Food and Drug Administration, Office of Criminal Investigation, *United*

*States v. Michael Sherman, et al.* (2008)

Outstanding Attorney Award, U.S. Department of Justice, Tax Division (2007)

Juris Doctorate, *with distinction*, Emory University School of Law (1998)

Emory International Law Review, Associate Editor (1997 – 1998)

Dean's List, Emory University School of Law (1995 – 1998)

Full Scholarship, Emory University School of Law (1995 – 1998)

Bachelor of Arts Degree, *with honors*, University of Florida (May 1995)

Full Scholarship, University of Florida (1991 – 1995)

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

American Bar Association (2015 – 2016)

Atlanta Bar Association  
Criminal Law Section (2011 – Present)

Cobb County Bar Association (2014 – 2016)

Federal Bar Association (2006 – 2016)  
Criminal Law Section (2009 – 2016)

Georgia Bar (2003 – Present)  
Corporate Counsel Section (2018 – Present)  
Criminal Law Section (2010 – Present)  
Appellate Practice Section (2015 – 2018)  
Judicial Section (2015 – 2017)

Georgia Hispanic Bar Association (2015 – Present)

Hispanic National Bar Association (2015 – Present)

Lamar Inn of Court, Emory University School of Law (2010 – Present)  
President (2018 – Present)  
President-Elect and Treasurer (2017 – 2018)  
Secretary (2016 – 2017)  
Executive Committee (2012 – Present)

Lawyer's Club of Atlanta (2018 – Present)

Republican National Lawyers Association (2008 – Present)

10. **Bar and Court Admission:**

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

Texas, 1998  
Florida, 1999  
Georgia, 2003

In 2005 I elected to be an inactive member of the Texas Bar because I was no longer practicing law in Texas. In 2010 I elected to be an inactive member of the Florida Bar because I was no longer practicing law in Florida. I am not aware of any other lapses in membership.

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

United States Supreme Court, 2007.  
United States Court of Appeals for the Fifth Circuit, 1999.  
United States Court of Appeals for the Eleventh Circuit, 2001.  
U.S. District Court for the Northern District of Georgia, 2004.  
U.S. District Court for the Middle District of Georgia, 2004.  
U.S. District Court for the Northern District of Florida, 2000.  
U.S. District Court for the Middle District of Florida, 2000.  
U.S. District Court for the Southern District of Florida, 2000.  
U.S. District Court for the Northern District of Texas, 1998.  
Superior and State Courts of Georgia, 2003.

In 2009 my membership in the bar of the United States Court of Appeals for the Fifth Circuit lapsed because I did not renew it; I have not appeared in any matter before the court since March 2009. In 2017 my membership in the bar of the United States Court of Appeals for the Eleventh Circuit lapsed when I left government service; under the court's admission rules I was authorized to appear as an attorney for the United States Government between 2005 and 2017; I have not appeared in any matter before the court since December 2017. My membership in the United States District Court for the Middle District of Florida has likewise lapsed because I did not renew it while appearing before the court on behalf of the United States Government. The clerk's office is unable to determine exactly when it expired; I have not appeared in any matter before the court since leaving government employment. I am not aware of any other 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 ALS Association  
Georgia Chapter (2015 – 2016)

Emory University Alumni Association (1998 – Present)

The Federalist Society for Law and Public Policy Studies (1997 – 2004; 2015 – Present)  
Atlanta Lawyers Chapter (2015 – Present)

Infragard Atlanta Members Alliance (2012 – Present)

Leukemia & Lymphoma Society  
Team in Training (2003)

Republican Jewish Coalition  
Atlanta Chapter (2015 – 2016)

Timber Ridge Foundation (Timber Ridge Elementary School)  
Board Member (2017 – Present)

University of Florida Alumni Association (1995 – 2012)

U.S. Hereditary Angiodema Association (2015 – 2016)

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

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or

national origin, 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.

*Hot Topics and Current Trends in Public Corruption Investigations*, Nardello & Co., Insights (August 2018). Copy supplied.

*A Call to Action: Cybersecurity Due Diligence in Today's Business Climate*, 5 Emory Corp. Governance & Accountability Rev. 73 (2018). Copy supplied.

*Cybersecurity Challenges for the Boardroom: What Publicly Traded Companies Should Consider*, Forbes.com, byline Christopher P. Skroupa (March 12, 2018). Copy supplied.

*Major Changes to OSHA's Recordkeeping Rule*, Mondaq Business Briefing (January 14, 2002). 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.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

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

If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

October 12, 2018: Panelist, *Anatomy of a Health Care Data Breach*, Georgia Bar, Institute of Continuing Legal Education, Advanced Health Law CLE, Atlanta, Georgia. PowerPoint supplied.

May 17, 2018: Co-presenter, *Cybercrime: Privacy, Speech and Safety*, 2nd Annual Lightfoot White Collar Institute, Lightfoot Franklin & White, LLC, Birmingham, Alabama. The presentation addressed best practices for interacting with law enforcement on cyber-related incidents. I have no notes, transcript, or recording. The address for Lightfoot Franklin & White, LLC, is The Clark Building, 400 20th Street North, Birmingham, Alabama 35203.

April 16, 2018: Panelist, *Law Enforcement Hot Topics Debate*, e-Fraud Global Conference, San Francisco, California. Description of the panel, outlines, and questions supplied.

April 12, 2018: Lecture, *SpyEye Case Study*, Georgetown Law School, Washington, D.C. I guest-lectured a class along with my colleague, Mark Ray, entitled "Cyber Threats and Technological Insecurity: Emerging Legal, Policy, and Operational Challenges," on a cyber case we investigated and prosecuted relating to a prolific computer botnet. I have no notes, transcript, or recording. The address for Georgetown Law School is 600 New Jersey Avenue, N.W., Washington, D.C. 20001.

March 29, 2018: Panelist, *Pigs Get Fat, Hogs Get Slaughtered: A Look at Fraud Through the Corporate Umbrella*, 2018 Emory Corporate Governance and Accountability Review Symposium, Atlanta, Georgia. Video available at <https://www.youtube.com/watch?reload=9&v=zUzsDAi0MJc>.

