

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Thomas Edward Wheeler, II

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

United States Attorney, Southern District of Indiana, U.S. Department of Justice

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

Office:

U.S. Attorney's Office, Southern District of Indiana
10 W. Market Street, Suite 2100
Indianapolis, Indiana 46204

Residence:

Zionsville, Indiana

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

1962, Minneapolis, Minnesota

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.

Indiana University Maurer School of Law (1984 – 1987)
J.D. (May 1987)

Indiana University School of Public and Environmental Affairs (1981 – 1984)
B.S. in Public Affairs Major: Law & Public Policy (May 1984)

Butler University (1980 – 1981) No degree received.

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.

July 2025 – Present
Interim United States Attorney
U.S. Attorney’s Office, Southern District of Indiana
10 W. Market Street, Suite 2100
Indianapolis, Indiana 46204
Paid

January 2025 – July 2025
Acting General Counsel
United States Department of Education
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, D.C. 20202
Paid

2017 – June 2025
Board Member
Hoosier Navy (non-profit)
USS Richard G. Lugar (DDG-136) Commissioning Committee (authorized)
USS Indiana (SSN 789) Commissioning Committee (commissioned September 29, 2018)
USS Indianapolis (LCS 17) Commissioning Committee (commissioned October 26, 2019)
PO Box 36517
Indianapolis, Indiana 46077
Nonprofit, Unpaid Volunteer

2016 – Present
Commissioner
White River State Park Development Commission
801 West Washington Street
Indianapolis Indiana 46204
Nonprofit, Unpaid Volunteer

January 2024 – January 2025
Partner
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, Indiana 46204
Paid

August 2017 – December 2023
Partner
Frost Brown Todd LLP
111 Monument Circle, Suite 4500
Indianapolis, Indiana 46204
Part-time, May 2018 - December 2018, and August 2020 - January 2021

Paid

August 2020 – January 2021
Senior Counselor/Senior Advisor to the Secretary
United States Department of Education
Lyndon Baines Johnson Department of Education Building
400 Maryland Ave, SW
Washington, D.C. 20202
Part-time Special Government Employee
Paid

May 2018 – December 2018
Senior Adviser
White House Federal Commission on School Safety
United States Department of Education
Lyndon Baines Johnson Department of Education Building
400 Maryland Ave, SW
Washington, D.C. 20202
Part-time Special Government Employee
Paid

January 2017 – July 2017
Acting Assistant Attorney General for Civil Rights
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Paid

August 2000 – January 2017
Partner
Frost Brown Todd LLP (formerly Locke Reynolds LLP)
111 Monument Circle, Suite 4500
Indianapolis, Indiana 46204
Paid

January 1998 – July 2000
Partner
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, Indiana 46204
Paid

March 1988 – December 1997
Associate/Partner
Kightlinger & Gray LLP
One Indiana Square, Suite 300

211 North Pennsylvania Street
Indianapolis, Indiana 46204
Paid

August 1987 – March 1988
Associate
Middleton & Reutlinger
401 South 4th Street, Suite 2600
Louisville, Kentucky 40202
Paid

1983 – 1986
Intermittent
Noble Romans Pizza
Indianapolis, Indiana & Bloomington Indiana
Paid

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

I have not served in the U.S. military. I have registered for selective service.

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

Distinguished Fellow, Indianapolis Bar Foundation, 2018
Lawyer of the Year, Litigation - Municipal, The Best Lawyers in America©, 2017
Sagamore of the Wabash, Indiana Governor Mike Pence, 2016
Kentucky Colonel, Kentucky Governor Steve Beshear, 2014
Benjamin Harrison Writing Award, Indiana State Bar Association, 2005
Burton Award for Legal Achievement, Co-sponsored by the Library of Congress, 2004
Benjamin Harrison Writing Award, Indiana State Bar Association, 2003

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

American Bar Association
Defense Trial Counsel of Indiana
Founder and Chairman of the Employment Law Section (1997 – 1998)
Chair of CLE/Seminar Committee (1999 – 2000)
Chair of Awards Committee (2000 – 2002)
Chair of Rules Committee (2002)

Board Member (1999 – 2002)
Federal Bar Association, Indianapolis Chapter
Secretary (1999 – 2000)
Vice-President (2000 – 2002)
President (2003 – 2004)
Federalist Society
Co-Founder Indiana University Maurer School of Law (1986)
Historical Society of the United States District Court for the Southern District of Indiana
Board Member & Fundraising Chair (2002 – 2004)
Indiana State Bar Association
Kentucky Bar Association
Local Rules Committee for the United States District Court for the Southern District of
Indiana
Republican National Lawyers Association
Board Member, Vice President (2004 – 2016; 2019 – 2021; First Vice-President -
2023)
Indiana Chapter, Chair (2003 – 2007)
Seventh Circuit Bar Association
Board of Governors (2006 – 2014)

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.

Indiana, October 1987
Kentucky, October 1987

There have been no lapses in membership.

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

Supreme Court of the United States (March, 1993)
United States Court of Appeals for the Third Circuit (July 2010)
United States Court of Appeals for the Sixth Circuit (February 2008)
United States Court of Appeals for the Seventh Circuit (May 1989)
United States Court of Appeals for the Eighth Circuit (October 2014)
United States Court of Appeals for the Ninth Circuit (April 1999)
Eastern District of Kentucky (December 1987)
Southern District of Indiana (October 1987)
Northern District of Indiana (October 1987)

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

The Army and Navy Club of Washington DC (2019 – Present)
The Indianapolis Athletic Club (2000 – 2012; no longer exists)
The Columbia Club Indianapolis, Indiana (2006 – 2008)

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

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

It is my understanding from historical documents that prior to 1960 the Columbia Club had certain policies that did discriminate but that those practices were changed in the 1960s-1970s to eliminate all forms of discrimination. To my knowledge, the other organizations do not discriminate or have formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies

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

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

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, 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:

Preventing school shootings: Lessons from Oxford and Uvalde, The Indiana Lawyer, August 31, 2022. (Copy attached)

Stopping School Shootings: Lessons from Parkland, Oxford, Uvalde and the Federal Commission on School Safety. American Enterprise Institute, August 2, 2022. (Copy attached)

[Judges of the Indiana Court of Appeals](#). Edited by Linda C. Gugin and James E. St. Clair, contributing author, Indiana Historical Society Press. (April 2022). (Hard copy provided)

Officer-Involved Lawsuits: Advice on How to Protect Yourself from a Lawsuit or Verdict, Tips from veteran litigators. National Sheriffs Association's Sheriff & Deputy Magazine. (May 2020).

The Most Wonderful Time of the Year. National School Boards Association's American School Board Journal. (December 2016).

[Justices of the Indiana Supreme Court](#). Edited by Linda C. Gugin and James E. St. Clair, contributing author, Indiana Historical Society Press, (January 2011). (Electronic copy available from website)

Hazing In Schools-A School Attorney's Guide. National School Boards Association - Council of School Attorney's Inquiry & Analysis, (April 2011).

