

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Derek Anthony West ("Tony")

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

Associate Attorney General of the United States

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.

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

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

1965; San Francisco, California

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.

Stanford Law School, 1989 – 92; J.D., 1992

Harvard University, 1983 – 87; A.B., 1987

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.

U.S. Department of Justice
2012 – Present
Acting Associate Attorney General of the United States
950 Pennsylvania Avenue, NW
Washington, DC 20530

U.S. Department of Justice, Civil Division
2009 – 12
Assistant Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530

Morrison & Foerster LLP
Partner
2001 – 09
425 Market Street
San Francisco, CA 94105

Alameda County Democratic Lawyers Club
2004 – 08
Board Member
Alameda County, CA

Board of Directors, U.C. Hastings College of the Law
2004 – 07
Member
200 McAllister Street
San Francisco, CA 94102

California Department of Justice, Office of the Attorney General
1999 – 2001
Special Assistant Attorney General
1300 I St
Sacramento, CA 95814

Board of Directors, The Santa Clara County Volunteer Exchange
1995 – 99
Member
1922 Alameda Street, Suite 211
San José, CA 95126

U.S. Department of Justice, United States Attorney's Office, Northern District of
California
1994 – 99
Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San José, CA 95113

Board of Directors, Kids Voting San José/Silicon Valley
1995 – 97
Member
P.O. Box 2565
San José, CA 95109

U.S. Department of Justice, Office of the Deputy Attorney General
1993 – 94
Special Assistant to the Deputy Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530

Bingham McCutchen (formally McCutchen, Doyle, Brown & Enersen, San José office)
1992 – 93
Associate
1900 University Avenue
East Palo Alto, CA 94303-2223

California Democratic Party
1992 – 93
Chief of Staff to the Finance Chairman
1801 Avenue of the Stars
Los Angeles, CA

Tuttle & Taylor
May – July 1991
Summer Associate
40th Floor
355 South Grand Avenue
Los Angeles, CA 90071-3102

Morrison & Foerster LLP
July – August 1991
Summer Associate
755 Page Mill Road
Palo Alto, CA 94304-1018

Swidler & Berlin
May – August 1990
Summer Associate
3000 K Street, N.W.; Suite 300
Washington, DC 20007

Democratic Governors' Association
1988 – 89
Finance Director
1401 K Street, NW, Suite 200
Washington, D.C. 20005

Dukakis For President
1987 – 88
Chief of Staff to the Treasurer
Boston, Massachusetts

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 registered for selective service, but have not served in the U.S. Military.

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.

The Legal Times "Champion" Award, presented by the *National Law Journal*, recognizing legal "trailblazers" for work that has "upheld the legal industry's professional mission of public duty," 2012

FierceBiotech "25 Most Influential People in Biopharma Today," 2012

Centennial Leadership Award, Ancient and Accepted Scottish Rite of Freemasonry, Prince Hall Affiliation, 2008

Leading Lawyer in America, Lawdragon, 2008

Northern California Top 100 "Super Lawyers" 2006-08

California's Top 20 Lawyers Under 40, the *Daily Journal*, 2004

Executive Office of U.S. Attorneys Director's Award, presented by Attorney General Janet Reno, 1998

Bill Key Memorial Victim/Witness Assistance Award, presented by U.S. Attorney Michael Yamaguchi, 1998

Most Significant High-Tech Case for 1997, High-Technology Crime Investigation Association, 1998

The Yorktown Certificate, awarded by Commissioner of United States Customs George Weise, 1997

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

Board of Governors Member, Northern California Association of Business Trial Lawyers, 2004 – 09

Northern District of California Lawyer Representative, U.S. Court of Appeals for the Ninth Circuit, 2005 – 08

Member, Alameda County Bar Association, Litigation Section, 2007 – 09

Member, National Bar Association, 2007 – 09

Member, Charles Houston Bar Association, 2005 – 09

Member, Executive Committee of the Bar Association of San Francisco, Litigation Section, 2003 – 09

Member, American Bar Association, 2002 – Present

Member, Earl Warren American Inn of Court, 2002 – 06

Chair, Santa Clara County Bar Association Minority Summer Clerkship Program, 1997 – 98

Member, Federal Bar Association, 2007 – 09

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.

There have been no lapses in my memberships.

May 1993 – Present California State Bar

- 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.

There have been no lapses in my memberships.

May 1993 – Present Superior Court of the State of California

May 1993 – Present United States District Court for the Northern
District of California

March 2003 – Present United States District Court for the Central District
of California

1995 – Present United States Court of Appeals, Ninth Circuit

2011 – Present United States Court of Appeals, D.C. Circuit

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.

Attorney Participant, Oakland McCullum Youth Court, Oakland, California, 2007 – 09

Board Member, Alameda County Democratic Lawyers Club, 2004 – 08

Member, Board of Directors, U.C. Hastings College of the Law, San Francisco, California, 2004 – 07

Member, Silicon Valley Housing Leadership Council, San José, California, 1997 – 99

Adjunct Faculty Member, Lincoln Law School of San José, California, 1997 – 99

Participant, The Role Model Program, San José, California, 1996 – 99

Member, Board of Directors, The Santa Clara County Volunteer Exchange, San José, California 1995 – 99

Member, Board of Directors, Kids Voting San José/Silicon Valley, San José, California, 1995 – 97

Member, 100 Black Men of Silicon Valley, Inc., San José, California, 1994 – 98

Member, DC Works, 1993 – 94

I have made financial contributions to other organizations over the years. I have not included in the list above any organization to which I gave funds and did not otherwise participate in programmatic activities, although the organization may have labeled me as a member.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

None to my knowledge.

12. Published Writings and Public Statements:

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

I have done my best to identify published materials, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find or remember. I have located the following:

“President’s Note,” Stanford Law Review, Volume 44, Summer 1992. Copy Supplied.

“John Walker Lindh Plea: Online Discussion with Tony West, Defense Attorney and Co-counsel,” Washington Post, July 18, 2002. Copy Supplied.

“Virtual Nightmare: The Orchid Club and Its Aftermath,” Prosecutor’s Brief, October/November 2004. No Copy Available.

"The Power of Honesty," San Jose Mercury News, September 9, 2005. Copy Supplied.

"Defending the Despised," San Francisco Daily Journal, January 17, 2007. Copy Supplied.

"Only an Informed Public Will Know Whom to Trust," San Jose Mercury News, May 18, 2007. Copy Supplied.

"Hope Begins With You," Obama for America Blog, May 21, 2007. Copy Supplied.

"Barack and Michelle Obama in California: June 2, 11, and 12!," Obama for America Blog, May 22, 2007. Copy Supplied.

"Barack's Vote on Iraq Funding Bill," Obama for America Blog, May 24, 2007. Copy Supplied.

"Notes from Des Moines: Why Barack Obama Will Win the Democratic Nomination," Obama for America Blog, October 19, 2007. Copy Supplied.

"Why Barack?," San Francisco Bay View, February 1, 2008. Copy Supplied.

"Why Barack?" Obama for America Blog, February 4, 2008. Copy Supplied.

"Choose Change on February 5th," Obama for America Blog, February 4, 2008. Copy Supplied.

"Change: An Idea Whose Time Has Come," Obama for America Blog, February 4, 2008. Copy Supplied.

"[Radiation Exposure Compensation Act] internship focuses locally on uranium exposure," The Navajo Times, April 15, 2010. No Copy Available.

"Introductory Address," St. Thomas Law Journal, Volume 8, Issue 3, Article 2, 2011. Copy Supplied.

"Victims of Financial Fraud Deserve Justice," San Jose Mercury News, April 18, 2011. Copy Supplied.

"Federal Agencies Are Going After Fraudulent Immigration," San Jose Mercury News, June 9, 2011. Copy Supplied.

"Health Care Fraud," Daily Journal, August 10, 2011. No Copy Available.

"Immigration Services Fraud Clinics," El Diario, August 22, 2011. No Copy Available

"How to Avoid Counterfeit Drugs," Web MD Blog, December 8, 2011. Copy Supplied.

"A New Beginning for the U.S.-Tribal Trust Relationship," DOJ The Justice Blog (with AAG Ignacia Moreno), April 11, 2012. Copy Supplied.

"Defending Our Most Vulnerable (Defending Childhood Task Force)," DOJ The Justice Blog, April 24, 2012. Copy Supplied.

"Building Safe and Healthy Communities in Montana Indian Country," DOJ The Justice Blog, June 8, 2012. Copy Supplied.

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

I have done my best to identify any reports, memoranda or policy statements I prepared or contributed in the preparation of, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

"Report to the Legislature: The Status of Peace Officer Training on Mental Illness and Developmental Disabilities," California Commission on Peace Officer Standards and Training, September 1, 2004. Copy Supplied.

"Hi-Tech Crime: Protecting Yourself in the Computer Age," Report of the California Attorney General's Office, November 1, 2000. Copy Supplied.

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

The list below consists of material identified based on my recollection, a review of my personal files and searches of internet databases. Despite my searches, there may be other items I have been unable to identify, find or remember.

Testimony

Testimony before the Senate Committee on the Judiciary, "Effective Strategies for Preventing Health Care Fraud," October 28, 2009. Copy Supplied.

Testimony before the Senate Homeland Security and Governmental Affairs Committee, "Accountability for Foreign Contractors: The Lieutenant Colonel Dominic 'Rocky' Baragona Justice for American Heroes Harmed by Contractors Act," November 18, 2009. Copy Supplied.

Testimony before House Judiciary Committee on Commercial and Administrative Law, "Oversight of the Civil Division of the United States Department of Justice," June 24, 2010. Copy Supplied.

Testimony before the Senate Judiciary Committee, "Protecting American Taxpayers: Significant Accomplishments and Ongoing Challenges in the Fight Against Fraud," January 26, 2011. Copy Supplied.

Testimony before Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, "Fighting Fraud and Waste in Medicare and Medicaid," February 15, 2011. 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.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

Training Video, "Peace Officer Standards and Training (POST): Racial Profiling Training Video," California Law Enforcement Training Video, 1999. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in training video for police officers on the subject of racial profiling.

Panelist, "September 11, 2002 – Where Are We Now?" Commonwealth Club of San Jose, September 10, 2002. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding legal developments in the year after the September 11, 2001 terrorist attacks.

Speaker, "Remarks to Students: Minority Admit Weekend 2003," Stanford Law School, Palo Alto, CA February 17, 2003. Copy Supplied.

Speaker, "The Case of John Walker Lindh," Palo Alto Legal Secretaries Association (PALSA), February 18, 2003. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding *U.S. v. Lindh*.

Speaker, "Attacking the Indictment: United States v. John Walker Lindh," Santa Clara University, Santa Clara, CA, March 17, 2003. Copy Supplied.

Speaker, "Legal Studies Course – National Securities and Civil Liberties," U.C. Santa Cruz, Santa Cruz, CA, April 29, 2003. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I spoke to students at U.C. Santa Cruz regarding balancing national security and civil liberties.

Panelist, "Litigating the Right to Access to Witnesses in Defense Department Custody," Legal Aid & Defender Association Conference (Federal Public Defenders), May 9, 2003. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding access to witnesses being held by the Department of Defense.

Panelist, "Pleas, Cooperation, and Sentencing Issues," Legal Aid & Defender Association Conference (Federal Public Defenders), May 10, 2003. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding criminal defense issues.

Panelist, "Bay Area Reporters Seminar," Bay Area General Reporters Association, May 15, 2003. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding issues of importance to reporters in the Bay Area.