March 16, 2018: Panelist, *Cybersecurity Spy Craft: The Next Wave of Cybersecurity Threats and Cyber Risk Management from a Global Perspective*, Hispanic National Bar Association Corporate Counsel Conference, San Francisco, California. The panel discussed cyber-related risks and best practices. I have no notes, transcript, or recording. The address for the Hispanic National Bar Association is 1020 19th Street, N.W., Suite 505, Washington, D.C. 20036.

February 27, 2018: Co-convener, *Human Trafficking*, Lamar Inn of Court, Atlanta, Georgia. I introduced a speaker, Susan Coppedge, former Ambassador-at-Large for the Office to Monitor and Combat Trafficking in Persons at the United States Department of State. A copy of the biography I used as a resource is supplied.

February 26, 2018: Co-presenter, *Cyber Risk Assessments*, EO Atlanta, Atlanta, Georgia. The presentation was on cybersecurity best practices. I have no notes, transcript, or recording. The address for EO Atlanta is P.O. Box 924202, Norcross, Georgia 30010.

October 20, 2017: Panelist, *Enforcement/White Collar Developments*, Georgia Bar, Institute of Continuing Legal Education, Securities Litigation and Regulatory Practice CLE, Atlanta, Georgia. Outline supplied.

October 6, 2017: Speaker, *Hot Topics and Current Trends in Federal White-Collar Prosecutions*, Georgia Association of Certified Fraud Examiners, Atlanta, Georgia. The speech was on criminal enforcement priorities of the U.S. Attorney's Office for the Northern District of Georgia in the white-collar prosecution arena. I have no notes, transcript, or recording. The address for the Georgia Association of Certified Fraud Examiners is P.O. Box 79498, Atlanta, Georgia 30357.

October 3, 2017: Panelist, *Cybersecurity Roundtable Discussion*, Baker Donelson PC, Atlanta, Georgia. The panel was on cyber threats and data breach response. I have no notes, transcript, or recording. The address for Baker Donelson is 3414 Peachtree Road, N.E., Monarch Plaza, Suite 1600, Atlanta, Georgia 30326.

April 26, 2017: Panelist, *Cybersecurity Roundtable Discussion*, Baker Donelson, PC, Atlanta, Georgia. The panel was on cyber threats and data breach response. I have no notes, transcript, or recording. The address for Baker Donelson is 3414 Peachtree Road, N.E., Monarch Plaza, Suite 1600, Atlanta, Georgia 30326.

March 21, 2017: Panelist, *Elements of an Effective Compliance Plan*, Atlanta Bar Association, Business and Finance Section, Atlanta, Georgia. A copy of the PowerPoint slides utilized during the presentation is supplied.

February 16, 2017: Speaker, *SpyEye: A Lesson for Italy?*, Center for American Studies, Rome, Italy. The speech was a case study on a cyber case that I investigated and prosecuted relating to a prolific computer botnet. I have no notes, transcript, or recording. The address for the Center for American Studies is via Michelangelo Caetani 32, 00186 Roma RM, Italy.

February 16, 2017: Speaker, *Cybersecurity: The New Dimension of Conflict*, LUISS University, Rome, Italy. The speech was delivered to a class at the university on a cyber case that I investigated and prosecuted relating to a prolific computer botnet. I have no notes, transcript, or recording. The address for LUISS University is Viale Pola 12, 00198 Roma RM, Italy.

January 25, 2017: Speaker, *A Case Study on a Cyber-Crime Prosecution: SpyEye*, International Security Management Association, Atlanta, Georgia. The speech was a case study on a cyber case that I investigated and prosecuted relating to a prolific computer botnet. I have no notes, transcript, or recording. The address for the International Security Management Association is 3294 210th Street, Thayer, Iowa 50254.

September 29, 2016: Speaker, *The Cybercrime Landscape*, Fraud and Forensic Accounting Conference, The Georgia Society of CPAs, Atlanta, Georgia. The speech was on cyber-crime threats and private sector-law enforcement collaboration. I have no notes, transcript, or recording. The address for the Georgia Society of CPAs is Six Concourse Parkway, Suite 800, Atlanta, Georgia 30328.

September 9, 2016: Panelist, *Economic Espionage Prosecutions and International Criminal Enforcement*, American Bar Association, Criminal Justice Section, Southeastern White Collar Crime Institute, Braselton, Georgia. Outline supplied.

August 12, 2016: Speaker, *Cybersecurity*, Engage16 Conference, Greenway Health, Atlanta, Georgia. The speech was on cyber-related threats and best practices for cybersecurity. I have no notes, transcript, or recording. The address for Greenway Health is 4301 West Boy Scout Boulevard, Suite 800, Tampa, Florida 33607.

May 12, 2016: Speaker, *Threat Brief: The Cyber Crime Landscape*, CISO Coalition, Webinar. The presentation was on cyber related threats to the private sector. I have no notes, transcript, or recording. The address for the CISO Coalition is 222 S.W. Columbia Street, 10th Floor, Portland, Oregon 97201.

May 10, 2016: Panelist, *Criminal Enforcement and other Emerging Issues*, Cyber Liability Summit, Freeman Mathis & Gary LLP, Atlanta, Georgia. The panel was on cyber-related threats and best practices. I have no notes, transcript, or recording. The address for Freeman Mathis & Gary LLP is 100 Galleria Parkway, Suite 1600, Atlanta, Georgia 30339.

February 11, 2016: Moderator, *Cybersecurity Beyond the Media Coverage: Applicable Law Doctrines, Corporate Responsibility, and Practical Implications*, Thrower Symposium, Emory University School of Law, Atlanta, Georgia. Video available at <https://www.youtube.com/watch?v=hv8gVaDcNVI>.

November 18, 2015: Panelist, *Criminal Tax Prosecutions: Policies and Priorities*, Atlanta Bar Association, Criminal Law Section Luncheon, Atlanta, Georgia. The panel was on recent trends in criminal tax enforcement. I have

no notes, transcript, or recording. The address for the Atlanta Bar Association is 229 Peachtree Street, Suite 400, Atlanta, Georgia 30303.

October 1, 2015: Panelist, *Cyber Liability Trends and Developments – Where We Are and Where We Are Going*, Professional Liability Attorney Network, Alpharetta, Georgia. The panel was on cyber-related threats and best practices. I have no notes, transcript, or recording. The address for the Professional Liability Attorney Network is 275 North York Street, Suite 401, Elmhurst, Illinois 60126.