Facebook Fatalities: Students, Social Networking, and the First Amendment, 31 Pace L. Rev. 182 (Winter 2011). (Copy attached)

Student Press Rights: Fact or Fiction? National School Boards Association - Council of School Attorney's Inquiry & Analysis (June 2010)

How far is too far? Limiting cyber-speech by students. National School Boards Association's School Board News (April 2008)

It's a New Cyber-World Out There: Tips to Avoid Personnel Pitfalls. American Association of School Administrators' The School Administrator (October 2007)

Cyberbullying: What Should Schools Know and Do. Thompson Media Group LLC, Educator's Guide to Controlling Sexual Harassment, Vol. 14, No. 8 (May 2007)

Lessons from the Lord of the Flies: The Responsibility of Schools to Protect Students from Internet Threats and Cyber-Hate Speech. 215 Ed.Law Rep. 227 (February 22, 2007) (Copy attached)

Striking a Faustian Bargain: The Boundaries of Public Employee Free Speech

Rights. Indiana State Bar Association Res Gestae (September 2006) (Copy attached)

Whistleblowers and Naked Cops: The Boundaries of Public Employee Free Speech Rights. The Defense Research Institute's Job Description (Fall, 2006)

Lessons from the Lord of the Flies: The Responsibility of Schools to Protect Students from Internet Threats and Cyber-Hate Speech. The Journal of Internet Law, Vol. 10, No. 1, p. 3 (July 2006)

Slamming in Cyberspace: The Boundaries of Student 1st Amendment Rights. National School Boards Association's American School Board Journal (January 2005)

Schools and Police: A Sometimes Uneasy Alliance. National School Boards Association's American School Board Journal (December 2005)

Fools' Names and Fools' Faces ... Internet Temptations. The Indiana Lawyer (January 28, 2004)

Slamming in Cyberspace: The Boundaries of Student 1st Amendment Rights. The Computer & Internet Lawyer, Vol. 21, No. 4, p. 14 (April 2004) (Copy attached)

Trap for the Unwary: The New E-Government Privacy Rules. National School Boards Association – Council of School Attorneys' Inquiry & Analysis, (May 2004)

NSBA's School Law Primer. National School Boards Association, Co-Editor (January 2004).

Slamming in Cyberspace: The Boundaries of Student 1st Amendment Rights. Indiana State Bar Association Res Gestae (October 2003)

Banality and the Pledge of Allegiance. Indiana Lawyer (May 21, 2003)
Answers to Your School Law Questions. NSBA's Leadership Insider (September, 2003)

Notes from Counsel. Actionlines, Indiana Association of Cities and Towns (April 2002)

Indiana Supreme Court Clarifies Search Standards Under Indiana Constitution. Indiana Municipal Lawyers Association (Spring, 2002)

Changing Presumptions: The first \$15,000.00 is free! Indiana Lawyer (February 27, 2001)

Breathalyzer Testing of Students Before School Events. NSBA/COSA Inquiry & Analysis (April 2001)

Drugs, Alcohol & The Indiana Constitution. Indiana Association of Cities & Towns: Actionlines (June 2001)

Defining Judicial Activism Under the Indiana Constitution. The Indiana Lawyer (October 24, 2000)

Death from a Thousand Cuts: The ACLU's Attack on Public Education. NSBA School Board News, Vol. 20, No. 16 (August 29, 2000)

Skating on the Edge of Malpractice: Claims under the Indiana Constitution. The Indiana Lawyer (April 1, 1999)

Distribution of Religious Materials at School: Lessons from the Bible Belt. Religious Liberties News, Vol. 4, No. 1 (Spring, 1999)

Boys Will be Boys and Other Myths. The Indiana Lawyer (October 1998)

Primary and Secondary Teachers' Religious Expression: The False Analogy. Religious Liberties News, Vol. 1, No. 2 (Summer, 1997)

Religious Expression by Teachers: Whose Classroom is it? 118 Ed. Law Rep. 571 (July 24, 1997) (Copy attached)

What's Happening in ... International Association of Defense Counsel's Journal, 64 Def. Couns. J. 414 (July 1997)

Student Injury: Protecting Your School from Liability. Contributing Author, LRP Publications (1996)

Nominal Damages and Attorney's Fees: The Pendulum Swings. The Indiana Lawyer (February 9, 1994)

The Requirements of Trial Rule 56. Co-Author, Indiana Continuing Legal Education Foundation (1993)

Rule 26(B): The Shroud Unravels. Indiana State Bar Association Res Gestae (1992)

- 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 have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I have not located any such documents, although as noted in the preceding section I have written articles that have appeared in various publications from various bar associations, committees, conferences, or organizations of which I am a member, these were not written on behalf of those organizations.

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

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. Beyond what is identified in these subsections the only specific testimony is as follows:

“Indiana's Photo ID Law.” Testimony to the Texas Senate meeting as a Joint Committee, Austin, Texas (March 10, 2009). I have been unable to locate a transcript or recording of this testimony.

- 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. I frequently speak without notes or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have attached all that I could find. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

2025

“Partnering to Combat Substance Abuse”. D.A.R.E. International Training

Conference, Indianapolis, Indiana. (July 24, 2025) (Copy Attached).

Welcome and Opening Remarks, Indiana Sheriffs Association's Annual Meeting, French Lick, Indiana. (July 16, 2025) Welcoming remarks on the importance of law enforcement.

Welcome and Opening Remarks, National Association of School Resource Officers' Annual School Safety Conference, Dallas, Texas (July 7, 2025) Welcoming remarks on the importance of school safety.

"Developments in School Safety." Florida Association of School Resource Officers School Safety Conference, Miami, Florida. (June 30, 2025) (Copy Attached).

"School Safety Initiatives and the Disabled." SIA GovSummit, Washington, D.C. (May 20, 2025) (Copy Attached).

"Update on the Federal School Safety Task Force." SIA ISC West, Las Vegas, Nevada (April 2, 2025) (Copy Attached).

"Update on the Federal School Safety Task Force." Pennsylvania School Safety Institute: School Safety Summit, Pennsylvania School Boards Association, Harrisburg, Pennsylvania (March 27, 2025) (Copy Attached).

2024

"Threat Assessment: An Evidence Based Model." New York School Boards Association, Annual Conference, New York City, New York (October 21, 2024) (Copy Attached).

"Threat Assessment: An Evidence Based Model." Indiana School Boards Association/Indiana Association of Public School Superintendents, Fall Conference, Indianapolis, Indiana (Webinar - September 23, 2024) (Copy Attached).

"Threat Assessments: Trends and Tools." Pennsylvania School Safety Institute: School Safety Summit, Pennsylvania School Boards Association, Harrisburg, Pennsylvania (August 13, 2024) (Copy Attached).

Host/Moderator Election Integrity Session, Republican National Lawyers Association's 2024 National Election Law Seminar, Palm Beach, Florida (August 10, 2024) Moderated a panel on the importance of election integrity.