Speaker, "Civil Liberties Briefing," ACLU – NC Lawyers Council, June 19, 2003. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding civil liberties and related issues.

Panel, "Secrets of Success: What Nobody Tells You About How to Succeed in the Private Sector," University of San Diego, School of Law – California Minorities Attorneys' Conference, San Diego, CA, July 12, 2003. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding the private practice of law.

Speaker, Rotary Club of San José, San Jose, CA, July 23, 2003. Copy Supplied.

Speaker, "Tribute to James J. Brosnahan," San Francisco Maritime Museum, November 12, 2004, Copy Supplied.

Panelist, "Beyond Black Letter Law: Bridging Critical Disparities Confronting Contemporary Black America," Stanford Law School – BLSA, February 19, 2005. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion sponsored by Stanford Law School's Black Law Students Association.

Moderator, "Black History Month Judge Panel," Morrison & Foerster, San Francisco, February 24, 2005. I have not been able to locate prepared remarks, notes, a transcript, or a recording. In honor of Black History Month, I moderated a panel of judges.

Speaker, "Oakland Black Caucus – Presentation by Tony West (Attorney for Marcus Williams)," Oakland, CA, March 10, 2005. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding *Williams v. Romanowski*.

Speaker, "Law Review Diversity Reception," Stanford Law School, Palo Alto, CA, April 5, 2005. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered brief remarks at a reception sponsored by the Stanford Law Review.

Speaker, "Democrats Protecting Our Rights," California Democratic Party State Convention, April 17, 2005. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks at the California Democratic Party's state convention

Panel, "A New Day for Diversity: Insights on Success in the Legal Profession," Fifth Annual Diversity Panel, Sponsored by Orrick, Herrington & Sutcliffe, Stanford Law School, Palo Alto, CA, September 8, 2005. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding diversity in the legal profession.

Speaker, "50th Anniversary Celebration, Alameda County Democratic Lawyers Club," October 21, 2005. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks at an event celebrating the 50th anniversary of the Alameda County Democratic Lawyers Club.

Panel, "Recorder Roundtable on Representing High Profile Clients," The Recorder, November 9, 2005. Copy Supplied.

Speaker, "Legal Ethics for In-House Counsel," Morrison & Foerster LLP MCLE Workshop, January 26, 2006. Copy Supplied.

Speaker, "Black History Celebration: 'Civil Rights Then and Now: Perspectives on the Movement's History and Current Challenges,'" Morrison & Foerster, February 16, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding civil rights and civil liberties at an event celebrating Black History Month.

Speaker, "Speed Candidating (Surrogate Speaker for Mayoral candidate Ronald Dellums)," East Bay Young Democrats, April 6, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding Ronald Dellums' candidacy for Mayor of Oakland.

Speaker, "Alumni Panel Discussion, Stanford Law School Admit Weekend," Stanford Law School, Palo Alto, CA, April 9, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion during an event for applicants admitted to Stanford Law School.

Speaker, "Life After Stanford," Stanford Law School, Palo Alto, CA, April 12, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks to Stanford Law students regarding career goals and perspectives.

Panel, "Handle With Care: Managing Explosive Evidence in Morally Charged Cases," Northern District of California Judicial Conference, April 28, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding handling evidence in sensitive or controversial cases.

Speaker, "Ensuring Our Legacy: The Nuts and Bolts of Running for Public Office," California Association of Black Lawyers, May 5, 2006. Copy Supplied.

Panel, "Campaign Finance Reform: California Cities Take the Lead," Commonwealth Club of California, August 2, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding campaign finance reform.

Speaker, "Introduction of San Francisco District Attorney, Kamala D. Harris," California Association of Black Lawyers, May 6, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered brief remarks introducing San Francisco District Attorney Kamala Harris.

Speaker, "EJS Rollback Campaign," Morrison & Foerster, August 2, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered informal remarks regarding the Equal Justice Society's work at a reception for law firm summer associates.

Moderator, "Campaign Finance Reform: California Cities Take the Lead," Commonwealth Club of California, August 2, 2006, available at: www.commonwealthclub.org/audio/06-08calcitiesfinancepanel-complete.ram

Speaker, "100 Days Before Trial," Bar Association of San Francisco, San Francisco, CA, August 16, 2006. Copy Supplied.

Panel, "The Use and Abuse of Peremptory Challenges," Association of Business Trial Lawyers, September 26, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding the use of peremptory challenges at trial.

Speaker, "The American Taliban: John Walker Lindh," University of San Francisco School of Law, San Francisco, CA, October 5, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding *U.S. v. Lindh*.

Speaker, "Elected Official Honorarium (Surrogate Speaker for Mayor-Elect Ronald Dellums)," Charles Houston Bar Association, October 12, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding Ronald Dellums' candidacy for Mayor of Oakland.

Speaker, "Mark Klein Case," ACLU Lawyers Council, November 14, 2006. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding *Hepting v. AT&T*.

Panelist, "Progress and the Law: How Progressive Lawyers Can Make a Difference Even in Unlikely Places," American Constitution Society – University of California at Davis, January 23, 2007. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding the legal profession.

Speaker, "Civil Liberties after 9/11, November 18, 2006. Copy Supplied.

Speaker, "Obama Campaign Fundraiser," Emeryville, California, May 7, 2007, available at: www.youtube.com/watch?v=qtj0mN39p78

Speaker, "Obama Campaign Fundraiser," San Francisco, California, November 14, 2007, available at: www.youtube.com/watch?v=qTJ0mn39p78.

Speaker, "Represent Sen. Barack Obama," Stanford Black Alumni Association, January 27, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding Barack Obama's candidacy for President.

Speaker, "Welcoming Remarks," Obama Lawyers Training, February 4, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding Barack Obama's candidacy for President.

Speaker, "Barack Obama's Campaign and What's Next," BWAPA, February 6, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding Barack Obama's candidacy for President.

Speaker, "African Americans in Politics," Bingham McCutchen, February 29, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding the role and influence of African Americans in politics.

Panel, "Minority Membership Panel," Stanford Law Review, April 2, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion sponsored by the Stanford Law Review.

Panel, "Stanford Law School Alumni Showcase," Stanford Law School, Palo Alto, CA, April 13, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion sponsored by the Stanford Law Review.

Speaker, "Obama Rally – Nation for Change Nationwide Rally in Support of Sen. Barack Obama," April 19, 2008, available at:
www.youtube.com/watch?v=xVIFwrz7heQ&featurer=playList&p=2b0EEF2f7B539595&index=0&playnext=1

Panel, "Political Organizing," AFL-CIO Labor Council, April 24, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding political organizing.

Speaker, "University of California Hastings College of the Law BLSA 2008 Commencement," University of California Hastings College of the Law, San Francisco, CA, May 17, 2008. Copy Supplied.

Speaker, "Practical Politics," California State University, East Bay Hayward Campus, Political Class, Hayward, CA, May 22, 2008. Copy Supplied.

Speaker, "Represent Barack Obama," LPOA Annual Meeting, May 24, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding Barack Obama's candidacy for President.

Panel, "Choosing America's Next President: How Gender, Race, and the Media Affect Our Choices," Minority Bar Coalition's 2008 Unity Conference, October 10, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion regarding the presidential election.

Panel, "Vote Smart Challenge: Represent Sen. Barack Obama," Dominican University of California, San Rafael, CA, October 23, 2008. Copy Supplied.

Speaker, "Founder's Day," Los Angeles Consistory No. 26, Ancient and Accepted Scottish Rite of Freemasonry, Prince Hall Affiliation, Los Angeles, CA, October 26, 2008. Copy Supplied.

Speaker, "Obama Presidential Campaign," Antioch Missionary Baptist Church, November 2, 2008. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding Barack Obama's candidacy for President.

Speaker, "Civil Rights Post-Obama Election," NAACP Annual Leadership Retreat, Long Beach, CA, January 2, 2009. I have not been able to locate

prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding civil rights issues in the Obama presidency.

Speeches/Talks as Assistant Attorney General for the Civil Division:

Speaker, "Installation Ceremony of Assistant Attorney General Tony West," U.S. Department of Justice, Washington, D.C., April 24, 2009, available at: http://www.youtube.com/watch?v=9fOGuchZKnQ&feature=youtube_gdata_player.

Speaker, "HHS Inspector General's Honor Awards Ceremony," U.S. Department of Health and Human Services, Washington, D.C., June 2, 2009. Copy Supplied.

Press Conference, "CPSC Fireworks Safety," U.S. Consumer Product Safety Commission, Washington, D.C., June 30, 2009. Copy Supplied.

Press Conference, "'Operation Short Change' (business opportunity fraud)," Federal Trade Commission, Washington, D.C., July 1, 2009. Copy Supplied.

Speaker, "Welcoming Remarks," Annual OIL Immigration Litigation Conference, National Advocacy Center, Columbia, SC, July 20, 2009. Copy Supplied.

Speaker, "Department's Efforts to Combat Fraud," Council of Inspectors General on Integrity and Efficiency, Washington, D.C., July 28, 2009. Copy Supplied.

Speaker, "Closing the Justice Gap: Expanding Access to Civil Justice," American Bar Association, Litigation Section, Chicago, IL, July 31, 2009. Copy Supplied.

Speaker, "Building Partnerships to Protect Customers," Conference of Western Attorneys General (CWAG), Annual Conference, Sun Valley, ID, August 2, 2009. Copy Supplied.

Speaker, "Closing the Justice Gap: Expanding Access to Civil Justice," National Bar Association, Annual Meeting, San Diego, CA, August 3, 2009. Copy Supplied.

Speaker, "Department's Efforts to Combat Mortgage Fraud," HUD-OIG, Joint Managers' Conference, Philadelphia, PA, August 25, 2009. Copy Supplied.

Press Conference, "Announcement of Pfizer Resolution (Health Care Fraud)," U.S. Department of Justice, Washington, D.C., September 2, 2009. Copy Supplied.

Panel, "Coordination between Main Justice and the U.S. Attorney's Offices," Orientation for New Assistant U.S. Attorneys, Washington, D.C., September 9, 2009. Copy Supplied.

Speaker, "Department's Efforts to Combat Health Care Fraud," National Association of Medicaid Fraud Control Units, 2009 Annual Training Program, Louisville, KY, September 14, 2009. Copy Supplied.

Speaker, "Public Information Officers," USAO's Conference, Washington, D.C., September 25, 2009. Copy Supplied.

Speaker, "Immigration Issues," OIL Conference, Washington, D.C., October 8, 2009. Copy Supplied.

Press Conference, "Department's Efforts to Combat Health Care Fraud," U.S. Department of Health and Human Services, Washington, D.C., October 15, 2009. Copy Supplied.

Speaker, "Department's Efforts to Combat Fraud," U.S. Department of Justice, Civil Fraud Orientation, Washington, D.C., October 27, 2009. Copy Supplied.

Panel, "Department's Pro Bono Efforts," U.S. Department of Justice, Pro Bono Week, Washington, D.C., October 27, 2009. Copy Supplied.

Speaker, "Department's Efforts to Combat Health Care Fraud," The Pharmaceutical Compliance Forum, Pharmaceutical Regulatory Compliance Congress & Best Practices Forum, Washington, D.C., November 12, 2009. Copy Supplied.

Press Conference, "Department's Efforts to Combat Mortgage Fraud," Las Vegas Mortgage Fraud Awareness, Las Vegas Metropolitan Police Department Convention Center Command Center, Las Vegas, NV, November, 24, 2009. Copy Supplied.