August 20, 2015: Panelist, *Cybersecurity Forum*, Baker Donelson, PC, Atlanta, Georgia. The panel was on cyber threats and data breach response. I have no notes, transcript, or recording. The address for Baker Donelson is 3414 Peachtree Road, N.E., Monarch Plaza, Suite 1600, Atlanta, Georgia 30326.

April 7, 2015: Panelist, *Law Panel on Legal Careers and the Legal Job Market*, Georgia State University Law School, Atlanta, Georgia. The panel was on career options and networking. I have no notes, transcript, or recording. The address for Georgia State University College of Law is 85 Park Place, N.E., Atlanta, Georgia 30303.

February 26, 2015: Lecture, *Practical Application of the Electronic Communications Privacy Act*, Emory University School of Law, Atlanta, Georgia. I guest-lectured a class on the various evidence-gathering and surveillance tools utilized by federal law enforcement under the Electronic Communications Privacy Act of 1986. I have no notes, transcript, or recording. The address for Emory University School of Law is 1301 Clifton Road, Atlanta, Georgia 30322.

February 21, 2015: Moderator, *Cyber Crime Investigations and Prosecutions*, Emory University School of Law, Cyber Crime Colloquium, Atlanta, Georgia. The panel was on the challenges of investigating and prosecuting cyber-related crimes. I have no notes, transcript, or recording. The address for Emory University School of Law is 1301 Clifton Road, Atlanta, Georgia 30322.

January 29, 2015: Speaker, *Annamalai Annamalai Case Study*, Atlanta Bar Association, Bankruptcy Section Breakfast Meeting, Atlanta, Georgia. The speech was a case study on a bankruptcy fraud case I prosecuted. I have no notes, transcript, or recording. The address for the Atlanta Bar Association is 229 Peachtree Street, Suite 400, Atlanta, Georgia 30303.

November 6, 2014: Panelist, *Cyber Panel*, Georgia Chapter of the Association of Certified Fraud Examiners, Atlanta, Georgia. The panel was on the latest trends in cyber threats and mitigation strategies. I have no notes,

transcript, or recording. The address for the Georgia Chapter of the Association of Certified Fraud Examiners is P.O. Box 79498, Atlanta, Georgia 30357.

September 29, 2014: Panelist, *Cybersecurity*, U.S. Chamber of Commerce, National Security Task Force and Chief Security Officer Roundtable Meeting, Atlanta, Georgia. The panel was on emerging threats in the cyber landscape. I have no notes, transcript, or recording. The address for the U.S. Chamber of Commerce is 1615 H Street, N.W., Washington, D.C. 20062.

May 16, 2014: Speaker, *Cybersecurity in Healthcare*, Georgia Academy of Healthcare Attorneys, Annual Meeting, Atlanta, Georgia. PowerPoint and video available at <https://slideplayer.com/slide/4706905/>.

May 14, 2014: Panelist, *Cyber Law Enforcement Priorities*, Georgia Tech, Institute for Information and Security, Third Annual Emerging Threats and Cyber Defense Symposium, Atlanta, Georgia. The panel was on cyber-related investigations and prosecutions. I have no notes, transcript, or recording. The address for Georgia Tech, Institute for Information and Security, is 266 Ferst Drive, Atlanta, Georgia 30332.

March 25, 2014: Speaker, *Cyber Liability*, Federal Bar Association, Atlanta, Georgia. The speech was on cyber-related threats and emerging issues. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 25, 2014: Panelist, *Cyber Crime*, Sandpiper Partners, LLC, Atlanta, Georgia. The panel was on cyber-related threats and emerging issues. I have no notes, transcript, or recording. The address for Sandpiper Partners, LLC, is 855 Valley Road, Suite 209, Clifton, New Jersey 07013.

November 13, 2013, Speaker, *Cyber Law Enforcement Priorities*, Infragard Atlanta Chapter meeting, Atlanta, Georgia. The speech was on criminal law enforcement priorities in the cyber arena for the U.S. Attorney's Office in the Northern District of Georgia. I have no notes, transcript, or recording. The address for Infragard is c/o Federal Bureau of Investigation, 3000 Flowers Road South, Atlanta, Georgia 30341.

April 4, 2013: Speaker, *Counterattack*, Alpharetta Public Safety Foundation, Norcross, Georgia. The speech was on emerging cybersecurity threats. Press report supplied.

September 27, 2012: Speaker, *Cyber Crime*, Fourth Annual Law Enforcement and Business Continuity Summit, U.S. Attorney's Office, Atlanta, Georgia. I have no notes, transcript, or recording. The address for the U.S. Attorney's

Office is c/o Didi Nelson, 75 Ted Turner Drive S.W., Suite 600, Atlanta, Georgia 30303.

June 24, 2011: Moderator, *Reforms in the Macedonian Judiciary System*, 3rd Annual United Macedonian Diaspora, Washington, D.C. Video available at <https://m.youtube.com/watch?v=LENZiIygAb8>.

- 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.

Ryan Kruger, *Private investigator peels back process of vetting high-profile candidates*, 11 Alive News, September 27, 2018. Video available at <https://www.11alive.com/article/news/politics/national-politics/private-investigator-peels-back-process-of-vetting-high-profile-candidates/85-598935614>. Copy supplied.

Aaron Diamant, *LabCorp detects suspicious activity on its network*, July 19, 2018. Copy supplied.

Clara Hudson, *Nardello recruits former US prosecutor in Atlanta*, Global Investigations Review, January 12, 2018. Copy supplied.

Stephanie Forshee, *Investigations Firm Nardello Tracks Down a New GC in Steven Grimberg*, Corporate Counsel, January 8, 2018. Copy supplied.

Nardello & Co. press release, *Steven Grimberg Joins Nardello & Co. As A Managing Director and General Counsel for The Americas*, January 8, 2018. Copy supplied.

Kate Brumback, *Cybercrimes present unique challenges for investigators*, Associated Press, November 12, 2017. Copy supplied.

R. Robin McDonald, *Sentenced Russian Hacker a 'Key Resource' For Cyber Underworld*, The Daily Report (Fulton County, Georgia), July 19, 2017. Copy supplied.