"Title IX and Gender Issues for Law Enforcement." National Association of School Resource Officers 2024 National School Safety Conference, Phoenix, Arizona (June 16, 2024) (Copy Attached).

“A Conversation About School Safety, Representatives from the US. Departments of Homeland Security, Education and Justice, and the Executive Director of the National Disability Rights Network.” SIA GovSummit: The Nation's Premier Government Security Conference Connecting Government, Security and Technology, Washington, D.C. (May 21, 2024) (Copy Attached).

“The Title IX Regulations: What do they really say and do?” 2024 Republican National Lawyers Association’s National Policy Conference, Alexandria, Virginia (May 17, 2024) (Copy Attached).

“The Title IX Regulations: What do they really say and do?” American Enterprise Institute’s CERN (Webinar - May 13, 2024) (Copy Attached).

“An Inside Look at How DOJ Handles Use of Force Investigations and Prosecutions.” Force in Focus Symposium: From Conflict to Cooperation, 2024 Symposium, Indianapolis, Indiana (May 9, 2024) (Copy Attached).

“Emergency Operation Planning for Disabled Students.” National School Boards Annual Conference, New Orleans, Louisiana (April 7, 2024) (Copy Attached).

“Including the Disabled in EOPs.” Consortium of State School Boards Associations Annual Conference, Dallas, Texas (February 25, 2024) (Copy Attached).

2023

“Emergency Operation Planning for Disabled Students.” ISC East, New York City, New York (November 15, 2023) (Copy Attached).

“Generative AI and School Safety.” National Science Foundation, San Diego Supercomputer Center – University of California, San Diego, La Jolla, California (November 8, 2023) (Copy Attached).

“Keeping Schools Safe.” American Enterprise Institute’s CERN Virtual Annual Policy Summit (September 27, 2023) (Copy Attached).

“Safe Schools and Advocating for a Better Future”. Door Hardware Institute’s Annual Policy Conference, Denver, Colorado (July 20, 2023) (Copy Attached).

“Funding for K-12 School Security Improvements Mental Health vs. Physical Security”. American Legislative Exchange Council (Webinar, July 19, 2023) (Copy Attached).

“Funding School Safety for Florida Schools.” Florida Educational Facilities Planners’ Association Summer Conference, Boca Raton, Florida (July 10, 2023)

(Copy Attached).

“Doors and Locks 101: Barriers and entry for School Resource Officers.” National Association of School Resource Officers National School Safety Conference, Indianapolis, Indiana (June 29, 2023) (Copy Attached).

“Incorporating the Needs of Students (and staff) with Disabilities into Emergency Operation Plans.” National Association of School Resource Officers National School Safety Conference, Indianapolis, Indiana (June 29, 2023) (Copy Attached).

“Parental Rights and Transparency in Education.” 2023 Republican National Lawyers Association’s National Policy Conference, Alexandria, Virginia (May 12, 2023) (Copy Attached).

Republican National Lawyer's Association 22nd National Policy Conference. Conference Chair. Washington, D.C. (May 11-12, 2023) Conference Chair, introduced speakers.

“Accessing Funding for School Safety After Uvalde.” National School Boards Association’s Annual Conference & Exposition, Orlando, Florida (April 2, 2023).

“The Pros and Cons of Operating a School Police Force After Uvalde: Funding, Training, and Liability.” National School Boards Association’s Annual Conference & Exposition, Orlando, Florida (April 1, 2023) (Copy Attached).

“K-12 School Security Grant Funding and Emerging Legislation.” Security Industry Association ISC West, Las Vegas, Nevada (March 29, 2023) (Copy Attached).

“School Safety After Uvalde - Lessons Learned.” Security Industry Association ISC West, Las Vegas, Nevada (March 29, 2023) (Copy Attached).

“Stopping School Shootings”. American Enterprise Institute CERN Briefing Webinar (February 13, 2023) (Copy Attached).

“Hate Crimes, What to Look For.” Asian-American Alliance Town Hall Response to Stabbing of Asian IU Student, Indianapolis, Indiana (January 20, 2023) (Copy Attached).

2022

“Challenges for School Safety After Uvalde: Questions & Answers”. 2022 States & Nation Policy Summit, American Legislative Exchange Council (Washington, D.C., December 1, 2022) (Copy Attached).

“2022 Schol Resource Officer’s Legal Update.” Indiana Association of School Resource Officers, Michigan City, Indiana (June 24, 2022) (Copy Attached).

“Education as a civil rights issue for the 2022 election.” Republican National Lawyers Association Annual Conference, Arlington, Virginia (April 1, 2022) (Copy Attached).

“1st Amendment Update for Sheriffs: Cameras & Videotaping.” Indiana Sheriffs’ Association, Kokomo and French, Lick, Indiana (March 12 and 14, 2022) (Copy Attached).

“Use of Force and Police Misconduct.” Indiana Sheriffs Association Webinar (February 17, 2022) (Copy Attached).

“Should we resist hate with free speech or censorship?” Capital University Law School, Columbus, Ohio (January 26, 2022). Debate with Prof. Nadine Strossen, former President, ACLU.

“A debate about hate speech: Prof. Nadine Strossen, former President, ACLU and Tom Wheeler, former AAG for Civil Rights, US Department of Justice?” Indiana University McKinney School of Law, Indianapolis, Indiana (January 25, 2022).

2021

“Consent Decrees: Improving Law Enforcement?” Major County Sheriffs’ Association Webinar (December 16, 2021) (Copy Attached).

“An Inside Look at the Department of Justice Luncheon Presentation.” Federalist Society for Law and Public Policy Studies, Louisville, Kentucky (December 6, 2021) (Copy Attached).

Republican National Lawyer's Association 20th National Policy Conference. Conference Chair.” Republican National Lawyer's Association, Washington, D.C. (September 23-24, 2021). Conference chair and introduce speakers.

“Free Speech on College Campuses: Suppression by China’s CCP”. RNLA National Policy Conference, Washington, DC (September 24, 2021) (Copy Attached).

“Hostile Actors – Foreign Cyber-Security Threats & Ransomware Keynote Panel Presentation.” Indiana Chamber of Commerce, Cyber Technology Conference & Policy Summit, Indianapolis, Indiana (June 24, 2021) (Copy Attached).

“School Safety Issues for the 2021-2022 School Year Indiana.” School Resources Officers Association Annual Conference, Michigan City, Indiana (June 23, 2021).
“An Inside Look at the Department of Justice Luncheon Presentation.” Federalist

Society for Law and Public Policy Studies, Indianapolis, Indiana (May 17, 2021) (Copy Attached).

“COVID-19 and Police Reform: Impacts on School Safety: A Federal Perspective.” Tom Wheeler (Panel Chair) (Webinar, February 5, 2021) (Copy Attached).

2020

“The 2020 Election: Challenges for Law Enforcement.” Indiana Sheriffs Association Winter Conference (Webinar, December 2, 2020) (Copy Attached).