Speaker, "Department's Efforts to Combat Procurement Fraud," ABA Public Contract Law Section, Government and Corporate Counsel Committee, General Counsels Committee Dinner, Fort Myer, VA, November 29, 2009. Copy Supplied.

Panel, "Introduction to the Civil Division," U.S. Department of Justice, ASUA Orientation Panel, Washington, D.C., December 2, 2009. Copy Supplied.

Speaker, "Awards Ceremony," U.S. Department of Justice, ASUA Orientation Panel, Washington, D.C., December 3, 2009. Copy Supplied.

Press Conference, "Announcement of Small Smiles Resolution (Health Care Fraud)," U.S. Department of Justice, Washington, D.C., January 20, 2010. Copy Supplied.

Speaker, "Access to Justice: Practicing Dr. King's Legacy," Lawyers' Committee for Civil Rights, Washington, D.C., January 28, 2010. Copy Supplied.

Speaker, "Introduction to Civil Division," U.S. Department of Justice, New Attorney Orientation, Washington, D.C., February 2, 2010. No Copy Available.

Press Conference, "Operation Bottom Dollar (Business Opportunity Fraud)," Federal Trade Commission, Washington, D.C., February 17, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Fraud," Association of Government Accountants, 2010 National Leadership Conference, Washington, D.C., February 18, 2010. Copy Supplied.

Press Conference, "Department's Efforts to Combat Mortgage Fraud," U.S. Department of Justice, Financial Fraud Enforcement Task Force, Mortgage Fraud Working Group, Miami, FL, February 24, 2010. Copy Supplied.

Panel, "Criminal and Civil False Claims Liability: Changes in Attitudes, Changes in Latitudes," ABA, Criminal Justice Section, Annual National Institute on White Collar Crime, Miami, FL, February 25, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Mortgage Fraud," U.S. Department of Justice, Mortgage Fraud Task Force Conference, National Advocacy Center, Columbia, SC, March 2, 2010. Copy Supplied.

Speaker, "Public Service," Harvard Black Law Student Association, Annual Spring Conference, Cambridge, MA, March 6, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Violence Against Women," Pacific Lutheran University, Tacoma, WA, March 11, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Violence Against Women," Norfolk State University, Norfolk, VA, March 23, 2010. Copy Supplied.

Panel, "Discussion of Financial Fraud Enforcement Task Force," U.S. Attorney's Conference, Tempe, AZ, March 24, 2010. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I served on a panel at the U.S. Attorneys' Conference and discussed the work of the Financial Fraud Enforcement Task Force.

Speaker, "Government Lawyering – Policy and Practice," U.S. Department of Justice, Washington, D.C., April 6, 2010. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered remarks regarding government service as part of a Department of Justice event.

Press Conference, "Department's Efforts to Combat Mortgage Fraud," U.S. Department of Justice, Financial Fraud Enforcement Task Force, Mortgage Fraud Summit, Detroit, MI, April 23, 2010. Copy Supplied.

Press Conference, "Announcement of AstraZeneca Resolution (Health Care Fraud)," U.S. Department of Justice, Washington, D.C., April 27, 2010. Copy Supplied..

Speaker, "Civil Division's Priorities and Accomplishments," National Advocacy Center, Civil Chiefs Conference, Columbia, SC, May 5, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Health Care Fraud," ABA's 20th Annual National Institute on Health Care Fraud, Miami, FL, May 13, 2010. Copy Supplied.

Speaker, "Commencement Address," Hastings College of the Law, San Francisco, CA, May 16, 2010. Copy Supplied.

Speaker, "Department's Efforts to Fight Health Care Fraud," U.S. Department of Justice, Pharmaceutical and Device Fraud Conference, Washington, D.C., May 19, 2010. Copy Supplied.

Speaker, "Access to Justice," Maryland Legal Aid Bureau, Annual Equal Justice Council Recognition Breakfast, Baltimore, MD, May 20, 2010. Copy Supplied.

Speaker, Graduation Remarks, Washington Jesuit Academy Graduation, Washington, D.C., May 26, 2010. Copy Supplied.

Speaker, "Department's False Claims Act Enforcement Efforts," ABA's 8th Annual National Institute on the False Claims Act and Qui Tam Enforcement, Washington, D.C., June 3, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Elder Abuse," U.S. Health and Human Services, World Elder Abuse Awareness Day Event, Washington, D.C., June 15, 2010. Copy Supplied.

Panel, "Coordination between Main Justice and the U.S. Attorney's Offices," Orientation for new Assistant U.S. Attorneys, Washington, D.C., July 9, 2010. Copy Supplied.

Speaker, "Priorities and Perspectives of the Civil Division," ABA Annual Meeting, San Francisco, CA, August 6, 2010. Copy Supplied.

Press Conference, "Announcement of Allergan Resolution (Health Care Fraud)," U.S. Department of Justice, Washington, D.C., September 1, 2010. Copy Supplied.

Speaker, "Financial Fraud Enforcement Task Force," HNBA – 35th Annual Convention, Minneapolis, MN, September 9, 2010. Copy Supplied.

Speaker, "Civil Division Priorities and Accomplishments," USDA OGC Management Conference, Washington, D.C., September 14, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Fraud," Government Accountants' Internal Control & Fraud Conference, Washington, D.C., September 16, 2010. Copy Supplied.

Speaker, "Office of Immigration, Litigation Successes," Annual OIL Immigration Litigation Conference, National Advocacy Center, Columbia, SC, September 27, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Mortgage Fraud," U.S. Department of Justice, Financial Fraud Enforcement Task Force, Mortgage Fraud Summit, Fresno, CA, September 29, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Mortgage Fraud," U.S. Department of Justice, Financial Fraud Enforcement Task Force, Mortgage Fraud Summit, Los Angeles, CA, September 30, 2010. Copy Supplied.

Press Call, "Announcement of Resolution of *Keepseagle v. Vilsack*," U.S. Departments of Justice and Agriculture, Washington, D.C., October 20, 2010. Copy Supplied. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a conference call with the press to announce the settlement of *Keepseagle v. Vilsack*, a discrimination action brought by Native American farmers and ranchers against the Department of Agriculture.

Speaker, "Department's Health Care Fraud Efforts," Pharmaceutical Regulatory Compliance Congress, Washington, D.C., October 20, 2010. Copy Supplied.

Press Conference, "Announcement of Enforcement Action Against American Therapeutic Corporation (Health Care Fraud)," U.S. Attorney's Office for the Southern District of Florida, Miami, FL, October 21, 2010. Copy Supplied.

Press Conference, "Announcement of GlaxoSmithKline Resolution (Health Care Fraud)," U.S. Attorney's Office for the District of Massachusetts, Boston, MA, October, 26, 2010. Copy Supplied.

Speaker, "Introduction of Attorney General Holder – Government Pro Bono Week," U.S. Department of Justice, Washington, D.C., October 27, 2010. Copy Supplied. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered brief remarks introducing Attorney General Holder at an event celebrating Government Pro Bono Week.

Speaker, "Department's Relationship with Native American Community," National Congress of American Indians Annual Conference, Albuquerque, NM, November 15, 2010. Copy Supplied.

Press Conference, "Announcement of FY 2010 False Claims Recoveries," U.S. Department of Justice, Washington, D.C., November 22, 2010. Copy Supplied.

Speaker, "Introduction of John Warshawsky, winner of Government Pro Bono Award," Washington Council of Lawyers Annual Awards Reception, Washington, D.C., December 7, 2010. Copy Supplied.

Press Conference, "Announcement of Resolutions with Pharmaceutical Companies (Health Care Fraud)," U.S. Department of Justice, Washington, D.C., December 7, 2010. Copy Supplied.

Panel, "Why You Should Care About IP Crime," U.S. Department of Justice, BJA, IP Forum, Washington, D.C., December 8, 2010. Copy Supplied.

Speaker, "Awards Ceremony," U.S. Department of Justice, Civil Division Awards, Washington, D.C., December 8, 2010. Copy Supplied.

Panel, "Dangers of Counterfeit Pharmaceuticals," White House Forum on Intellectual Property Theft, Washington, D.C., December 14, 2010. Copy Supplied.

Speaker "Mortgage Fraud Working Group: Accomplishments and Next Steps," Annual Meeting of the Financial Fraud Enforcement Task Force. December 14, 2010. Copy Supplied.

Press Conference, "Announcement of Filing of Civil Action in Deepwater Horizon Oil Spill," U.S. Department of Justice, Washington, D.C., December 15, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Health Care Fraud," U.S. Department of Justice and Health and Human Services, Health Care Fraud Prevention Summit, Boston, MA, December 16, 2010. Copy Supplied.

Speaker, "Department's Efforts to Combat Elder Abuse," National Advocacy Center, Elder Justice Care Seminar, Columbia, SC, January 5, 2011. Copy Supplied.

Speaker, "Civil Division Enforcement Priorities," American University Washington College of Law, Admin. Law Review Symposium, Washington, D.C., January 31, 2011. Copy Supplied.

Panel, "A Brave New World in Consumer Protection Law: A View from the Top," George Washington University, Consumer Protection Conference, Washington, D.C., February 3, 2011. Copy Supplied.

Speaker, "Remarks and Moderator for DAAG panel," U.S. Department of Justice, Civil Division New Attorney Orientation and Reception, Washington, D.C., February 8, 2011. Copy Supplied.

Speaker, "Leadership," Department of Transportation Black History Month Event, Washington, D.C., February 10, 2011. Copy Supplied.

Speaker, "National Security and Guantanamo Bay Detention," ABA Standing Committee on Law and National Security Breakfast, Washington, D.C., February 18, 2011. Copy Supplied.

Press Call, "Agriculture Secretary Tom Vilsack and Assistant Attorney General Tony West Announce Process to Resolve Discrimination Claims of Hispanic and Women Farmers," U.S. Department of Justice and Agriculture, Washington, D.C., February 25, 2011. Copy Supplied.

Speaker, "Black History Month," U.S. Attorney's Office for the Eastern District of Virginia, Black History Month Event, Alexandria, VA, February 28, 2011. Copy Supplied.

Press Conference, "Operation Empty Promises (Business Opportunity Fraud)," Federal Trade Commission, Washington, D.C., March 2, 2011. Copy Supplied.

Panel, "The American Executive Branch in the Early 21st Century: Challenges and Opportunities," Stanford Law School, Office of Alumni Relations, Washington, D.C., March 3, 2011. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel hosted by Stanford Law School and discussed the work of the Department of Justice.

Speaker, "Black History Month," U.S. Department of Justice, Black History Month Program – "African Americans and the Civil War," Washington, D.C., March 4, 2011. Copy Supplied.

Speaker, "Preserving a Legacy of Service," Legal Services Corporation Black History Month Event, Washington, D.C., March 15, 2011. Copy Supplied..

Speaker, "Department's Defense of Constitutional Torts Litigation," University of St. Thomas Law's Law Journal Spring Symposium on Govt. Liability, Minneapolis, MN, March 18, 2011. Copy Supplied.

Speaker, "Department's Efforts to Combat Procurement Fraud," Department of Defense, Procurement Fraud Training Seminar, Daytona Beach, FL, April 12, 2011. Copy Supplied.

Speaker, "Civil Division Priorities and Accomplishments," University of Chicago, ABA Event, Chicago, Illinois, April 27, 2011. Copy Supplied.

Speaker, "Department's Efforts to Combat Fraud," Department of Energy, CIGIE Conference, Washington, D.C., May 4, 2011. Copy Supplied.