Justin S. Daniels and Joe D. Whitley, *Cybersecurity Public Private Partnerships: Challenges and Opportunities*, Law Journal Newsletters' Cybersecurity Law & Strategy, February 2017. Copy supplied.

Carol Sbarge, *Peachtree Orthopedics' data breach put half a million Georgians at risk*, WSB-TV Channel 2 Action News, December 13, 2016. Video available at <https://www.wsbtv.com/news/local/atlanta/peachtree-orthopedics-data-breach-put-thousands-at-risk/475682805>. Copy supplied.

Aaron Diamant, *Medical records are being sold on the black market*, WSB-TV Channel 2 Action News, November 9, 2016. Video available at <https://www.wsbtv.com/news/2-investigates/your-medical-records-are-being-sold-on-the-black-market/465680836>. Copy supplied.

Insider Law, *Dietary Supplement Marketer Convicted of Selling Ephedra Years After FDA Ban*, Natural Products Insider, June 3, 2016. Copy supplied.

P. Rajendran, *'Heartless' and 'Ruthless' Annamalai sentenced to 27 years in prison*, India Abroad (New York edition), April 24, 2015. Copy supplied.

Randy Travis, *"Dr. Commander" Trial*, Fox 5 News, August 29, 2014. Video available at <https://m.youtube.com/watch?v=za7rjeyYa7s>.

R. Robin McDonald, *Would-Be Judge Pleads Guilty to Wire Fraud*, The Daily Report (Fulton County, Georgia), September 12, 2013. Copy supplied.

Karen Scannell, *The Fraudbusters*, Financial Times, August 16, 2013. Copy supplied.

Thomas Mullen, *Spellbinder*, Atlanta Magazine, October 1, 2012. Copy supplied.

Bill Rankin, *Marietta author admits to scams*, Atlanta Journal-Constitution, February 22, 2012. Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_
- i. Of these, 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 not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;

- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

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

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

I have not held any public office. I have not had any unsuccessful candidacies for elective office, nor have I had any unsuccessful nominations for appointed 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 not held any membership or office in a political party or election committee. I have not held a position or played a role in a political campaign.

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

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

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

I have not served as clerk to a judge.

- 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.

1998 – 1999  
Vial, Hamilton, Koch & Knox LLP  
1717 Main Street, Suite 4400  
Dallas, TX 75201  
Associate

1999 – 2002  
Muller Mintz, PA  
200 South Biscayne Boulevard, Suite 3600  
Miami, Florida 33131  
Associate

2002 – 2005  
Hunton & Williams LLP  
600 Peachtree Street, N.E., Suite 4100  
Atlanta, Georgia 30308  
Associate

2005 – 2010  
United States Department of Justice  
601 D Street, N.W.  
Washington, D.C. 20004  
Trial Attorney, Tax Division

2010 – 2017  
United States Department of Justice  
75 Ted Turner Drive S.W., Suite 600  
Atlanta, Georgia 30303  
Assistant U.S. Attorney and Deputy Chief, Economic Crimes Section

2017 – Present  
Nardello & Co.  
999 Peachtree Street, Suite 1130  
Atlanta, Georgia 30309  
Managing Director  
General Counsel – Americas

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

I have not served as a mediator or arbitrator.

b. Describe:

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

character has changed over the years.

From 1998 to 1999, I was a litigation associate at Vial, Hamilton, Koch & Knox LLP in Dallas, Texas. I represented both plaintiffs and defendants in a diverse commercial litigation practice, including construction disputes, shareholder derivative litigation, and insurance coverage matters.

From 1999 to 2002, I was a litigation associate with Muller Mintz, PA in Miami, Florida. I represented employers and management executives in labor and employment law litigation. I also counseled clients on employment law best practices, monitored the integrity of labor union campaigns and elections, and defended clients before state and federal regulatory and administrative enforcement agencies.

From 2002 to 2005, I was a litigation associate with Hunton & Williams LLP in Atlanta, Georgia. I represented individuals, businesses and employers in complex civil litigation, including collective and class actions in both state and federal courts, as well as before administrative bodies and arbitration panels.

From 2005 to 2010, I served as a Trial Attorney with the United States Department of Justice, Tax Division, in Washington, D.C. While there I prosecuted and litigated both criminal and civil financial fraud, tax, bankruptcy, securities, and banking cases across the country, including in Georgia.

From 2010 to 2017, I served as an Assistant United States Attorney for the Northern District of Georgia. As a federal prosecutor, I investigated and prosecuted a broad array of criminal matters, including prosecutions for bank fraud, healthcare fraud, identity theft, securities fraud, tax fraud, Ponzi and investment schemes, cyber-crime, and public corruption. I worked closely with civil division counterparts on parallel proceedings and *Qui Tam* investigations. I also charged violations of the immigration laws and prosecuted drug dealers, child exploiters, elder abusers, gang members, bank robbers and other violent criminals.

In addition to my duties as an Assistant United States Attorney, in 2012 I was promoted to Deputy Chief of the Economic Crime Section, where I helped supervise and manage approximately twenty-five white-collar prosecutors. I analyzed and approved proposed matters for prosecution, reviewed and approved charging documents and plea agreements, assisted with developing strategies for pretrial hearings and trials, approved sentencing recommendations, reviewed and revised trial and appellate briefs, and helped prepared prosecutors for oral argument before both the District Court and Eleventh Circuit Court of Appeals. I often attended grand jury sessions and court hearings, including trials, with less

experienced prosecutors to provide them with support and feedback. I also participated in developing, reviewing and revising office-wide policies and practices.

As Deputy Chief, I also led a stand-alone Cyber-Crime Unit within the United States Attorney's Office comprised of approximately six prosecutors. In this role, I was solely responsible for overseeing all cyber-related investigations and prosecutions. This encompassed not only computer hacking cases, but also national security and terrorism investigations, as well as data breaches resulting in the theft or loss of trade secrets, intellectual property, and proprietary information.

Since January 2018, I am the General Counsel of the Americas for Nardello & Co., a global investigations firm, serving as the chief legal officer for the domestic offices including New York, Washington, D.C., and Atlanta. I am responsible for counseling and advising the executive management and leadership teams of the firm on a myriad of legal, compliance, regulatory and corporate governance matters. Central issues that touch upon my day-to-day work pertain to conflicts-of-interest, ethical and professionalism dilemmas, and data privacy safeguards.