“Common Sense Police Reform: Lessons Learned from Investigating & Prosecuting Excessive Force Cases.” Indiana Sheriffs Association, Kentucky Sheriffs Association, Buckeye State Sheriffs’ Association, and Tennessee Sheriffs’ Association (Webinar, September 24, 2020) (Copy Attached).

“Qualified Immunity: A Short Primer.” Indiana Sheriffs’ Association Annual Conference Alternative (Webinar, August 5, 2020) (Copy Attached).

“Common Sense Police Reform: Lessons Learned from Investigating & Prosecuting Excessive Force Cases.” Indiana Sheriffs’ Association Annual Conference (French Lick, Indiana, August 6, 2020) Postponed due to COVID-19, given as a Webinar (Copy Attached).

“Legal Issues Concerning Presidential Campaigns and Candidates.” Republican National Lawyers Association, Election Law School, the Greenbriar, West Virginia (July 10, 2020). Discussion of various federal and state election laws and getting on the ballot.

“Improving Law Enforcement: Framing the Issues for Sheriffs U.S. Department of Justice and Major County Sheriffs’ Association; (Webinar, June 24, 2020) (Copy Attached).

“COVID-19 Hospital Funding & Other Related Issues.” Kentucky and West Virginia Hospital Associations (Webinar, May 21, 2020) (Copy Attached).

“Combatting COVID-19 Fraud & Price-Gouging U.S. Department of Justice and National Sheriffs’ Association.” (Webinar, April 29, 2020) (Copy Attached).

“The Stafford Act & Other COVID-19 Funding Resources DHS-FEMA; DOJ-COPs Office; National Sheriffs’ Association.” (Webinar, April 15, 2020) (Copy Attached).

“COVID-19 Law Enforcement & Jails/Prisons Guidance.” Indiana Sheriffs Association, Kentucky Sheriffs Association, Buckeye State Sheriffs’ Association,

and Tennessee Sheriffs' Association (Webinar, April 8, 2020) (Copy Attached).

"The Stafford Act & Other COVID-19 Funding Resources." Indiana Sheriffs Association, Kentucky Sheriffs Association, Buckeye State Sheriffs' Association, and Tennessee Sheriffs' Association (Webinar, April 1, 2020) (Copy Attached).

"CDC Update on COVID-19 Law Enforcement & Jails/Prisons Guidances." Moderator – Centers for Disease Control (Webinar, March 27, 2020) (Copy Attached).

"Answering Manufacturer's Questions about COVID-19." Kentucky Association of Manufacturers (Webinar, March 25, 2020). Same PowerPoint as Hospital Association presentation.

"The 2020 Election: Educational Policy Proposals from the Campaigns." Indiana State University, Guest Lecturer. (March 6, 2020) (Copy Attached).

"FACEBOOK & End to End Encryption – Law Enforcement Going Dark?" National Sheriff's Association Winter Legislative & Technology Conference. Washington, D.C. (February 8, 2020) (Copy Attached).

"Careers at the United States Department of Justice." Indiana University Mauer School of Law. Bloomington, Indiana. (February 6, 2020) (Copy Attached).

2019

"Update from DC: School Safety Indiana Sheriffs Association's SaferWatch School Safety Workshop." Indianapolis, Indiana (December 11, 2019) (Copy Attached).

"Cybersecurity: Tales from the Front Louisville Techfest." Louisville, Kentucky. (August 22, 2019) (Copy Attached).

"Briefing on the Federal Commission on School Safety's Final Report." Keynote Address. Missouri Safe Schools and Colleges Conference. Springfield, Missouri. (July 8, 2019) (Copy Attached).

"School Safety and Local Law Enforcement." National Sheriff's Association Annual Conference. Louisville, Kentucky (June 16, 2019) (Copy Attached).

"A Report from the DOJ & ED on Regulatory Changes that Affect Schools." The New York State Association of School Attorneys and the New York State School Boards Association's 19th Annual School Attorney Law Conference. Bolton Landing, New York (June 1, 2019) (Copy Attached).

"Changes to ED and DOJ and What They Mean for School Lawyers." National

School Boards Association's Annual Conference, School Law Seminar, Philadelphia, Pennsylvania (March 30, 2019) (Copy Attached).

"Careers at the United States Department of Justice." Indiana University Mauer School of Law. Bloomington, Indiana. (February 6, 2019) (Copy Attached).

"Five Key Takeaways from the Federal Commission on School Safety's Final Report." Luncheon Presentation, Indiana School Boards Association's School Safety/Cybersecurity Seminar. Indianapolis, Indiana (January 11, 2019) (Copy Attached).

"Hostile Actors – Foreign Cyber-Security Threats." Keynote Panel Presentation, Indiana Chamber of Commerce, Cyber Technology Conference & Policy Summit, Indianapolis, Indiana (January 8, 2019) (Copy Attached).

2018

"School Safety: Legal and Public Policy Issues." Indianapolis Bar Association. Indianapolis, Indiana (November 28, 2018) (Copy Attached).

"The Latest on School Safety Strategies." Ohio School Boards Association, Capital Conference, Columbus, Ohio (November 13, 2018) (Copy Attached).

"School Police Partnerships." National Sheriffs Association, Board and State Executive Director's Retreat, French Lick, Indiana (October 8, 2018).

"Listening Session/Update on FCSS." Ohio School Security and Safety Solutions Summit, Columbus, Ohio (September 12, 2018). Attended meeting with Deputy Secretary of Education and did a question and answer format.

"Listening Session/Update on FCSS with Deputy Secretary Zais." National School Boards Association Leadership Conference, Chicago, Illinois (August 17, 2018). Attended meeting with Deputy Secretary of Education and did a question and answer format.

"The Role of School Safety Officers in EOPs." National Association of School Law Enforcement Officers 49th Annual Conference, Melville, Long Island, New York (July 30, 2018). Discussion of Commission report and question and answer format.

"FCSS Update." National Sheriffs Association, Annual Conference, New Orleans, Louisiana (June 18, 2018). Discussion of Commission report and question and answer format.

Republican National Lawyer's Association National Policy Conference. Conference Chair. Washington, D.C. (April 26-27, 2018). Act as conference

chair and introduce speakers.

“Government Service Bar Leadership Series.” Indianapolis Bar Association. Indianapolis, Indiana (January 16, 2018) Attended meeting with Deputy Secretary of Education and did a question and answer format.

2017

“Lessons from a year at the U.S. Department of Justice.” Defense Trial Counsel of Indiana Annual Conference, Opening Session, French Lick, Indiana (November 10, 2017) (Copy Attached).

“Careers at the United States Department of Justice.” Indiana University Mauer School of Law. Bloomington, Indiana. (November 2, 2017) (Copy Attached).

“Current trends in Policing.” The Ohio State University, Michael E. Moritz College of Law, Guest Lecturer, Columbus, Ohio (November 1, 2017) (Copy Attached).