Speaker, "Department's Diversity and Inclusion Efforts," U.S. Department of Justice, Main Justice, Diversity Workshop, Washington, D.C., May 4, 2011. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered brief remarks at a workshop regarding the Department of Justice's diversity and inclusion initiative.

Speaker, "Immigration Issues," ILRC 21st Phillip Burton Immigration and Civil Rights Awards Dinner, San Francisco, CA, May 19, 2011. Copy Supplied.

Speaker, "Graduation Remarks," St. Francis Xavier Academy Graduation, Washington, D.C., June 3, 2011. Copy Supplied.

Press Conference, "Announcement of Interagency Effort to Combat Immigration Services Fraud," U.S. Citizenship and Immigration Services, Washington, D.C., June 9, 2011. Copy Supplied.

Speaker, "Department's Health Care Fraud Enforcement Efforts," Philadelphia Health Care Fraud Prevention Summit, Philadelphia, PA, June 17, 2011. Copy Supplied.

Speaker, "Take Charge of Your Career," U.S. Department of Justice, 2011 LEAP Class Professional Development Event, Washington, D.C., June 21, 2011. Copy Supplied.

Press Conference, "Operation Rescue Me (Mortgage Fraud)," U.S. Attorney's Office for the Southern District of Florida, Miami, FL, July 6, 2011. Copy Supplied.

Speaker, "Civil Division Priorities and Accomplishments," Southern District of Ohio 37th Annual Federal Law Seminar, Miami, FL, July 13, 2011. Copy Supplied.

Press Call, "Filing in *U.S. v. Alabama*," U.S. Department of Justice, Washington, D.C., August 1, 2011. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a conference call with press to announce the Department's filing of a preemption lawsuit against the State of Alabama's immigration law, HB 56.

Speaker, "Summer Intern Lecture Program," U.S. Department of Justice, Washington, D.C., August 2, 2011. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered brief remarks to law students serving as summer interns at the Department of Justice.

Press Conference, "Announcement of Maxim Resolution (Health Care Fraud)," U.S. Attorney's Office for the District of New Jersey, Newark, NJ, September 12, 2011. Copy Supplied.

Speaker, "Keynote Address," Court of Federal Claims Annual Judicial Conference, Berkeley, CA, October 19, 2011. Copy Supplied.

Speaker, "Department's Efforts to Combat Health Care Fraud," 12th Annual Pharmaceutical Regulatory and Compliance Congress, Washington, D.C., November 2, 2011. Copy Supplied.

Speaker, "Prepared Remarks of Assistant Attorney General Tony West at a Pen-and-Pad Briefing," Alabama, November 28, 2011. Copy Supplied.

Speaker, "Awards Ceremony," U.S. Department of Justice, Civil Division Awards, Washington, D.C., December 8, 2011. Copy Supplied.

Panel, "Civil Division Priorities and Accomplishments," U.S. Department of Justice, Main Justice, Civil Division New Attorney Orientation, Washington, D.C., December 13, 2011 I have not been able to locate prepared remarks, notes, a transcript, or a recording. I participated in a panel discussion with Civil Division leadership during an orientation for new Civil Division Attorneys.

Speaker, "Civil Division Priorities and Accomplishments," Bar Association of San Francisco, San Francisco, CA, December 16, 2011. I have not been able to locate prepared remarks, notes, a transcript, or a recording. I delivered informal remarks regarding the Civil Division's work and accomplishments at an event sponsored by the Bar Association of San Francisco.

Press Conference, "FY 2011 False Claims Act Recoveries," U.S. Department of Justice, Washington, D.C., December 19, 2011. Copy Supplied.

Speaker, "Immigration Issues," American Bar Association Meeting, Las Vegas, NV, January 13, 2012. Copy Supplied.

Speaker, "False Claims Act Enforcement Efforts," 25th Anniversary of the False Claims Act Amendments of 1986, Washington, D.C., January 31, 2012. Copy Supplied.

Speaker, "Immigration Issues," American Constitution Society Southeast Symposium of State Immigration Laws, Atlanta, GA, February 7, 2012. Copy Supplied.

Speeches/Talks as Acting Associate Attorney General:

Speaker, "Civil Division Priorities and Accomplishments," Wayne State University, Senior Scholars Lecture, Detroit, MI, March 8, 2012. Copy Supplied.

Speaker, "Department's Consumer Protection Efforts," Consumer Federation of America's Consumer Assembly, Washington, D.C., March 16, 2012. Copy Supplied.

Speaker, "Department's Youth Violence Prevention Efforts," White House Champions of Change Event, National Forum on Youth Violence Prevention, Washington, D.C., April 4, 2012. Copy Supplied.

Speaker, "Tribal Trust Settlements," White House Ceremony to Commemorate Tribal Trust Claim Settlements, Washington, D.C., April 11, 2012. Copy Supplied.

Speaker, "Department's Domestic and Youth Violence Prevention Efforts," The Y Factor: Men Leading By Example, Futures Without Violence, San Francisco, CA, April 12, 2012. Copy Supplied.

Speaker, "Earth Day," U.S. Department of Justice, ENRD Earth Day Celebration, Marvin Gaye Park, Washington, D.C., April 20, 2012. Copy Supplied.

Speaker, "Department's Youth Violence Prevention Efforts," Defending Childhood Task Force Hearing, Wayne State University, Detroit, MI, April 24, 2012, Copy Supplied.

Speaker, "Department's Efforts to Prevent and Respond to Sexual Assault," Office on Violence Against Women Sexual Assault Awareness Month Event, Washington, D.C., April 26, 2012. Copy Supplied.

Press Conference, "Announcement of Abbott Laboratories Resolution (Health Care Fraud)," U.S. Department of Justice, Washington, D.C., May 7, 2012. Copy Supplied.

Speaker, "Access to Legal Assistance," California Bar Foundation Spring Reception, Morrison & Foerster, San Francisco, CA, May 10, 2012. Copy Supplied.

Speaker, "Department's E-Discovery Efforts," U.S. Department of Justice Advanced E-Discovery Training, VTC from Washington, D.C., May 16, 2012. Copy Supplied.

Speaker, "Department's AAPI Diversity and Inclusion Efforts," U.S. Department of Justice, Asian American Pacific Islander Heritage Month Observance Program, Washington, D.C., May 21, 2012. Copy Supplied.

Press Conference, "Announcement of Department's Sexual Assault Response Team Initiative," U.S. Attorney's Office for the District of Montana, Crow Agency, MT, June 6, 2012. Copy Supplied.

Speaker, "Department's Consumer Protection Efforts," FTC Common Ground Conference - Federal Enforcers Roundtable, Chicago, IL, June 12, 2012. Copy Supplied.

Speaker, "Department's Elder Abuse Prevention and Enforcement Efforts," White House World Elder Abuse Awareness Day Event, Washington, D.C., June 14, 2012. Copy Supplied.

Speaker, "Work of NIJ," National Institute of Justice Conference, Arlington, VA, June 18, 2012. Copy Supplied.

Press Call, "Announcement of COPS Hiring Program grants," COPS and Office of the Vice President, Washington, D.C., June 25, 2012. Copy Supplied.

Speaker, "Department's LGBT Inclusion Efforts," U.S. Department of Justice, LGBT Inclusion Event, Washington, D.C., June 25, 2012. Copy Supplied.

Press Conference, "Department's Youth Violence Prevention Efforts," OJP National Forum of Youth Violence Prevention, Boston Site Visit, Dorchester, MA, July 24, 2012. Copy Supplied.

Speaker, "Tribal Youth," OJP/OJJDP, 4H Youth Conference Center, Intertribal Youth Summit, Chevy Chase, MD, July 30, 2012. Copy Supplied.

Speaker, "Memorial Service Remarks," U.S. Department of Justice, Memorial Service for Michael Hertz, Washington, D.C., July 30, 2012. Copy Supplied.

Speaker, "Offender Re-entry," Department of Labor, Re-Entering Through Employment Summit, Washington, D.C., July 31, 2012. Copy Supplied.

Speaker, "Introduction of Morris Dees," U.S. Department of Justice, Morris Dees Diversity Event, Washington, D.C., July 31, 2012. Copy Supplied.

Speaker, "Keynote Address and Announcement of L. Anthony Sutin Civil Imagination Award Winners," COPS Annual Conference, Bethesda, MD, August 1, 2012. Copy Supplied.

Speaker, "Department's Community Revitalization Efforts," United Neighborhood Centers Association, 2012 Neighborhood Revitalization Conference, Washington, D.C., August 2, 2012. Copy Supplied.

Speaker, "Department's Anti-Bullying and Youth Violence Prevention Efforts," Federal Partners in Bullying Prevention, National Bullying Prevention Summit, Washington, D.C., August 7, 2012. Copy Supplied.

Press Conference, "Department's Youth Violence Prevention Efforts," OJP National Forum of Youth Violence Prevention, San Jose Site Visit, San Jose, CA, August 14, 2012. Copy Supplied.

Speaker, "Violence Against Women in Indian Country," Four Corners Indian Country Conference, Pojoaque, NM, August 28, 2012. Copy Supplied.

Speaker, "Prepared Remarks of Acting Associate Attorney General Tony West at the Community Relations Service Sikh Cultural Competency Training Preview," Washington, D.C., September 19, 2012. Copy Supplied.

Speaker, "Keynote address regarding access to criminal legal aid and support of UN principles and guidelines regarding the same" Permanent Mission of the Republic of South Africa to the United Nations, High-Level Breakfast Meeting on Access to Criminal Legal Aid, New York, NY. September 26, 2012. Copy Supplied.

Press Conference, Residential Mortgage Backed Securities Working Group case filing by the New York Attorney General against JPMorgan, U.S. Department of Justice, Washington D.C. October 2, 2012. Copy Supplied.

Speaker, "ENRD Awards," U.S. Department of Justice, Washington, D.C. October 18, 2012. Copy Supplied.

Speaker, "Closing the Justice Gap: Federal Efforts to Address the Need for Increased Access to Justice," U.S. Department of Justice, Washington, D.C. November 13, 2012. Copy Supplied.

Press Conference, Criminal Resolution regarding BP Deepwater Horizon Incident, New Orleans, Louisiana. November 15, 2012, available at: <http://www.c-span.org/Events/BP-to-Pay-45-Billion-in-Settlement-with-Government-Over-Oil-Spill/10737435896-2/>.

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

I have done my best to identify all interviews given, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

Interview, "Ex Guard Arrested after artifacts listed at auction," San Jose Mercury News, October 28, 1994. Copy Supplied.

Interview, "INS Clerk Accused of Forgery" Documents," San Jose Mercury," San Jose Mercury News, November 11, 1994. Copy Supplied

Interview, "Conviction in Museum Theft," The San Francisco Chronicle, May 27, 1995. Copy Supplied.

Interview, "Ex- Clerk Admits Selling Fake ID's" San Jose Mercury News, June 20, 1995. Copy Supplied.

Interview, "Multiple Escapes Nabbed in S.J.," San Mercury News. September 9, 1995. Copy Supplied.

Interview, "Child Porn on Internet Charged International Tip Leads to U.S. Officers to a Fremont Man" San Jose Mercury News, December 20, 1995. Copy Supplied.

Interview, "Man Accused of Selling Child Porn over the Internet," San Francisco Chronicle, December 20, 1995. Copy Supplied.

Interview, "San Jose Food Processing Firm Charged with Selling Bad Meat," San Jose Mercury News. May 3, 1996. Copy Supplied.