I also serve as a Managing Director and head of the Atlanta office, supervising a staff of investigators, analysts and trained professionals on complex investigation matters for clients. The subject matters of the investigation work encompass a broad range of issues, including the Foreign Corrupt Practices Act and other corruption-related investigations, civil litigation and arbitration support, white-collar criminal defense, asset tracing, cybersecurity and computer forensics, and reputational due diligence.

- 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 between 1998 and 2005, I represented a wide variety of clients on commercial and employment-related matters, including individuals, business owners, investors, shareholders, non-profit organizations, family-owned businesses, financial institutions, insurance companies, nuclear power plants, energy companies, hospitals, academic institutions, and companies of all sizes, including Fortune 500 companies and their executives. The law firm Muller Mintz, PA, where I worked as an associate between 1999 and 2002, was a management-side labor and employment law boutique, so while there I represented private- and public-sector employers and management executives on labor and employment law matters. My practice at Hunton & Williams LLP between 2002 and 2005 likewise involved the representation of employers and management executives on labor and employment law matters, as well

as insurance companies and financial institutions in collective and class action matters.

As a trial attorney and federal prosecutor for the United States Department of Justice between 2005 and 2017, my client was exclusively the United States of America.

As General Counsel for the Americas at Nardello & Co. since January 2018, my legal practice is internal-facing only so my client is my own employer, Nardello & Co. Outward facing, we serve as a private investigations firm, not a law firm. Clients include law firms and financial institutions, individuals (primarily in white-collar defense matters), private and publicly-traded companies, professional sports organizations and academic institutions.

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

My practice has been exclusively in litigation, except for my current role since January 2018 as General Counsel for Nardello & Co. As a Trial Attorney and Assistant United States Attorney for the U.S. Department of Justice between 2005 and 2017, I appeared in court frequently. I appeared in court occasionally while in private practice between 1998 and 2005, and not at all since joining Nardello & Co. in January 2018.

- i. Indicate the percentage of your practice in:

1. federal courts:	90%
2. state courts of record:	5%
3. other courts:	0%
4. administrative agencies:	5%

- ii. Indicate the percentage of your practice in:

1. civil proceedings:	40%
2. criminal proceedings:	60%

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

I have tried approximately fifteen cases to verdict, judgment or final decision. I was the chief counsel or sole counsel for the vast majority of these cases. In addition, as Deputy Chief of the Economic Crime Section for the U.S. Attorney's Office in the Northern District of Georgia, I assisted in varying degrees with dozens of trials for the approximately 25 prosecutors over whom I had

supervisory responsibilities.

- i. What percentage of these trials were:
  - 1. jury: 95%
  - 2. non-jury: 5%

- 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.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *United States v. Annamalai Annamalai, et al.*, No. 1:13-CR-00437-TCB-CMS (N.D. Ga.)

Dates of Representation: 2013 – 2015

I represented the United States in its investigation and prosecution of Annamalai Annamalai, also known as Dr. Commander Selvam, a self-proclaimed priest. Among other misconduct, Annamalai charged his followers' credit card accounts for spiritual services without authorization and threatened followers that they and their families would suffer consequences from the Hindu gods if they disputed the charges. Annamalai manipulated audio recordings of the followers to make it sound as if they had agreed to pay the disputed charges, and he submitted those recordings to police departments across the country that were investigating criminal complaints lodged against Annamalai. Following a two-week jury trial, Annamalai was found guilty on all 34 counts of the indictment, including bank fraud, tax fraud, bankruptcy fraud, and obstruction charges. Annamalai was sentenced to serve over 27 years in prison. Annamalai's appeal with the Eleventh Circuit Court of Appeals is pending.

United States District Court for the Northern District of Georgia, Hon. Timothy C. Batten, Sr. (U.S. District Court Judge)

Co-Counsel for the United States:

Samir Kaushal  
Assistant U.S. Attorney  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Counsel for Defendant Annamalai Annamalai:

Donald F. Samuel  
Garland, Samuel & Loeb, P.C.  
3151 Maple Drive, N.E.  
Atlanta, Georgia 30305  
Tel: 404-262-2225

Bruce S. Harvey  
Law Office of Bruce Harvey  
146 Nassau Street, N.W.  
Atlanta, Georgia 30303  
Tel: 404-659-4628

Counsel for Co-Defendant Kumar Chinnathambi:

Thomas Colin Wooldridge  
Wooldridge & Jezek, LLP  
Suite 1900  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Tel: 404-942-3300

Counsel for Co-Defendant Parvathi Sivanadiyan:

Brian Steel  
The Steel Law Firm  
1800 Peachtree Street, N.W.  
Suite 300  
Atlanta, Georgia 30309  
Tel: 404-605-0023

2. *United States v. Juan Rene Caro, Maytemar Corp. d/b/a La Bamba Check Cashing, Jose Chaoui and Alfredo Gonzalez*, No. 1:08-cr-20044-JAL (S.D. Fla.)

Dates of Representation: 2008 – 2009

I represented the United States as co-counsel in a three-month criminal trial against Maytemar Corporation and its principals. The defendants engaged in a scheme by which their customers wrote checks payable to shell companies, and then for a fee cashed those checks at the defendants' business. The defendants accepted the cashed checks made payable to the shell companies and filed Currency Transaction Reports (CTRs) totaling over \$132 million with the Treasury Department, falsely representing the true source of the money and disguising the identity of the parties involved in the check cashing transactions. The jury found defendants Juan Rene Caro and Maytemar Corporation guilty on thirteen and fifteen felony counts, respectively. The jury was unable to reach a unanimous verdict on defendants Jose Chaoui and Alfredo Gonzalez, but they each subsequently pled guilty and were sentenced to a superseding tax charge.