“Civil Rights in the US: The World is Watching: A Wide Ranging Conversation with Thomas E. Wheeler, II – Former Assistant Attorney General for Civil Rights, United States Department of Justice.” Foreign Policy Leadership Council, Xavier University, Cincinnati, Ohio (October 26, 2017) (Copy Attached).

“Federal Civil Rights Enforcement in Public Schools: Policy and Enforcement Priorities of the Administration.” Opening General Session. National School Boards Association’s Council of School Council of School Attorney’s Annual School Law Conference, Chicago, Illinois (October 20, 2017) (Copy Attached).

“One year In: Changes in Civil Rights Enforcement Priorities.” Opening Session, New York School Boards Association Annual Meeting, Lake Placid, New York (October 11, 2017) (Copy Attached).

“Latino-Jewish Leadership Council Convenes in Washington for Day of Advocacy – Tom Wheeler, Acting Assistant Attorney General, Civil Rights Division, Department of Justice, and Ambassador Kevin K. Sullivan, interim U.S. Permanent Representative to the Organization of American States (OAS), addressed the Council. Latino-Jewish Leadership Council. Washington D.C. (July 13, 2017). Question and answer session on civil rights.

“National Hate Crimes Summit”. Chairman. United States Department of Justice. Washington, D.C. (June 29, 2017). See video - <https://www.c-span.org/program/public-affairs-event/hate-crimes-summit/481627>.

“A View from the New Administration: Thomas Wheeler, Acting Assistant Attorney General for the Civil Rights Division at the U.S. Department of Justice,

and Candice Jackson, Acting Assistant Secretary for Civil Rights at the U.S. Department of Education.” National Association of College & University Attorneys, Chicago, Illinois (June 27, 2017). This was an interview type question and answer presentation covering administration priorities.

Advocacy on the Hill Day - Panelist - Hindu-American Foundation, Washington, D.C. (June 19, 2017). Question and answer session on civil rights.

“Responding to Discrimination, Harassment & OCR Complaints.” New York School Boards Association’s School Law Seminar, Lake George, New York (June 5, 2017) (Copy Attached).

The Department of Justice’s Civil Rights Division & Police.” Major City Chiefs of Police Annual Conference, Las Vegas, Nevada (May 31, 2017) (Copy Attached).

“Assistant AG for Civil Rights Pledges to Make Hate Crimes a Priority” Luncheon Speaker, Anti-Defamation League, Washington, D.C. (May 12, 2017). Transcript of speech - [Acting Assistant Attorney General Thomas Wheeler Delivers Remarks at the Anti-Defamation League National Leadership Summit on Hate Crimes](#),

“A Candid Conversation with the NEW Acting Assistant Attorney General for Civil Rights.” National School Boards Association’s Annual Conference, School Law Seminar, Denver, Colorado (March 25, 2017) (Copy Attached).

CRCL Convenes ICCT Call with Jewish and Muslim Communities Department of Homeland Security, Washington, D.C. (March 2, 2017). Question and answer session on civil rights.

“Service Member’s Rights under SCRA, UOCAVA, and USEERA.” United States Navy - United States Naval Air Station, Pensacola, Florida (February 28, 2017). Question and answer session on SCRA, UOCAVA, and USEERA rights.

“Seminar to teach Air Commandos to ‘Know your rights.’” United States Air Force – Hulbert Field, Eglin Air Force Base, Florida (February 27, 2017). Question and answer session on SCRA, UOCAVA, and USEERA rights.

2016

“An Update on the Indiana Photo ID Law.” Indiana Continuing Legal Education Foundation Indianapolis, Indiana (August 24, 2016) (Copy Attached).

2015

“Investigating Student Sexual Misconduct.” Indiana Department of Education,

Indianapolis, Indiana (September 20, 2015) (Copy Attached).

“The Role of a School Attorney.” Indiana School Board Association’s Annual School Law Conference, Indianapolis, Indiana (April 12, 2015) (Copy Attached).

“Ritz v. SBOE & Other Epic Battles in the 2015 Indiana General Assembly”. Indiana State University, Guest Lecturer, Terre Haute, Indiana (April 12, 2015).

Republican National Lawyers Association’s 30th Anniversary and National Policy Conference, Program Chair.” Washington, D.C. (March 19, 2015). Conference chair and introduced speakers.

“National Security Law.” Republican National Lawyers Association Conference, Washington D.C. (March 19, 2015). Chaired panel on national security issues.

2014

“Student Diversity Issues”. Missouri School Boards Association, Springfield, Missouri (September 8, 2014) (Copy Attached).

“Student Diversity Issues”. Green River Educational Cooperative's Annual School Law Institute, Bowling Green, Kentucky (August 21, 2014) (Copy Attached).

“EAC and Military Voting Issues”. Panel Chair, Republican National Lawyers Association Annual Election Law School, Las Vegas, Nevada (August 11, 2014). Chaired panel on the Election Assistance Commission and military voting.

“Transgender Issues in Schools”. Kentucky School Boards Association's Annual School Law Seminar, Lexington, Kentucky (July 11, 2014) (Copy Attached).

“Economic Liberty, Free Enterprise and Happiness”. Republican National Lawyers Association Annual Policy Conference, Washington, D.C. (March 20, 2014). Chaired the annual policy conference and introduced speakers.

2013

“Student Diversity Issues”. Indiana School Boards Association’s School Law Seminar, Indianapolis, Indiana (December 13, 2013) (Copy Attached).

“Armed Teachers in Schools, a Legislative Overview.” National School Boards Association's Council of School Attorneys School Law Conference, Nashville, Tennessee (October 10, 2013) (Copy Attached).

“Ethics in Campaigns, an Oxymoron?” Republican National Lawyers Association, Election Law School, Chicago, Illinois (August 7, 2013). Chaired panel discussion on ethics in representing candidates and campaigns.

2012

“Are We Ready for the New Politics?” BGD Legislative Conference, Indianapolis, Indiana (December 13, 2012). Presentation on the change in state leadership.

“Litigation Over Indiana's Photo ID Law.” Republican National Lawyers Association, Election Law School, Sarasota, Florida (August 24, 2012). Presentation over the U.S. Supreme Court’s decision affirming Indiana’s voting photo identification law.

“Shooting in Martinsville, A School in Crisis: Tips & Tactics for Handling Parents, Police & Press,” Indiana School Safety Academy, Panel Chair, Indianapolis, Indiana (April 24, 2012) (Copy Attached).

“Student Free Speech in the Age of Social Media, Texting and Sexting,” ABA Section of Litigation, Annual CLE Conference, Washington D.C. (April 19, 2012). Debate about student 1st Amendment rights during section meeting.

“Statehouse Education Funding Update.” Indiana State University, Guest Lecturer, Terre Haute, Indiana (April 12, 2012). Lecture at Indiana State University on stated education funding for the next two-year state budget.

“Crisis Media: Interacting with Students, Parents & the Media Shooting.” Kentucky School Boards Association, Louisville, Kentucky (February 2, 2012) (Copy Attached).