Interview, "Ex-Intel Engineer Gets Prisons Self Proclaimed High-Tech Spy Passed Information to AMD," San Jose Mercury News, June 25, 1996. Copy Supplied.

Interview, "16 Indicted On Charges Of Internet Pornography," The New York Times, July 17, 1996. Copy Supplied.

Interview, "Live Child Porn Sent on Internet, 13 Arrested in 'Photo Shoot' of Girl, 10," San Jose Mercury News, July 17, 1996. Copy Supplied.

Interview, "16 Indicted in Group for Child Sex on the Internet," Detroit Free Press, July 18, 1996. Copy Supplied.

Interview, "13 to Face Charges Of Child Pornography" The Washington Post, July 18, 1996. Copy Supplied.

Interview, "Teacher Wins Bail in Child Porn Case," San Jose Mercury News, August 18, 1996. Copy Supplied.

Interview, "Net Porn Suspect in Court Man Admits Role in Pedophilia Ring," San Jose Mercury News. September 20, 1996. Copy Supplied.

Interview, "Canadian Arrest Is Tied To U.S. Child-Porn Ring," The New York Times. November 5, 1996. Copy Supplied.

Interview, Australian Man Identified in Internet Child Porn Ring" Agence France Presse, November 6, 1996. Copy Supplied.

Interview, "Porn Club Pleas; Net Ring Avoid Trial," San Jose Mercury News, November 6, 1996. Copy Supplied.

Interview, "1,000 Pack Hearing on Sikh Temple," San Jose Mercury News September 25, 1997. Copy Supplied.

Interview, "Decision on Sikh Temple Delayed," San Jose Mercury News, September 26, 1997. Copy Supplied.

Interview, "Federal Judge Sentences Three In Internet Child Pornography Ring," San Jose Mercury News October 23, 1997. Copy Supplied.

Interview, "Net Pedophile Case Hits Home," Daily Telegraph, March 8, 1998. Copy Supplied.

Interview, "46 People Arrested at Rally Over Riverside Police Shooting," The Los Angeles Times, May 11, 1999. Copy Supplied.

Interview, "Moving Beyond Stereotypes in the Legislature," Sacramento Bee, December 7, 2000. Copy Supplied.

Interview, "Security or Freedom," October 28, 2001, San Jose Mercury Editorial Board, October 28, 2001. Copy Supplied.

Interview, "MoFo Adds Another From U.S. Attorney's Office," The Recorder, November 16, 2001. Copy Supplied.

Interview, "MoFo Adds Another Ex-DOJ Attorney" S.F. Daily Journal, November 16, 2001. Copy Supplied.

Interview, "Bay Area Community Leader Joins Taliban Defense," San Jose Mercury News January 29, 2002. Copy Supplied.

Interview, "Lindh Disillusioned By 9/11, His Lawyers Say," USA Today, March 15, 2002. Copy Supplied.

Interview, "U.S. Troops Took Photos of Blindfolded Walker Lindh," CNN.com, April 12, 2002. Copy Supplied.

Interview, "U.S. Troops Posed With Bound Lindh," Washington Post, April 13, 2002. Copy Supplied.

Interview, "Lindh a Good American Claims Parents," The Abrams Report, MSNBC, July 16, 2002. Copy Supplied.

Interview, "A Legal War Without Victory," Salon.com, July 16, 2002. Copy Supplied.

Interview, "John Walker Lindh Plea," Washington Post.com, July 18, 2002. Copy Supplied.

Interview, "Lindh Plea," MSNBC- Abrams Report, July 23, 2002. Copy Supplied.

Interview, "Spann Dad Asks to Testify Against Lindh," The Washington Times, July 24, 2002. Copy Supplied.

Interview, "Lawyers: Lindh Seeks Forgiveness," Fox News, August 31, 2002. Copy Supplied.

Interview, "Current Quotations," The Associated Press State & Local Wire August 31, 2002. Copy Supplied.

Interview, "Lindh Is Fully Cooperating with Government, His Lawyers Say," Los Angeles Times, September 1, 2002. Copy Supplied.

Interview, "'Sorry' Lindh Singing to the Feds," The New York Post, September 11, 2002. Copy Supplied.

Interview, "The Cell Broker," The Recorder, September 16, 2002. Copy Supplied.

Interview, "Lindh Upholding Plea Agreement," The Washington Post, September 28, 2002. Copy Supplied.

Interview, "The Long Road Home - Crime & Courts" Vol. 58 No. 15. People.com, October 7, 2002. Copy Supplied.

Interview, "Does An Audio Tape Prove That Alleged Sniper John Lee Malvo Was Not Just an Impressionable Young Kid?," The Abrams Report, MSNBC, November 1, 2002. Copy Supplied.

Interview, "Lindh Plea," MSNBC-Abrams Report, November 23, 2002. No Copy Available.

Interview, "BBC Documentary on John Walker Lindh". 2002. No Copy Available.

Interview, "Attorney Says Lindh is Fine Except for Bruise on Forehead," AP, March 6, 2003. Copy Supplied.

Interview, "Assault on Lindh Probed by FBI," Los Angeles Times, March 7, 2003. Copy Supplied.

Interview, "American Taliban Prisoner attacked at Victorville Assault: The Attorney for John Walker Lindh Says his Client Suffered No Serious Injuries. The Press Enterprise. March 7, 2003. Copy Supplied.

Interview, "Threats and Responses: The American Fighter; Taliban Ally Hurt in Attack While in Prison," The New York Times, March 7, 2003. Copy Supplied.

Interview, "Walker Lindh Bashed in Jail," The Advertiser, March 8, 2003. Copy Supplied.

Interview, "Lost in the Jihad-Why Did The Government's Case Against John Walker Lindh Collapse," The New Yorker, March 10, 2003. Copy Supplied.

"Prisoner Pummels Lindh in Slammer," The New York Post, July 4, 2003. Copy Supplied.

Commentary, "Kobe Bryant Case," ESPN NEWS, August 2, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, August 3, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, August 6, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, August 10, 2003. No Copy Available.

"Black Like Me John Walker Lindh's Hip-Hop Daze," East Bay Express, September 3, 2003. Copy Supplied.

Commentary, "Kobe Bryant Case," ESPN NEWS, September 9, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, October 5, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, October 6, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, October 8, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, October 9, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN NEWS, October 12, 2003. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN Sport Center Special, October 15, 2003. No Copy Available.

Interview, "Romanowski's Supporters Stand Fast" The New York Times December 26, 2003. Copy Supplied.

Interview, "Maurice Clarett and Legal Changes to the NFL Draft," ESPN Hotlist, February 6, 2004. No Copy Available.

Interview, "Steroid Charges Bypass Athletes," The San Francisco Chronicle February 15, 2004. Copy Supplied.

Commentary, "Violence in the NHL," ESPN, March 12, 2004. No Copy Available.

Interview, "White House Agrees to Allow National Security Adviser Condoleezza Rice to Testify Under Oath Before 9/11 Commission," The Abrams Report, MSNBC, March 30, 2004. Copy Supplied.

Commentary, "Court TV: Jayson Williams," Court TV, March 31, 2004. No Copy Available.

Interview, "Maurice Clarett/NFL," ESPN Hotlist, April 4, 2004. No Copy Available.

Interview, "Tony West Named to Daily Journal's Top 20 Under 40 List," The Daily Journal, May 5, 2004. Copy Supplied.

Commentary, "Kobe Bryant Case," ESPN, June 10, 2004. No Copy Available.

Interview, "It's Party Time: Bay Area Faithful Head to Boston for their Moment in the Spotlight" Alameda Times-Star July 25, 2004. Copy Supplied.

"Interview, "Democrat's Affection Endures for Bill Clinton," San Jose Mercury News, July 27, 2004. Copy Supplied.

Interview, "An Energized Party: Bay Area Delegates," Alameda Time-Star, August 1, 2004. Copy Supplied.

Commentary, "Kobe Bryant Case," ESPN, September 1, 2004. No Copy Available.

Commentary, "Kobe Bryant Case," ESPN News, September 2, 2004. No Copy Available.

Interview, "Democratic Gadflies Take on the RNC," Daily Review, September 2, 2004. Copy Supplied.

Commentary, "ESPN Sport Center: Kobe Bryant," ESPN, September 5, 2004. No Copy Available.

Commentary, "John Walker Lindh," ABC News, December 1, 2004. No Copy Available.

Commentary, "Game Night," ESPN Radio, December 7, 2004. No Copy Available.

Commentary, "Major League Baseball Drug Testing, ESPN "Outside the Line," 2004. No Copy Available.

Interview, "Romanowski Likened to Jekyll, Hyde," The San Francisco Chronicle, March 18, 2005. Copy Supplied.

Interview, "Romanowski Must Pay," San Jose Mercury News, March 23, 2005. Copy Supplied.

Interview, "Internet and Politics," Connections: Bellarmine College Preparatory Magazine. Spring 2005. Copy Supplied.

Commentary, "Libby Indictment," CBS-5, October 28, 2005. No Copy Available.

Commentary, "Libby Indictment," CNN, October 31, 2005. No Copy Available.

Commentary, "Libby: Vice President Dick Cheney Named Two of His Top Staffer Members Monday to Replace I. Lewis 'Scooter' Libby, Who Resigned Last Week after Being Indicted in the CIA Leak Investigation," CNN, October 31, 2005. No Copy Available.

Commentary, "Libby Pleads Not Guilty," KCBS, November 3, 2005. No Copy Available.

Commentary, "Libby Pleads Not Guilty," CNN, November 3, 2005. No Copy Available.

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13. Public Office, Political Activities and Affiliations:

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

1996 – 98: Commissioner, City of San José Planning Commission (appointed by Mayor Susan Hammer and the San José City Council)

1998: Candidate, San José City Council (unsuccessful)

2000: Candidate, California State Assembly (unsuccessful)

2000 – 02: Commissioner, Juvenile Justice Commission of Santa Clara County (appointed by the Board of Supervisors of Santa Clara County)

2004 – 07: Member, Board of Directors, U.C. Hastings College of the Law (appointed by California Governor Arnold Schwarzenegger)

2005 – 08: Northern District of California Lawyer Representative, U.S. Court of Appeals for the Ninth Circuit (Appointed by Chief Judge Vaughn Walker of Northern District)

2009 – 12: Assistant Attorney General, Civil Division, U.S. Department of Justice (appointed by President Barack Obama and confirmed by the U.S. Senate)

2012 – Present: Acting Associate Attorney General of the United States, U.S. Department of Justice (appointed by President Barack Obama)

- 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.

Summer, 1984: Massachusetts State Delegation, Democratic National Convention, Volunteer (assisted in floor coordination during national convention)

1987 – 88: Dukakis For President, Chief of Staff to the Treasurer (assisted national campaign Treasurer Robert A. Farmer in building and leading national fundraising effort for presidential candidate Michael S. Dukakis)

1988 – 89: Democratic Governors' Association, Finance Director

1992 – 93: California Democratic Party, Chief of Staff to the Finance Chairman (assisted in fundraising for the 1992 Democratic Coordinated Campaign)

1992: Democratic National Convention, Electoral Delegate California (Clinton)

2000: Al Gore for President, Fundraiser (assisted in fundraising for the Al Gore presidential campaign)

2002 – 03: Kamala Harris for District Attorney of San Francisco, Advisor, Member of Finance Committee (advised on all aspects of the campaign; assisted in fundraising)

2004: Kerry/Edward Presidential Campaign, Member of Finance Committee (assisted in fundraising for Kerry/Edwards presidential campaign)

2004: Democratic National Convention, Electoral Delegate California (Kerry)

2004 – 05: Campaign to Re-Elect Kamala Harris as District Attorney of San Francisco, Advisor, Member of Finance Committee (advised on all aspects of the campaign; assisted in fundraising)

2006: Oakland Mayor-Elect Ronald V. Dellums Transition Committee, Co-Chair (assisted transition team of Mayor Dellums)

2007 – 08: Obama for America, Co-Chair, National Finance Committee (assisted in California fundraising for the Obama presidential campaign)

2007 – 08: Obama California Leadership Circle, Member (assisted in Obama campaign in building a statewide, grassroots organization)

Fall, 2008: Obama/Biden Presidential Campaign, Volunteer (field coordinator, surrogate speaker)

2008: Democratic National Convention, At-Large Delegate (Obama)

2008 – 09: Kamala Harris for California Attorney General, Advisor, Member of Finance Committee (advised on all aspects of the campaign; assisted in fundraising)

14. Legal Career: Answer each part separately.

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

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

I did not clerk.