United States District Court for the Southern District of Florida, Hon. Joan A. Lenard (U.S. District Court Judge)

Co-Counsel for the United States:

Wilfredo Fernandez (then at the Office of the United States Attorney)  
U.S. Securities & Exchange Commission  
801 Brickell Avenue Suite 1800  
Miami, Florida 33131  
Tel: 305-982-6376

Counsel for Defendants Juan Rene Caro and Maytemar Corporation:

Arturo V. Hernandez  
40 N.W. 3rd Street  
Suite 200  
Miami, Florida 33128  
Tel: 305-579-4850

Melvin Black  
2829 Bird Avenue, Suite 5-307  
Miami, Florida 33133  
Tel: 305-443-1600

Counsel for Defendant Jose Chaoui:

David Garvin  
David M Garvin, PA  
200 South Biscayne Boulevard  
Suite 3150  
Miami, Florida 33131  
Tel: 305-371-8101

Counsel for Defendant Alfredo Gonzalez:

Bruce Alter  
9700 SW 84th Avenue  
Miami, Florida 33156  
Tel: 305-975-6061

3. *United States v. Chenhsin Chan, a/k/a Paul Chan*, No. 1:14-cr-203-ODE-AJB (N.D. Ga.)

Dates of Representation: 2014 – 2016

I represented the United States in its investigation and prosecution of Paul Chan, who owned and operated a company that marketed and sold dietary supplements, including supplements that contained ephedrine alkaloids in violation of law. Chan was found guilty by jury trial on 30 felony counts. The jury also made findings that criminally forfeited assets Chan purchased with proceeds from his crimes.

United States District Court for the Northern District of Georgia, Hon. Orinda D. Evans (U.S. District Court Judge) and Hon. Alan J. Baverman (U.S. Magistrate Judge)

Co-Counsel for the United States:

Kelly Connors  
Assistant U.S. Attorney  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Counsel for Defendant Paul Chan:

Romeo Salta  
Law Office of Romeo Salta  
630 Ninth Avenue  
New York, New York 10036  
Tel: 917-562-3347

Carl Lietz, III  
Finch McCranie  
225 Peachtree Street, N.E.  
1700 South Tower  
Atlanta, Georgia 30303  
Tel: 404-658-9070

4. *United States v. Dr. Lawrence Eppelbaum*, No. 1:11-CR-00127-AT-AJB (N.D. Ga.)

Dates of Representation: 2011 – 2014

I represented the United States in its healthcare fraud prosecution of Lawrence Eppelbaum, a medical doctor specializing in back pain treatment. Eppelbaum utilized a purported charitable organization that he controlled to provide financial inducements to his Medicare patients. Over the course of his scheme, Eppelbaum received approximately \$16 million in kickback-induced revenue from Medicare. Eppelbaum was initially tried in June 2012, but following a three-week jury trial the case ended in a mistrial due to juror misconduct during deliberations. Eppelbaum was retried and convicted on 27 counts following a two-week trial in June 2013.

United States District Court for the Northern District of Georgia, Hon. Amy Totenberg

Co-Counsel for the United States:

Stephen H. McClain  
Assistant U.S. Attorney  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Counsel for Defendant Lawrence Eppelbaum:

Byung J. Pak  
(currently U.S. Attorney, Northern District of Georgia)  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Donald F. Samuel  
Garland, Samuel & Loeb, P.C.  
3151 Maple Drive, N.E.  
Atlanta, Georgia 30305  
Tel: 404-262-2225

5. *United States v. Cora Ford*, 784 F.3d 1386 (11th Cir. 2015); Case No. 1:12-CR-00297-TWT-ECS (N.D. Ga.)

Dates of Representation: 2012 – 2014

I represented the United States as co-counsel in a criminal trial against Cora Ford, who used stolen identities from the poor, homeless, and physically or mentally disabled people to file false and fraudulent tax returns with the IRS. Ford obtained her victims' names and social security numbers in a variety of ways, including by convincing her victims to provide her with their identifying information so that she could apply on their behalf for a grant from the government. In fact, no such government grant existed. Ford was found guilty by a jury on 30 counts of mail fraud, aggravated identity theft, and filing false claims with the government.

United States District Court for the Northern District of Georgia, Hon. Thomas W. Thrash, Jr. (U.S. District Court Judge)

Co-Counsel for the United States:

Thomas J. Krepp  
Assistant U.S. Attorney  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Counsel for Defendant Cora Ford:

Allison Dawson  
Federal Defender Program, Inc.  
Suite 1500, Centennial Tower  
101 Marietta Street, N.W.  
Atlanta, Georgia 30303  
Tel: 404-688-7530

Victoria Calvert  
Federal Defender Program, Inc.  
Suite 1500, Centennial Tower  
101 Marietta Street, N.W.  
Atlanta, Georgia 30303  
Tel: 404-688-7530

6. *United States v. Randy Haile, Jr. and Mark Beckford*, 685 F.3d 1211 (11th Cir. 2012)

Dates of Representation: 2011 – 2013

I represented the United States in this case during oral argument on an issue of first impression before the Eleventh Circuit Court of Appeals. Defendants Haile and Beckford were convicted following a jury trial on drug-trafficking and firearm offenses, and were sentenced to serve terms of imprisonment of 468 months and 438 months, respectively. (I

was not involved with this case during the district court proceedings.) The Eleventh Circuit affirmed the defendants' convictions and sentences on all issues raised, except that it reversed defendant Beckford's conviction for knowingly possessing a firearm with an obliterated serial number, in violation of 18 U.S.C. § 922(k). The Eleventh Circuit joined sister circuit courts in holding that a defendant's actual knowledge of the obliterated serial number is an element of the charge. The Court ruled that there was insufficient evidence that Beckford knew of the obliterated serial number on the firearm in question, requiring the conviction to be overturned. The reversal, however, had no impact on defendant Beckford's overall sentence.

United States Court of Appeals for the Eleventh Circuit, Hon. J.L. Edmondson, Hon. Charles R. Wilson, Hon. Phyllis A. Kravitch (deceased) (U.S. Circuit Court Judges)

Appellant Counsel for Defendant Randy Haile, Jr.:

Kristen Novay  
Garland, Samuel & Loeb, P.C.  
3151 Maple Drive, N.E.  
Atlanta, Georgia 30305  
Tel: 404-262-2225

Appellant Counsel for Defendant Mark Beckford:

Kendal Silas  
Federal Defender Program, Inc.  
Suite 1500, Centennial Tower  
101 Marietta Street, N.W.  
Atlanta, Georgia 30303  
Tel: 404-688-7530

7. *United States v. Aleksandr Andreevich Panin, a/k/a Gribodemon, and Hamza Bendelladj, a/k/a Bx1 (SpyEye Botnet Investigation)*, No. 1:11-CR-00557-AT-AJB (N.D. Ga.)