2011

“Election Commission and Recount Commission Proceedings.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (December 22, 2011). Presentation explaining the operation of Indiana’s Election and Recount Commissions.

“Responding to a Crisis: Student Suicides, School Shootings, and other Issues.” Indiana Association of Superintendents, Indianapolis, Indiana (November 7, 2011) (Copy Attached).

“Introduction to the 1st Amendment.” Boone County Bar Association Annual CLE Program, Lebanon, Indiana (November 4, 2011) (Copy Attached).

“Tips and Strategies for Handling Crisis Media.” National School Boards Association's Council of School Attorneys Annual Conference, New Orleans, Louisiana (October 15, 2011) (Copy Attached).

“Legislative Update: Indiana's Educational Reform.” Indiana State University,

Guest Lecturer, Terre Haute, Indiana (April 13, 2011) (Copy Attached).

“Facebook Fatalities: Students, Social Networking, & the 1st Amendment.” National School Boards Association Annual Conference, San Francisco, California (April 10, 2011) (Copy Attached).

2010

“Problems with Predators: The Dark Side of Social Networking.” Indiana School Boards Association's School Law Seminar, Indianapolis, Indiana (December 10, 2010) (Copy Attached).

“Students & Social Networking.” Indiana Association of School Principals, Indianapolis, Indiana (November 22, 2010) (Copy Attached).

“The 1st Amendment in the Classroom.” Indiana State University, Guest Lecturer, Terre Haute, Indiana (November 18, 2010) (Copy Attached).

“Dangers of Cyber-speech: Cyber-Bullying, Cyber-Communication, and Sexting.” Indiana School Safety Specialist Academy, Indianapolis, Indiana (October 26, 2010) (Copy Attached).

“Teacher Free Speech in the Internet Age.” Indiana Public Charter Schools Association, Indianapolis, Indiana (June 18, 2010) (Copy Attached).

“Cyberlaw Seminar: RU on FACEBOOK?” Ohio School Boards Association Conference, Columbus, Ohio (May 19, 2010) (Copy Attached).

“Dangers of Cyber-speech: Cyber-Bullying, Cyber-Communication, and Sexting.” Indiana School Safety Academy, Indianapolis, Indiana (April 19, 2010) (Copy Attached).

“Issues with Electronic Communication.” Indiana State University, Guest Lecturer, Terre Haute, Indiana (April 14, 2010) (Copy Attached).

“Tips on Helping School Districts Move Through Tough Economic Times: A Town Meeting.” National School Boards Association Annual Conference, Chicago, Illinois (April 9, 2010). Chair “town meeting format” discussing on school funding post-mortgage crisis and reduction in property tax revenues.

“Student Press Rights: Fact or Fiction?” Indiana School Boards Association, Indianapolis, Indiana (March 11, 2010) (Copy Attached).

“Dangers of Cyber-speech, Cyber-Communication, and Sexting.” Indiana Department of Education, Indianapolis, Indiana (March 09, 2010) (Copy Attached).

“Student Cyber-speech, Facts & Figures,” Boone County Juvenile Justice Meeting Lebanon, Indiana (March 2010) (Copy Attached).

2009

“When Teachers Go Wild on the Web: Legal Risks for Schools.” National School Boards Association's School Law Conference, Seattle, Washington (October 16, 2009) (Copy Attached).

“Indiana's Photo ID Law and ACORN Voter Fraud.” Republican National Lawyers Association’s Election Law School, Ronald Reagan Presidential Library, Simi Valley, California (August 14, 2009). Discussion of Indiana’s photo identification law amid the ACORN registration efforts.

“Why is it so Hard to Fire Bad Teachers?” Indiana Department of Education, Indianapolis, Indiana (July 16, 2009) (Copy attached).

“What Happened to AIG?” Defense Trial Counsel of Indiana, Indianapolis, Indiana (June 24, 2009). Discussion of the collapse of insurer AIG.

“Hold Your Tongue, Mates: Cyber-Bullying and the Boundaries of Student Free Speech.” 2009 PGIT® Membership Conference, Navigation through Education, Orlando, Florida (May 7, 2009) (Same PowerPoint as used for NSBA below).

“Tips and Tactics for Responding to Cyber-Bullying and Other Problem Electronic Communications.” National School Boards Association Annual Conference, San Diego, California (April 5, 2009) (Copy attached).

2008

“Cell Phones in Schools.” Indiana School Boards Association's School Law Seminar, Indianapolis, Indiana (December 12, 2008) (Copy attached).

“1st Amendment Rights of Students.” American Civil Liberties Union of Indiana Legal Seminar, Indianapolis, Indiana (December 5, 2008). Discussion of student 1st Amendment rights using PowerPoint from the above ISBA presentation.

“School Law Lab, A Primer in School Law for Board Members.” National School Boards Association’s Annual Conference, Orlando, Florida (March 31, 2008). Primer in school law done with NSBA staff attorneys.

“Election Law.” Indiana Continuing Legal Education Forum, Indianapolis, Indiana (March 18, 2008). Primer on Indiana election laws.

2007

“Lessons from the Lord of the Flies: Techniques for Handling Cyberbullying.” Indiana School Boards Association’s School Law Seminar, Indianapolis, Indiana (December 14, 2007) (Copy attached).

“It’s a New Cyber-world Out There: Tips to Avoid Pitfalls.” Ball State University, Guest Lecturer, Muncie, Indiana (September 13, 2007) (Copy attached).

“Creative Methods of Limiting Liability Under the Indiana Tort Claims Act.” Municipal Law XXIV, Indiana Municipal Lawyers Association/Indiana Association of Cities and Towns, Indianapolis, Indiana (June 22, 2007) (Copy attached).

“Ten Things Your Attorney Wants to Tell You But Can’t.” - National School Boards Association's Annual Conference, San Francisco, California (April 16, 2007) (Copy attached).

“The Nuts and Bolts of Handling Insured Litigation.” - National School Boards Association's School Law Conference, San Francisco, California (April 14, 2007) (Copy attached).

“Personnel Issues for School Superintendents.” Guest Lecturer, Ball State University, Muncie, Indiana (March 8, 2007) (Copy attached).

2006

“Litigating Teacher 1st Amendment Cases.” Georgia School Boards Association, Atlanta, Georgia (November 30, 2006) (Copy attached).

“War Protesters, Dope Smokers & OJ Simpson: The 1st Amendment in the Classroom.” National School Boards Association’s School Law Conference, Kansas City, Missouri (October 6, 2006) (Copy attached).

“Emerging Legal Issues for Indiana School Boards.” Indiana School Boards Association's Annual Conference, Indianapolis, Indiana (September 26, 2006) (Copy attached).

“What is the Indiana Election Commission and Why Does it Matter.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (July 6, 2006) (Copy attached).

“Who Controls the Classroom? Teacher Free Speech Rights.” Indiana School Boards Association's School Law Seminar, Indianapolis, Indiana (June 15, 2006) (Copy attached).