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.

U.S. Department of Justice
2012 – Present
Acting Associate Attorney General of the United States
950 Pennsylvania Avenue, NW
Washington, DC 20530

U.S. Department of Justice, Civil Division
2009 – 12
Assistant Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530

Morrison & Foerster LLP
Partner
2001 – 09
425 Market Street
San Francisco, CA 94105

California Department of Justice, Office of the Attorney General
1999 – 2001
Special Assistant Attorney General
1300 I St
Sacramento, CA 95814

U.S. Department of Justice, United States Attorney's Office, Northern
District of California
1994 – 99
Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San José, CA 95113

U.S. Department of Justice, Office of the Deputy Attorney General
1993 – 94
Special Assistant to the Deputy Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530

Bingham McCutchen (formally McCutchen, Doyle, Brown & Enersen,
San José office)
1992 – 93
Associate
1900 University Avenue
East Palo Alto, CA 94303-2223

- 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 never 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.

Public Service

Following graduation from Stanford Law School, I practiced for seven years in federal and state government.

From 1993 through 1994, I served as a Special Assistant in the U.S. Department of Justice. Under the direction of U.S. Deputy Attorneys General Philip Heymann and Jamie Gorelick, as well as Attorney General Janet Reno, I worked on the development of national crime policy, including the 1994 Omnibus Crime Bill.

From 1994 to 1999, I served as an Assistant United States Attorney for the Northern District of California, prosecuting a variety of cases, including sexual exploitation offenses against children, high-tech crimes, bank robberies, financial fraud schemes, economic espionage, firearms violations, tax offenses and government malfeasance.

From 1999 to 2001, I served as state Special Assistant Attorney General, an appointee of California Attorney General Bill Lockyer. In that capacity, I advised Attorney General Lockyer on various matters including high-tech crime, identity theft, the Microsoft antitrust litigation, police officer training, civil rights and police misconduct.

Since April 2009, I have served as a senior official in the U.S. Department of Justice. From 2009 to 2012, I served as the Assistant Attorney General of the Civil Division, the Justice Department's largest litigating component with over 1400 employees. The Civil Division represents the United States in legal challenges to Congressional statutes, Administration policies, and federal agency actions. The Division practice also includes affirmative litigation and the defense of the President, Cabinet officers, and other federal employees in lawsuits filed against them throughout the country. As head of the Civil Division, I oversee these traditional areas, as well as the Civil Division's affirmative civil enforcement efforts.

Since March 2012, I have served as Acting Associate Attorney General of the United States. In this role, I assist the Attorney General and Deputy Attorney General in the management of the Department by supervising our civil components (Antitrust, Civil, Civil Rights, Environment and Natural Resources, Tax, Community Relations Service, Executive Office of U.S. Trustees, Office of Information Policy, Foreign Settlement Claims Commission) and the grant-making components (Office of Justice Programs, Office on Violence Against Women, Community Oriented Policing Services (COPS)). In addition, I have continued my predecessor's emphasis on improving the federal government's relationship with American Indians and Native Alaskans.

Private Practice

Between 2001 and 2009, I practiced at a private law firm, Morrison & Foerster, representing a wide range of clients from indigent individuals in civil rights litigation to multinational corporations in complex commercial matters. My civil matters included:

- representation of several public companies in various securities class action suits;
- trial co-counsel for former Oakland Raiders football player, in a successful tort action against fellow teammate; and
- trial co-counsel for plaintiff and her children who suffered civil rights violations following the police shooting of a family member (jury found that law enforcement officers violated plaintiff's Fourth Amendment rights and awarded punitive damages).

My criminal matters included:

- representation of a municipal securities firm president in a multi-state, FBI criminal investigation and federal prosecution that resulted in no charges filed against client;
- representation of a Fortune 500 computer hardware manufacturer in a federal criminal probe that resulted in no charges filed against the company; and
- representation of an individual in connection with FBI political corruption investigation that resulted in no charges filed against individual.

Community Service

Before my appointment and confirmation as Assistant Attorney General of the Civil Division in 2009, I served on the Board of Governors for the Northern California Association of Business Trial Lawyers and on the Bar Association of San Francisco's Litigation Section Executive Committee. I was also a participant in Oakland's McCullum Youth Court. In addition, I have served on the Board of Directors of U.C. Hastings College of the Law, as an adjunct faculty of Lincoln Law School of San José (Trial Advocacy), and as a Northern District of California Ninth Circuit Lawyers Representative.

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

As an Assistant U.S. Attorney, Assistant Attorney General and currently as Acting Associate Attorney General, my client has been the United States, and I have specialized in both criminal and civil litigation and public policy.

While in private practice, my typical clients included individuals and companies who retained me in a variety of complex civil and criminal matters. I specialized in complex commercial litigation, white-collar criminal defense, civil rights and civil liberties matters and securities litigation.

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

As Acting Associate Attorney General, my primary responsibility is to advise and assist the Attorney General and the Deputy Attorney General in formulating and implementing Departmental policies and programs related to a broad range of issues. In that capacity, approximately 70% of my work involves supervising the Department's five civil litigating components (Antitrust Division, Civil Division,

Civil Rights Division, Environment and Natural Resources Division, and Tax Division).

As Assistant Attorney General of the Civil Division, nearly 100% of my work involved managing the civil and criminal litigation in which the Division was involved.

In private practice, approximately 90% of my practice was in litigation; approximately 10% consisted of strategic and public relations advice. From 1994 to 1999, I appeared frequently in court (as a federal prosecutor). Between 2001 and 2009, I appeared in state and federal court as a civil litigator. Since 2009, I have appeared in federal court twice to argue cases on behalf of the United States.

i. Indicate the percentage of your practice in:

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

United States Attorney's Office, Northern District of California (1994 – 99)

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

California Department of Justice, Office of the Attorney General (1999 – 2001)

- | | |
|-----------------------------|-----|
| 1. federal courts; | 2% |
| 2. state courts of record; | 98% |
| 3. other courts; | 0% |
| 4. administrative agencies. | 0% |

Morrison & Foerster LLP (2001 – 09)

- | | |
|-----------------------------|-----|
| 1. federal courts; | 48% |
| 2. state courts of record; | 48% |
| 3. other courts; | 0% |
| 4. administrative agencies. | 4% |

U.S. Department of Justice (2009 – Present)

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

ii. Indicate the percentage of your practice in:

1. civil proceedings;
2. criminal proceedings.

United States Attorney's Office, Northern District of California (1994 – 99)

1. civil proceedings; 0%
2. criminal proceedings. 100%

California Department of Justice, Office of the Attorney General (1999 – 2001)

1. civil proceedings; 50%
2. criminal proceedings. 50%

Morrison & Foerster LLP (2001 – 09)

1. civil proceedings; 65%
2. criminal proceedings. 35%

U.S. Department of Justice (2009 – Present)

1. civil proceedings; 80%
2. criminal proceedings. 20%

- 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 at least four cases to verdict as sole counsel, at least one case to verdict as chief counsel, and at least four cases to verdict as associate counsel.

- i. What percentage of these trials were:

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

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

I have not argued any cases before the Supreme Court nor have I served as the primary author on any briefs submitted to the court. However, in my capacity as Assistant Attorney General of the Civil Division, and in accordance with Department procedure, my name appeared on hundreds of briefs filed in the U.S. Supreme Court between 2009 and 2012 (including briefs filed at the certiorari stage and briefs filed at the merits stage).

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

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

1. *Hamad v. Obama et al.; Gul v. Obama et al.*

Citation(s)/docket number(s):

Nos. 10-5117 & 10-5118 (D.C. Cir.)
Gul v. Obama, 652 F.3d 12 (D.C. Cir. 2011)

Party represented:

President Barack Obama et al.

Summary of case:

These were habeas corpus petitions brought by two former detainees at Guantanamo Bay challenging the lawfulness of their prior detention. The district courts had dismissed these and other habeas petitions of the former habeas petitioners (approximately 105 in total), holding that the petitions became moot when petitioners were transferred beyond the control of the United States. Petitioners appealed.

Gul and Hamad's appeals were consolidated to become the lead test case at the D.C. Circuit. The D.C. Circuit affirmed the district court's dismissal of the petitions as moot, holding that the former detainees suffered no collateral consequences of detention sufficient to preserve a constitutional case or controversy under Article III.

Nature of participation:

As the Assistant Attorney General of the Civil Division, I became personally involved in this matter after briefing in the D.C. Circuit, where I presented oral argument for the government.

Final disposition:

The petitions were dismissed, and that dismissal was affirmed. Petitions for rehearing en banc and certiorari were denied.

Date of representation:

Though I was Assistant Attorney General during the pendency of this case, my personal involvement was from March 2011 to July 2011, when the court of appeals ruled in our favor.

Name of court and judge(s):

United States Court of Appeals for the District of Columbia Circuit – Judge Douglas Ginsburg, David Tatel, and Janice Rogers Brown

Co-counsel:

Robert M. Loeb
Benjamin S. Kingsley
Attorneys, Appellate Staff, Civil Division
U.S. Department of Justice
950 Pennsylvania Ave., N.W., Room 7261
Washington, DC 20530-0001
(202) 353-8253

Counsel for other parties:

Steven T. Wax, Federal Public Defender
Stephen R. Sady, Chief Deputy Federal Public Defender
Amy Baggio, Assistant Federal Public Defender
101 SW Main Street, Suite 1700
Portland, Oregon 97204
(503) 326-2123
(Attorneys for petitions Nazul Gul and Adel Hamad)

2. *Golinski v. OPM et al.*

Citation(s)/docket number(s):

No. 10-cv-00257-JSW (N.D. Cal.)
Golinski v. U.S. Office of Pers. Mgmt., 824 F. Supp. 2d 968 (N.D. Cal. 2012)

Party represented:

OPM et al.

Summary of case:

An employee of the Ninth Circuit filed a constitutional challenge to Section 3 of the Defense of Marriage Act, requesting an order requiring that OPM enroll her same-sex spouse in a Federal Employees Health Benefit plan. The Department of Justice, pursuant to the determination of the President and Attorney General on the constitutionality of Section 3 of DOMA, declined to defend, and the Bipartisan Legal Advisory Group (“BLAG”) of the United States House of Representatives intervened to defend Section 3. Following briefing and argument on motions to dismiss and for summary judgment, the district court held that Section 3 is unconstitutional and ordered relief for plaintiff.

Appeals are currently pending in the Ninth Circuit, and the Department of Justice has filed a petition for certiorari before judgment as well, to allow the Supreme Court to resolve this or another case challenging Section 3 as quickly as possible.