Dates of Representation: 2014 – 2016

The defendants in this case were responsible for "SpyEye", a prolific botnet that infected over 50 million computers and caused close to \$1 billion in losses to individuals and financial institutions around the world. I represented the United States during the contested sentencing hearing of Hamza Bendelladj (aka "Bx1"), an Algerian national who facilitated the development and distribution of the *SpyEye* botnet. Bendelladj was sentenced to 15 years in prison.

United States District Court for the Northern District of Georgia, Hon. Amy Totenberg (U.S. District Court Judge)

Co-Counsel for the United States:

Kamal Ghali (then at the Office of the United States Attorney)  
Bondurant, Mixson & Elmore LLP  
1201 West Peachtree Street NW  
Suite 3900  
Atlanta, Georgia 30309  
Tel: 404-881-4173

Counsel for Defendant Aleksandr Panin:

Arkady Bukh  
Law Offices of Arkady Bukh, Esq.  
1123 Avenue Z  
Brooklyn, New York 11235  
Tel: 718-376-4766

Leonard Franco  
The Franco Law Firm, PC  
1800 Peachtree Street, N.W.  
Suite 300  
Atlanta, Georgia 30309  
Tel: 404-875-1300

Counsel for Defendant Hamza Bendelladj:

Jay Strongwater  
Strongwater & Associates, LLC  
One Midtown Plaza, Suite 910  
1360 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Tel: 404-872-1700

Emily Strongwater  
Strongwater & Associates, LLC  
One Midtown Plaza, Suite 910  
1360 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Tel: 404-606-1963

8. *United States v. Donald Platten*, No. 9:08-cr-80148-DMM (S.D. Fla.)

Dates of Representation: December 2008 – February 2010

I represented the United States in the criminal jury trial of Donald Platten, who was charged with securities fraud and tax offenses. Platten was found guilty and sentenced to 21 years, 10 months' imprisonment.

United States District Court for the Southern District of Florida, Hon. Donald M. Middlebrooks (U.S. District Court Judge)

Co-Counsel for the United States:

Gregory Bockin (Then at the U.S. Department of Justice, Tax Division)  
U.S. Securities & Exchange Commission  
100 F Street, N.E.  
Washington, D.C. 20549  
Tel: 202-551-5684

Counsel for Defendant Donald Platten:

Michael Pasano  
Carlton Fields Jordan Burt, P.A.  
100 S.E. 2nd Street  
Suite 4200  
Miami, Florida 33131  
Tel: 305-530-0050

9. *United States v. The Public Warehousing Company K.S.C., a/k/a Agility, et al.*, No. 1:09-cr-490-TWT-AJB (N.D. Ga.) and No. 1:17-cr-177-TWT (N.D. Ga.)

Dates of Representation: 2010 – 2017

The defendant in this case was a Kuwaiti corporation charged with major fraud and other offenses in connection with contracts it entered with the U.S. Department of Defense (DOD) to supply food and other items for U.S. troops in the Middle East during the Iraq War between 2003 and 2010. I represented the United States during extensive pretrial litigation. The criminal case ultimately settled as part of a global resolution with parallel civil and administrative claims.

United States District Court for the Northern District of Georgia, Hon. Thomas W. Thrash, Jr. (U.S. District Court Judge) and Hon. Alan J. Baverman (U.S. Magistrate Judge)

Co-Counsel for the United States:

Glenn D. Baker  
Assistant U.S. Attorney  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Nathan P. Kitchens  
Assistant U.S. Attorney  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Kamal Ghali (then at the Office of the United States Attorney)  
Bondurant, Mixson & Elmore LLP  
1201 West Peachtree Street NW  
Suite 3900  
Atlanta, Georgia 30309  
Tel: 404-881-4173

Counsel for Defendant The Public Warehousing Company, a/k/a Agility:

Richard Marmaro  
Skadden Arps Slate Meagher & Flom LLP  
Suite 3400  
300 South Grand Avenue  
Los Angeles, California 90071  
Tel: 213-687-5480

Kristin N. Tahler  
Quinn Emanuel Urquhart & Sullivan, LLP  
10th Floor  
865 South Figueroa Street  
Los Angeles, California 90017  
Tel: 213-443-3000

Richard H. Deane, Jr.  
Jones Day  
Suite 800  
1420 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Tel: 404-521-3939

Counsel for Co-Defendant Agility DGS Holdings, Inc.:

Brian McEvoy  
Polsinelli, P.C.  
Suite 1100  
1201 West Peachtree Street, N.W.  
Atlanta, Georgia 30309  
Tel: 404-253-6000

Thomas D. Bever  
Chilivis Cochran Larkins & Bever  
3127 Maple Drive, N.E.  
Atlanta, Georgia 30305  
Tel: 404-233-4171

Counsel for Co-Defendant Agility DGS Logistics Services Company, KSC(c):

Richard Hendrix  
Finch McCranie  
225 Peachtree Street, N.E.  
1700 South Tower  
Atlanta, Georgia 30303  
Tel: 404-658-9070

10. *United States v. Cesar Arbelaez Tabares and Juan Carlos Bazantes*, No. 1:15-cr-277-SCJ-JFK (N.D. Ga.)

Dates of Representation: 2015 – 2017

I represented the United States in the criminal prosecution and trial of Cesar Arbelaez Tabares, the Chief Executive Officer, and Juan Carlos Bazantes, the Chief Financial Officer, of a company that supplied laborers for construction projects. Tabares and Bazantes caused their company to submit fraudulent certified payroll forms to the Centers for Disease Control and Prevention (CDC), signed under penalty of perjury, which falsely represented that employment taxes had been withheld for all of their workers. Tabares and Bazantes were found guilty by a jury on one count of conspiracy and six counts of submitting false certified payroll forms to the CDC. They were acquitted of related tax charges. Their appeal to the Eleventh Circuit Court of Appeals is pending.