“School Law Potpourri for Affiliated School Boards.” National School Boards Association's Annual Conference, Chicago, Illinois (April 10, 2006).

“Emerging Legal Issues for School Boards.” National School Boards Association's Annual Conference, Chicago, Illinois (April 10, 2006) (Copy attached) (Copy attached).

“The 4th Amendment in the Classroom (March 5, 2006)” ; Hot Topics in School Law (03/13/06).” Guest Lecturer, Butler University, Indianapolis, Indiana (March 2006) (Copy attached).

“Appellate and Trial Court Advocacy for the School Attorney.” Kentucky School Boards Association, Louisville, Kentucky (January 27, 2006). Presentation on litigation advocacy skills in school cases.

2005

“Lessons from the Trenches: Winning Merit Board Strategies.” Indiana Sheriffs Association, Annual Conference (June 20, 2005) (Copy attached).

“Police in the Schools.” Indiana School Boards Association's School Law Seminar, Indianapolis, Indiana (June 15, 2005) (Copy attached).

“School Law Potpourri for Affiliated School Boards.” National School Boards Association's Annual Conference, San Diego, California (April 15, 2005) (Copy attached).

“School Resource Officers.” National School Boards Association's Annual Conference, San Diego, California (April 16, 2005) (Copy attached).

“Schools and the Police: A Sometimes Uneasy Alliance.” National School Boards Association's School Law Seminar, San Diego, California (April 14, 2005) (Copy attached).

“Camels & Tents: The Risks of Accepting Government Money.” National Catholic Education Association School Conference, Philadelphia, Pennsylvania (March 31, 2005). Presentation on the impact of receiving federal funds for religious institutions.

2004

“Teacher 4th Amendment Rights.” Indiana School Boards Association's Annual School Law Seminar, Indianapolis, Indiana (December 13, 2004) (Copy attached).

“Drug Testing and Schools.” Indiana Civil Liberties Union, Indianapolis, Indiana

(December 10, 2004) (Copy attached).

“Appellate and Trial Court Advocacy for the School Attorney.” National School Boards Association's Annual School Law Conference, Savannah, Georgia (October 8, 2004) (Copy attached).

“Same Day Voting and Voter Registration.” Republican National Lawyers Association 2004 Election Law School, Milwaukee, Wisconsin (July 17, 2004) (Copy attached).

“School Law Potpourri for Affiliated School Boards.” National School Boards Association's Annual Conference, Orlando, Florida (April 2, 2004) (Copy attached).

2003

“Responding to Student Health Emergencies at School.” Indiana School Boards Association's Annual School Law Seminar, Indianapolis, Indiana (December 12, 2003) (Copy attached).

“From ‘In God we Trust’ to the Ten Commandments: The Secularization of Religious Symbols in America.” Debate with Indiana Civil Liberties Union Executive Director Ken Falk at the Defense Trial Counsel of Indiana Annual Meeting, Indianapolis, Indiana (November 21, 2003) (Copy attached).

“What Makes Indiana Special? Future State Constitutional Challenges.” Indiana Historical Society. (November 11, 2003) (Copy attached).

“Ethics & Employment Law.” Indiana State Bar Association Council for Employment and Labor Law, Indianapolis, Indiana (October 23, 2003). Ethics presentation for employment lawyers.

“Introduction to School Insurance Policies.” National School Boards Association's Annual School Law Conference, Phoenix, Arizona (October 10, 2003) (Copy attached).

“The Federal Courts an Inside Look.” Federal Bar Association, Indianapolis Chapter, Indianapolis, Indiana (September 26, 2003). Presentation with Judges on handling cases in federal courts for non-federal practitioners.

“FLSA Class Action Claims.” Municipal Law XX, Indiana Municipal Lawyers Association/Indiana Association of Cities and Towns, Indianapolis, Indiana (June 17, 2003) (Copy attached).

“Can You Shout Food Fight in a Crowded Cafeteria?” Virginia Commonwealth University, Virginia Education Law Conference, Williamsburg, Virginia (April

25, 2003) (Copy attached).

“Student Free Speech Issues.” National School Boards Association's Annual Conference, San Francisco, California (April 7, 2003) (Copy attached).

“School Law Potpourri for Affiliated School Boards.” National School Boards Association's Annual Conference, San Francisco, California (April 7, 2003).
Question and answer session with NSBA staff attorneys.

2002

“Academic Freedom: Do Teachers Have the Right to Communicate Their Personal Views in the Classroom on Such Topics as Collective Bargaining, Religion, and Morality?” Indiana School Boards Association's Annual School Law Seminar, Indianapolis, Indiana (December 13, 2002) (Copy attached).

“Ban Notices Enforcing Constitutional Controls in Public Housing.” Housing Authority Defense Association, Boulder Colorado (June 7, 2002) (Copy attached).

“There Goes the Settlement: Attorney's Fees after Buckhannon.” LRP Publications 23rd National Institute on Legal Issues of Educating Individuals with Disabilities, Tampa, Florida (May 7-8, 2002) (Copy attached).

“Teacher Sexual Misconduct: Legal Liability Issues.” Guest Lecturer, Indiana State University, Terre Haute, Indiana (April 19, 2002) (Copy attached).

“Talk Isn't Cheap: Debating the Price of Free Speech in Public Schools.” Debate with ACLU Executive Director Steve Shapiro on Student 1st and 4th Amendment Rights, National School Boards Association's Annual Conference, New Orleans, Louisiana (April 5, 2002).

2001

“Recent Developments in Employment Law.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (December 11, 2001) (Copy attached).

“Handling Teacher/Student Sexual Activities.” Indiana School Boards Association's Annual School Law Seminar, Indianapolis, Indiana (December 7, 2001) (Copy attached).

“Appealing the IDEA Administrative Decision.” Indiana School Boards Association's Special Education Seminar Indianapolis, Indiana (November 15, 2001) (Copy attached).

“What Makes Indiana Special: The 1851 Indiana Constitution.” Indiana Historical

Society 81st Annual Indiana History Conference, Indianapolis, Indiana (November 3, 2001). Discussion of Indiana Constitution on the 150th Anniversary of Indiana's Constitution.

National Public Radio: Justice Talking. Nationally broadcast debate with American University Constitutional Law Professor Jamie Raskin on student 1st and 4th Amendment Rights in schools, Philadelphia, Pennsylvania (October 14, 2001) (Notes attached).

"Indiana Constitutional Claims." Municipal Law XVIII, Indiana Municipal Lawyers Association/Indiana Association of Cities and Towns, Indianapolis, Indiana (June 12, 2001) (Copy attached).

"Strippers, Lockers and Drugs: An Update on Student Searches." Guest Lecturer, Indiana State University, Terre Haute, Indiana (April 20, 2001) (Copy attached).

"Pupil Discipline: Questions and Consequences." National School Boards Association Annual Conference, San Diego, California (March 25, 2001) (Copy attached).

"Hot Topics in Indiana School Law." Lorman Education Services, Indianapolis, Indiana (March 1, 2001) (Copy attached).