Nature of participation:

As the Assistant Attorney General of the Civil Division, I became personally involved in this matter during briefing before the district court, and I presented argument for the government at the district court's hearing on dispositive motions.

Final disposition:

The district court held that Section 3 of DOMA is unconstitutional and ordered relief for the plaintiff. Appeals and a petition for certiorari before judgment are pending.

Date of representation:

Though I was Assistant Attorney General during the pendency of this case in the district court, my personal involvement was from June 2011 to February 2012, when the district court ruled in our favor.

Name of court and judge(s):

United States District Court for the Northern District of California – Judge Jeffrey S. White

Co-counsel:

Michael F. Hertz
Deputy Assistant Attorney General
Arthur R. Goldberg
Assistant Branch Director
Christopher R. Hall
Trial Attorney
Attorneys, Federal Programs Branch, Civil Division
U.S. Department of Justice
P.O. Box 883
Washington, D.C. 20044
(202) 514-4778

Counsel for other parties:

James R. McGuire
Gregory P. Dresser
Rita F. Lin
Aaron D. Jones
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482

(415) 268-7000
(Attorneys for plaintiff Karen Golinski)

Jon W. Davidson
Jennifer C. Pizer
Tara L. Borelli
Lambda Legal, Western Regional Office
3325 Wilshire Boulevard, Suite 1300
Los Angeles, CA 90010-1729
(213) 382-7600
(Attorneys for plaintiff Karen Golinski)

3. *United States v. Riva, et al.*

Citation(s)/docket number(s):

96-CR-20113 JW
United States v. Laney, 189 F.3d 954 (9th Cir. 1999)
United States v. Tank, 200 F.3d 627 (9th Cir. 2000)

Party represented:

United States of America

Summary of case:

The defendants in this criminal prosecution were the 16 members of an Internet chat room called the "Orchid Club." Members of the Orchid Club, who lived in four different countries, discussed, traded, and produced child pornography. They also engaged in the on-line molestation of a young girl. All were indicted on various counts of sexual exploitation of children under 18 U.S.C. § 2251 and/or 18 U.S.C. § 2252.

Nature of participation:

As an Assistant U.S. Attorney, I served as the lead attorney investigating and prosecuting these cases through trial and on appeal.

Final disposition:

All 16 defendants were convicted, either by guilty plea or at trial. The convictions of those defendants who appealed were affirmed.

Date of representation:

June 1996 – January 2000

Name of court and judge(s):

United States District Court for the Northern District of California – Judge James Ware

United States Court of Appeals for the Ninth Circuit – Judges Stephen Reinhardt, Thomas Nelson, and Phyllis Kravitch (sitting by designation)

United States Court of Appeals for the Ninth Circuit – Judges Harry Pregerson, Charles Wiggins, and David Carter (sitting by designation)

Co-counsel:

Carlos Singh
United States Attorney's Office
150 Almaden Blvd., Suite 900
San Jose, CA 95113
(408) 535-5061

Counsel for other parties:

Carleen R. Arlidge
111 West St. John Street, Suite 555
San Jose, CA 95113
(408) 288-8533
(408) 971-8295240 Stockton Street #400
San Francisco, CA 94108-2479 E. Bayshore Road #703
Palo Alto, CA 94303
(Defense Counsel for David Vernon Tank)

Philip Howard Pennypacker
Santa Clara Courthouse
191 N. First Street
San Jose, CA 95113
(408) 556-3000
(Defense Counsel for Christopher Jon Saemisch)

Stuart D. Kirchick
Law Offices of Stuart D. Kirchick
1143 Story Road, Suite 210
San Jose, CA 95122
(408) 291-0418
(Defense Counsel for Michael Allen Grumboski)

Mark D. Flanagan
WilmerHale
1117 California Avenue
Palo Alto, CA 94304
(650) 858-6047

(Defense Counsel for Timothy James Zantor)

Alfredo Martin Morales
Morales & Leanos
75 E. Santa Clara Street #250
San Jose, CA 95113
(408) 294-5400
(Defense Counsel for Kurt Schaefer)

Jennifer Stisa Granick
Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110
(415) 436-9333
(Defense Counsel for Franklin Stephen Palm)

Thomas Kelley
Kelly & Jacobson
220 S. 6th Street, Suite 215
Minneapolis, MN
(612) 339-5055
(Defense Counsel for Joseph Peter Lepore)

Thomas Joseph Nolan, Jr.
Nolan Armstrong et al LLP
600 University Ave
Palo Alto, CA 94301
(650) 326-2980
(Defense Counsel for Stephen L. Calhoun)

Jeffery Steinbock
53 West Jackson Blvd., Suite 1420
Chicago, IL 60604
(Defense Counsel for Corey J. Soderquist)

Gail R. Shifman
44 Montgomery Street Ste 3850
San Francisco, CA 94104
(415) 551-1500
(Defense Counsel for Paul Colin Freeland)

4. *Hepting v. AT&T Corp., et al.*

Citation(s)/docket number(s):

06-CV-0672-VRW

Hepting v. AT&T Corp., 439 F. Supp. 2d 974 (N.D. Cal. 2006)

Hepting v. AT&T Corp., 539 F.3d 1157 (9th Cir. 2008)

Party represented:

Mark Klein (witness)

Summary of case:

Plaintiffs, customers of AT&T, alleged that AT&T was collaborating with the National Security Agency in a massive warrantless wiretapping program that tracks and records the domestic and foreign communications of millions of Americans in violation of the U.S. Constitution and various federal and state statutes. Mark Klein, a former AT&T employee, had first-hand knowledge of the government's wiretapping program and the nature and extent of AT&T's cooperation in that program.

Nature of participation:

As a partner at Morrison & Foerster LLP, I provided advice and assistance to Mr. Klein by, for example, drafting amicus papers submitted in opposition to the defendants' motion to dismiss and helping to develop a litigation and media strategy.

Final disposition:

The case was ultimately dismissed following a motion by the United States asserting state secrets.

Date of representation:

April 2006 – March 2009

Name of court and judge(s):

United States District Court for the Northern District of California – Judge Vaughn Walker

United States Court of Appeals for the Ninth Circuit – Judges Harry Pregerson, Michael Daly Hawkins, and Margaret McKeown

Co-counsel:

James J. Brosnahan
Brian J. Martinez
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105
(415) 268-7000

Counsel for other parties:

Cindy Ann Cohn
Electronic Frontier Foundation
454 Shotwell Street
San Francisco, CA 94110
(415) 436-9333
(Counsel for Plaintiffs)

Bruce A. Ericson
David L. Anderson
Pillsbury Winthrop Shaw Pittman LLP
50 Fremont Street
San Francisco, CA 94120-7880
(415) 983-1000
(Counsel for Defendants)

5. *Mendez v. County of San Bernardino, et al.*

Citation(s)/docket number(s):

CV 04-7131 SVW (RCx) (C.D. Cal.)
Mendez v. County of San Bernardino, 540 F.3d 1109 (9th Cir. 2008)

Party represented:

Plaintiffs Evangelina and Angel Mendez

Summary of case:

The plaintiffs, a woman and her young son, were detained and interrogated by deputies of the San Bernardino Sheriff's Department following the fatal shooting of their deaf son/brother. Plaintiffs filed a federal civil rights action against the County of San Bernardino under 42 U.S.C. § 1983 for violations of the Fourth Amendment and false arrest and imprisonment under state law based on the arrest of the plaintiffs and the search of their home. A one-week jury trial was held in federal court in Los Angeles in April 2005. I argued successfully before the United States Ninth Circuit Court of Appeals reversing the District Court's denial of attorney's fees.

Nature of participation:

As a partner at Morrison & Foerster LLP, I supervised all pre-trial matters, including discovery and motion practice. Additionally, I was trial co-counsel and successfully argued before the Ninth Circuit on appeal.

Final disposition:

The jury found that the San Bernardino Sheriff's Department committed two constitutional violations. On appeal, the Ninth Circuit reversed the district court's order denying attorneys' fees to the plaintiffs and affirmed the district court's orders granting partial summary judgment for the defendant, denying the plaintiffs' motion for a new trial, and reducing punitive damages. Upon remand, the district court entered an order granting plaintiffs' motion for attorneys' fees.

Date of representation:

April 2003 – March 2009

Name of court and judge(s):

United States District Court for the Central District of California – Judges Virginia Phillips, George Schiavelli (Ret.), and Stephen Wilson

United States Court of Appeals for the Ninth Circuit – Judges Raymond Fisher, Michael Daly Hawkins, and Stephen Trott

Co-counsel:

Arturo J. González
Geoffrey Graber
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105
(415) 268-7000

Counsel for other parties:

Eugene P. Ramirez
Trevor Grimm
Patrick Hurley
Manning & Marder, Kass, Ellrod, Ramirez, LLP
801 S. Figueroa Street
15th Floor
Los Angeles, California 90017
(Counsel for Defendants)

6. *In re JDS Uniphase Corp. Securities Litigation*

Citation(s)/docket number(s):

C-02-1486 CW

In re JDS Uniphase Corp. Securities Litigation, 2007 U.S. Dist. LEXIS 66085 (N.D. Cal., Aug. 27, 2007)

Party represented:

JDS Uniphase Corporation, Charles Abbe, Jozef Straus, and Anthony Muller

Summary of case:

The plaintiffs, a class of stockholders, alleged that, during the class period, the defendants engaged in a scheme to artificially inflate the price of JDS stock by falsely representing that demand for JDS products was strong and by overstating the value of its inventory by failing to write off excess inventory. The plaintiffs alleged that the defendants benefited from this scheme by selling stock at inflated prices and by using the value of JDS stock to purchase other companies for less than their worth. The plaintiffs asserted causes of action for violations of the Securities Act of 1933 and the Securities Exchange Act of 1934.

Nature of participation:

As a partner at Morrison & Foerster LLP, I took and defended key depositions relating to class certification, and handled a variety of matters relating to discovery disputes. I also identified, interviewed and deposed several of the plaintiff's confidential witnesses.

Final disposition:

Jury verdict for the defendants

Date of representation:

May 2002 – December 2008

Name of court and judge(s):

United States District Court for the Northern District of California – Judge Claudia Wilken

Co-counsel:

James P. Bennett
Jordan Eth
Terri Garland
Philip T. Besirof

Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105
(415) 268-7000

Counsel for other parties:

Mark S. Arisohn
Anthony J. Harwood
Labaton Suchorow LLP
140 Broadway
New York, NY 10005
(212) 907-0840
(Counsel for Plaintiffs)

7. *United States v. Kim, et al.*

Citation(s)/docket number(s):

CR 06-0692 PJH

Party represented:

Individual witness, Charles Byrd, in federal antitrust investigation into the DRAM market.

Summary of case:

The United States brought charges against various individuals for violations of the federal antitrust laws in connection with alleged price fixing in the DRAM market.

Nature of participation:

As a partner at Morrison & Foerster LLP, I represented a former employee of the company that was under federal antitrust investigation. In that capacity, I responded to government subpoenas, represented my client in government interviews and in connection with grand jury testimony, and negotiated with government attorneys.

Final disposition:

The government chose not to prosecute my client in exchange for his agreement to cooperate with the investigation. He did not have to testify at trial.