United States District Court for the Northern District of Georgia, Hon. Steve C. Jones (U.S. District Court Judge) and Hon. Janet F. King (U.S. Magistrate Judge)

Co-Counsel for the United States:

Ryan Huschka  
Assistant U.S. Attorney  
Office of the United States Attorney  
600 United States Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303  
Tel: 404-581-6000

Counsel for Defendant Cesar Arbelaez Tabares:

James M. Deichert  
Fellows LaBriola, LLP  
225 Peachtree Street, N.E.  
South Tower, Suite 2300  
Atlanta, Georgia 30303  
Tel: 404-586-2029

Counsel for Juan Carlos Bazantes:

Vivian D. Hoard  
Taylor English Duma LLP  
Suite 400  
1600 Parkwood Circle  
Atlanta, Georgia 30339  
Tel: 770-434-6868

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.)

During my tenure at the Office of the United States Attorney, some of my most significant legal activities related to my position as the U.S. Department of Justice National Security Cyber Specialist for the Northern District of Georgia, between 2012 and 2017. In this role, I served as the point of contact for all cyber-related threats and attacks that had terrorism or national security implications for the district. I maintained a top-secret clearance, which enabled me to receive regular briefings from the Federal Bureau of Investigation and other agencies in the intelligence community concerning emerging threats. A central component of this position also involved outreach to the private sector to educate and inform corporate constituents in the district on cyber-related threats and best practices for responding to such threats. Towards that end I regularly participated in public speaking engagements, and I met with officers, directors, and employees of companies that had been or could be the target of a state-sponsored cyber-attack.

In my current position as Managing Director and General Counsel for Nardello & Co., we are regularly engaged by clients to support the legal work of outside counsel or in-house counsel in connection with internal investigations. These investigations may relate to criminal investigations, including potential violations of the False Claims Act and the Foreign Corrupt Practices Act, or regulatory investigations by federal, state or local agencies. In other instances, our internal investigation work may relate to potential employee malfeasance, such as suspected corporate embezzlement, accounting irregularities, or allegations of sexual harassment or assault. Our work on these matters is generally considered attorney-client privileged and confidential.

As part of the legal community generally, since 2012 I have served on the Executive Board for the Lamar Inn of Court, a chapter of the American Inns of Court, which promotes professionalism, ethics, and civility in the legal profession. I am currently serving as President of the chapter, with my term set to expire in April 2019.

I have not performed any lobbying activities for clients or organizations.

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.

As an Adjunct Professor at Emory University School of Law since 2012, I have taught the following courses:

*Criminal Procedure Investigations Skills Workshop:* Fall 2012, Spring 2014, Fall 2014, Fall 2015. This course taught practical skills in the area of pre-trial criminal litigation. The students practiced both oral and written advocacy skills, and learned how to develop persuasive case theories and pretrial strategies. Copies of the syllabus are supplied.

*Federal Prosecutions Practice:* Spring 2013, Spring 2015, Fall 2016, Fall 2017. This course addressed the role and responsibilities of federal prosecutors at each stage of the criminal justice system. The class involved a mix of lecture and “learn by doing” exercises that were geared towards developing the students’ analytical, oral and written advocacy skills. Copies of the syllabus are supplied.

*Prosecuting Criminal Tax Cases:* Fall 2013, Spring 2016. This course taught the various aspects of investigating and prosecuting criminal tax and tax-related cases. The class involved a mix of lecture and “learn by doing” exercises that were geared towards developing the students’ analytical, oral and written advocacy skills. A copy of the syllabus for the Spring 2016 course is supplied. I cannot locate a copy of the syllabus from the Fall 2013 course, but it was almost identical to the Spring 2016 course in all material respects.

In addition, since approximately 2009 I have been a regular faculty participant in Emory Law School’s annual *Kessler-Eidson Program for Trial Techniques*, which is a required one-week course for all second-year law students. The course teaches trial advocacy skills and culminates in a mock jury trial at the conclusion of the week. A copy of the syllabus from the May 2018 program is supplied. Prior programs were substantially similar in content.

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

None.

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

No.

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

When my nomination is formally submitted to the Senate and I file my Financial Disclosure Report, I 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 the attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

I am not aware of any conflict-of-interest that is likely to arise. I will recuse myself from any litigation in which I played a role. I will recuse myself from matters involving my family and my own financial interests. For a period of time, I would recuse from all cases in which I know or am made aware that my current firm was retained by a party on the matter. I will evaluate any other real or potential conflict, or relationship that could give rise to the appearance of a conflict, on a case-by-case basis and determine appropriate action, including recusal, when necessary.

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

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

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

I am dedicated to the *pro bono* representation of disadvantaged individuals. When I was in private practice, I routinely handled *pro bono* litigation matters and staffed *pro bono* legal clinics. In fact, my first trial was a *pro bono* matter, in which I represented six disadvantaged individuals in a breach of contract case against a local car dealership (the case settled during jury deliberations). The preparation and trial of this case took a substantial amount of time.

During my tenure with the United States Department of Justice, I was limited by department policy and agency rules governing conflicts-of-interest and outside activities on engaging in *pro bono* legal services. Since leaving the government in January 2018, I have re-engaged on *pro bono* matters through my firm, assisting disadvantaged clients with investigation work in support of legal representation. I have also sponsored (through my firm) and attended fundraising events for the Georgia Asylum and Immigration Network (GAIN) and Urban League of Greater Atlanta.

With regard to community service generally, I actively participate in the mentor program sponsored by the Georgia Latino Law Foundation (GLLF), which seeks to increase diversity in the legal profession, and I have attended Latino leadership and networking events sponsored by GLLF. I also routinely mentor law students through the Lamar Inn of Court, as well as on an informal basis. I participate in community service projects through the Lamar Inn of Court, such as helping to plant trees in a developing neighborhood in metro Atlanta through Trees Atlanta, a non-profit organization.

Finally, I serve on the Board of Directors for the Timber Ridge Elementary School Foundation, a non-profit organization dedicated to raising money to support the mission and educational goals of the school.

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.

The United States Senators from Georgia utilize a selection committee to screen

candidates for potential nomination to federal government appointments. I applied for a previous vacancy on January 28, 2018, and interviewed with the committee for that vacancy on March 28, 2018. I reapplied for the current vacancy on September 27, 2018, but did not need to interview with the committee again because I had interviewed for the previous vacancy. On October 29, 2018, I interviewed with the White House Counsel's Office and the Department of Justice Office of Legal Policy in Washington, D.C. Since then, I have been in contact with officials from the White House Counsel's Office and the Office of Legal Policy. On April 2, 2019, the President announced his intent to nominate me.

- 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.