Date of representation:

March 2005 – November 2008

Name of court and judge(s):

United States District Court for the Northern District of California – Judge Phyllis Hamilton

Co-counsel:

N/A

Counsel for other parties:

Nat Cousins
United States Department of Justice
Antitrust Division
450 Golden Gate Avenue
Room 10-0101, Box 36046
San Francisco, CA 94102
(415) 436-6705
(Attorney for United States)

8. *Bradlow v. Grant Thornton LLP*

Citation(s)/docket number(s):

CGC-04-437423

Party represented:

The defendant Grant Thornton LLP

Summary of case:

A court-appointed receiver filed this professional negligence and fraud action on behalf of PipeVine, Inc., a non-profit organization that facilitated on-line charitable donations. PipeVine is a former customer of Grant Thornton, and its allegations stemmed from an audit that Grant Thornton conducted, as well as other accounting services that it performed, on PipeVine's behalf.

Nature of participation:

As a partner at Morrison & Foerster LLP, I managed the litigation and helped direct all aspects of litigation strategy and trial preparation. In addition, I directed discovery and was involved in both a mediation and settlement negotiations with the plaintiff.

Final disposition:

Settlement

Date of representation:

February 2003 – March 2009

Name of court and judge(s):

San Francisco County Superior Court – Judge Patrick Mahoney

Co-counsel:

David B. Bayless
Covington & Burling LLP
One Front Street
San Francisco, CA 94111-5356
(415) 591-7005

Counsel for other parties:

Michael Eagan
Law Offices of Michael Q. Eagan
Three Embarcadero Center, 8th Floor
San Francisco, CA 94111
(415) 765-4600

9. *United States v. Lindh*

Citation(s)/docket number(s):

Crim. No. 02-37-A

Party represented:

Defendant John Phillip Walker Lindh

Summary of case:

In December 2001, the United States took John Walker Lindh, an American citizen, into custody in Afghanistan after Lindh surrendered to the Northern Alliance. Mr. Lindh had briefly served in the Afghan army under the Taliban to defend Afghanistan against the Northern Alliance in an internal civil war. The United States charged Mr. Lindh with 11 criminal counts. After an exhaustive investigation and litigation, the government dropped all charges accusing Mr. Lindh of fighting against Americans or engaging in terrorist activities.

The United States dismissed all terrorism-related charges and Mr. Lindh, who pled guilty to one count of violating Title 50, United States Code, Section 1705(b), Title 18, United States Code, Section 2, and Title 31, Code of Federal Regulations, Sections 545.204 and 545.206(a) and one count of violating Title 18, United States Code, Section 844(h)(2).

Nature of participation:

As a partner at Morrison & Foerster LLP, I was one of the members of Mr. Lindh's four-person defense team, and I assisted with the development of a defense strategy. I also directed discovery, drafted and argued motions, and participated in negotiations with the federal government.

Final disposition:

After pleading guilty to two criminal counts, Mr. Lindh was sentenced to 20 years imprisonment.

Date of representation:

December 2001 – February 2007

Name of court and judge(s):

United States District Court for the Eastern District of Virginia – Judge Thomas Ellis III

Co-counsel:

James J. Brosnahan
George C. Harris
Raj Chatterjee
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105
(415) 268-7000

William B. Cummings
William B. Cummings, P.C.
112 South Pitt Street
Alexandria, Virginia 22314
(703) 836-7997

Counsel for other parties:

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Fairfax Circuit Court
4110 Chain Bridge Road
Fairfax, Virginia 22030
(703) 246-2221

David N. Kelley
Cahill Gordon & Reindel
Eighty Pine Street
New York, NY 10005

(212) 701-3050

10. *Williams v. Romanowski*

Citation(s)/docket number(s):

RG03122024

Party represented:

Plaintiff Marcus Williams

Summary of case:

The plaintiff, formerly a professional football player for the Oakland Raiders, brought a civil action against William Romanowski, a teammate, for battery, negligence, and intentional infliction of emotional distress. The case arose out of an incident at football practice during which Mr. Romanowski attacked Mr. Williams, forcibly removed his helmet, and punched him in the face. Mr. Williams suffered broken bones around his eye and other significant injuries, and was unable to resume his playing career. After a trial, a jury in Alameda County found Mr. Romanowski liable for battery.

Nature of participation:

As a partner at Morrison & Foerster LLP, I was involved in all aspects of litigation and trial and was trial co-counsel.

Final disposition:

After a jury ruled in Mr. Williams' favor, the parties settled to avoid further litigation.

Date of representation:

October 2003 – November 2005

Name of court and judge(s):

Alameda County Superior Court – Judge Cecilia Castellanos

Co-counsel:

James J. Brosnahan
Wendy M. Garbers
Brian J. Martinez
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482
(415) 268-7000

Counsel for other parties:

Jeffrey A. Springer
Springer and Steinberg, P.C.
1600 Broadway, Suite 1200
Denver, CO 80202
(303) 861-2800

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

From 1994 to 1999, I served as an Assistant United States Attorney in the Northern District of California. In that position, I prosecuted violent and white collar crime, including high-tech crime, the sexual exploitation of children, tax offenses, bank robberies, federal firearms violations, economic espionage, drug crimes, and fraud. During my tenure in the U.S. Attorney's Office, I led the successful investigation and prosecution of the "Orchid Club," a thirteen-member international child pornography production and distribution ring that operated over the Internet.

From 1999 to 2001, I served as a Special Assistant Attorney General in the California Attorney General's Office. In that capacity, I advised Attorney General Lockyer on various legal and policy issues, including high-tech crime, identity theft, Internet policy, civil rights, elder abuse, and crime prevention. I also worked with state Attorneys General around the country on investigations and enforcement actions, including the Microsoft antitrust litigation.

From 2001 until 2009, I was a Partner at Morrison & Foerster LLP and my practice included both civil and criminal matters. Representative civil matters included representation of several public companies in various securities class action suits; representation of a residential real estate developer in an ongoing District Attorney investigation alleging environmental violations; and counsel for a national law firm that completes disparity studies for states, cities, counties, special districts, housing authorities, transportation agencies and other governmental entities throughout the country. Representative criminal matters included representation of a municipal securities firm president in a multi-state, FBI criminal investigation and federal prosecution that resulted in no charges filed against the client; representation of a Fortune 500 computer hardware manufacturer in a federal criminal probe that resulted in no charges filed against the company; representation of individual in connection with an FBI political corruption investigation that resulted in no charges filed against the individual; representation of an international accounting firm in a state and federal criminal investigation that resulted in no action against the company; representation of an international chemical company executive in a federal criminal antitrust investigation that resulted in no action against the client; and successful representation of a Hollywood actor in connection with criminal charges stemming from the client's political activism.

Since April 2009, I have served as a senior official in the U.S. Department of Justice. From 2009 to 2012, I served as the Assistant Attorney General of the Civil Division, the Justice Department's largest litigating component with over 1400 employees. The Civil Division represents the United States in legal challenges to Congressional statutes, Administration policies, and federal agency actions. The Division practice also includes affirmative litigation and the defense of the President, Cabinet officers, and other federal employees in lawsuits filed against them throughout the country. As head of the Civil Division, I oversaw these traditional areas, as well as the Civil Division's affirmative civil enforcement efforts.

Since March 2012, I have served as Acting Associate Attorney General of the United States. In this role, I assist the Attorney General and Deputy Attorney General in the management of the Department by supervising our civil components (Antitrust, Civil, Civil Rights, Environment and Natural Resources, Tax, Community Relations Service, Executive Office of U.S. Trustees, Office of Information Policy, Foreign Settlement Claims Commission) and the grant-making components (Office of Justice Programs, Office on Violence Against Women, Community Oriented Policing Services (COPS)). In addition, I have continued my predecessor's emphasis on improving the federal government's relationship with American Indians and Native Alaskans.

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

Adjunct Faculty Member, Lincoln Law School of San José, California, 1997 – 1999.

I taught a trial advocacy course. The major topics taught were fact investigation, brief writing, and oral advocacy. I do not have a syllabus.

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

None, except that as a U.S. Government employee, I participate in the Thrift Savings Program.

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

I have no such plans.

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries,

fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached SF 278.

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

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

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

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

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

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

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

As Assistant Attorney General, I encouraged pro bono activities by Civil Division attorneys and staff by revising our pro bono policy to facilitate such activities and creating a special division award recognizing dedicated pro bono service. In addition, I personally participated in several pro bono activities, such as staffing a local legal clinic and taking part in a panel celebrating Government Pro Bono Week, to encourage greater attorney pro bono participation.

As an attorney in private practice, I devoted a significant amount of time mentoring young adults seeking advice about career paths, and volunteered my time to the following organizations:

Oakland McCullum Youth Court, CA, 2007 – 09

The Role Model Program, 1996 – 99

Board of Governors for the Northern California Association of Business Trial Lawyers, 2004 – 09

Northern District of California Ninth Circuit Lawyer Representative, 2005 – 08

Board of Directors of U.C. Hastings College of the Law, 2004 – 07

Adjunct Faculty of Lincoln Law School of San José (Trial Advocacy), 1997 – 99

In addition, as an attorney in private practice, I devoted substantial time to the following pro bono endeavors:

Parole Suitability Matters, 2006 – 09

- Guadalupe Amezcua, CDC W-43127, Parole Suitability
- Terri Devereaux, CDC W-52194, Parole Suitability
- Betty Jacobs, CDC W-37570, Parole Suitability
- Linda Sue Rodrigues, CDC W-38150, Parole Suitability
- Joan Starr, CDC W-37775, Parole Suitability

The League of Women Voters of Iowa, Intervenors, 2004

Mendez v. County of San Bernardino, et al., 2003 – 09

Common Sense Media (video game violence watchdog group for parents), 2004 – 06

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.

***NOTE:** All amounts listed below are approximations.

ASSETS		LIABILITIES	
Cash on hand and in banks	\$15,000	Notes payable to banks-secured	\$0
U.S. Government securities-add schedule	\$0	Notes payable to banks-unsecured	\$0
Listed securities		Notes payable to relatives	\$0
Morrison & Foerster LLP Retirement Plan (Schwab 401(k))	\$202,000		
Unlisted securities—add schedule	\$0	Notes payable to others	\$0
Accounts and notes receivable:		Accounts and bills due	\$10,400
Due from relatives and friends	\$0	Unpaid income tax	\$0
Due from others	\$0	Other unpaid income and interest	\$0
Doubtful	\$0	Real estate mortgages payable	
		Mortgage balance on Primary Residence (200 Lakeside)	\$310,000
Real estate owned		Chattel mortgages and other liens payable	\$0
Primary Residence (Oakland, CA), GMAC Mortgage Balance Owed: \$310,000	\$650,000		
Real estate mortgages receivable	\$0	Other debts-itemize:	
Autos and other personal property	\$125,000	Student Loans	\$52,000
Cash value-life insurance	\$400		
Other assets itemize:	\$0		
		Total liabilities	\$377,000
		Net Worth	\$615,400
Total Assets	\$992,400	Total liabilities and net worth	
CONTINGENT LIABILITIES		GENERAL INFORMATION	
As endorser, comaker or guarantor		Are any assets pledged? (Add schedule)	\$0

On leases or contracts		Are you defendant in any suits or legal actions?	No
6 mo. apartment lease; 4 mos. remaining (425 Massachusetts Ave, NW, PH 111, Washington, DC)	\$8600		
1 yr. apartment lease; 11 mos. remaining (322 West 57 th Street, Unit 21P, NY, NY)	\$60,500		
Legal Claims	\$0	Have you ever taken bankruptcy?	No
Provision for Federal Income Tax	\$25,000		
Other special debt	\$0		

AFFIDAVIT

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

11.16.2012

(DATE)

Tony West

(NAME)



Sheryl L. Thompson

(NOTARY)