2000

"Recent Developments in Employment Law." Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (December 18, 2000) (Copy attached).

"Drug Testing and Other Searches Under the Indiana Constitution." Indiana School Boards Association, Indianapolis, Indiana (December 7, 2000) (Copy attached).

"Message in a Bottle: Judicial Activism Under the Indiana Constitution." Defense Trial Counsel of Indiana Annual Meeting, Indianapolis, Indiana (November 16, 2000) (Copy attached).

"Harassment at School: Emerging Issues." Indiana Department of Education, Indianapolis, Indiana (August 19, 2000) (Copy attached). IDOE presentation on combatting bullying.

"Pupil Disciplinary Codes: Bedrock or Quicksand?" Indiana School Boards Association, School Law Seminar, Indianapolis, Indiana (June 9, 2000) (Copy attached).

"The Federal Courts: An Inside Look." Federal Bar Association/Indiana Lawyer,

Indianapolis, Indiana (May 2, 2000) (Copy attached).

“Appealing the Administrative IDEA Decision - An Unappealing Proposition.” LRP Publications Special Education Attorneys National Conference, Phoenix, Arizona (February 4, 2000) (Copy attached).

1999

“Suing & Defending City Hall: An Updated Look at §1983 Litigation.” Indiana Civil Liberties Union, Indianapolis, Indiana (December 17, 1999). Discussion of litigating Sec. 1983 constitutional claims.

Host, Defense Trial Counsel of Indiana Annual Meeting, Indianapolis, Indiana (November 18-19, 1999). Conference chair and introduce speakers.

“Drug Testing: Past, Present & Future.” National School Boards Association School Law Conference, Charleston, South Carolina (October 15, 1999). Presentation on constitutional issues with student drug testing.

“Personnel Law Update 1999.” Council on Education in Management (June 14-15, 1999). Presentation on employment matters and EEOC charges.

“School Law in Indiana.” National Business Institute, Indianapolis, Indiana (May 26, 1999). Primer course on basic school law including constitutional claims.

“An Update on the ADA.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (May 21, 1999). Presentation on claims under the ADA and Sec. 504.

“Suing the Sovereign: New Theories, New Defenses.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (April 27, 1999). Presentation on tort claims act issues and other barriers to suing state and local entities.

“Evaluating a Case for Settlement Purposes.” Defense Trial Counsel of Indiana's Rookie Law Seminar, Indianapolis, Indiana (March 26, 1999). Presentation on evaluating cases for settlement purposes.

1998

“Equal Access Act: Who, When and Where - Update on the Case Law.” Indiana School Boards Association, Indianapolis, Indiana (December 11, 1998). Primer on the federal Equal Access Act.

“Advanced Employment Law.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (June 12, 1998). Defending and litigating claims from the EEOC to federal courts.

“Special Education Law in Indiana: Rights and Responsibilities.” Professional Development Network, Indianapolis, Indiana (April 17, 1998) (Copy attached).

“School Law in Indiana: Harassment in the Schools.” Professional Development Network, Indianapolis, Indiana (February 6, 1998) (Copy attached).

1997

“Employment Litigation & Recent Law Developments.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (November 7, 1997).

1996

“Current Issues Under Title IX.” Indiana Department of Education, Indianapolis, Indiana (March 22, 1996). Presentation on the scope of Title IX and handling claims under the statute.

“School Law: Disciplining the Flower Children's Children.” Medical Educational Services, Inc., Indianapolis, Indiana (September 25, 1996). Presentation on school discipline.

“Religious Expression of Teachers: How Far Can it Go?” Indiana School Boards Association, Indianapolis, Indiana (December 13, 1996) (Copy attached).

1995

“Motion Practice for the Rookie Defense Lawyer.” Indiana Defense Lawyer's Association's Rookie Law Seminar, Indianapolis, Indiana (April 15, 1995). Presentation on drafting and arguing Rule 12 and Rule 56 motions.

“Selected Issues in School Law: Title IX and Special Education.” Indiana Continuing Legal Education Foundation, Indianapolis, Indiana (July 11, 1995). Presentation on handling Title IX and special education claims.

1992

“Motion Practice for the Rookie Defense Lawyer.” Indiana Defense Lawyer's Association's Rookie Law Seminar, Indianapolis, Indiana (October 1, 1992). (Copy attached).

1991

“Discovery of Insurance Company Claims Files (Pre-Richey).” Indiana Defense Lawyers Association, Indianapolis, Indiana (December, 1991).

- 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 that I have been unable to identify, find, or remember. I have located the following:

Weidenbener, L., [Indianapolis attorney is part of Trump push to change culture on campus](#), Indianapolis Business Journal (April 25, 2025).

Stancombe, K., [“Pro Se Civil Rights Filings Continue to Climb: Attorneys See Upward Trend in Police Accountability Claims”](#), Indiana Lawyer (September 15, 2021).

Odentahl, M., [“Frost Brown Todd Moves Into D.C., Ready to Compete”](#), Indiana Lawyer (March 3, 2021).

Dorrian, P., [“Praying Coach Case to Test Religious Rights of Public Workers”](#), Bloomberg Law (January 25, 2021).

Emma, C., [“The Former DOJ Official Behind DeVos’ School Safety Report”](#), Politico (October 1, 2018).

Emma, C., [“DeVos Taps Former Top DOJ Official for School Safety Team”](#), Politico (August 24, 2018).

[“Swift Justice: Wheeler Led Civil Rights Division at DOJ During, After Turbulent Transition”](#), Cover Story, Indiana Lawyer (August 23, 2017).

Schneier, C., [“Former DOJ Civil Rights Chief Pushes Back on Sessions’ Critics”](#), National Law Journal (August 3, 2017).

Wermund, B., [“Trump administration details new civil rights approach to college attorneys”](#), Politico (June 29, 2017).

Eric Kelderman, E., [“College Lawyers Welcome New Clarity of Education Department’s Office for Civil Rights”](#), Chronical of Higher Education (June 28, 2017).

Stevens, M., [“Kansas Man Indicted on Hate Crime Charges in Shooting of Indian Immigrants”](#), New York Times (June 9, 2017).

[“Former North Charleston, South Carolina, Police Department \(NCPD\) Officer Michael Slager, 35, pleaded guilty to a federal civil rights offense for his fatal shooting of Walter Scott, Jr. on April 4, 2015. Life sentence sought”](#) (May 2,

2017).

Stanglin, D., [“U.S.-Israeli teen charged with threatening Jewish centers”](#), USA Today (April 21, 2017).

[“Arson Awareness Week - ‘Arson against houses of worship is a serious crime that the Department of Justice is committed to prosecuting to the fullest extent of the law,’ said Acting Assistant Attorney General Tom Wheeler of the Justice Department’s Civil Rights Division”](#), Indianapolis Recorder (April 13, 2017).

Morlin, B., [“Cross-burnings Still a ‘Tool of Fear’ Used by Racists”](#), Southern Poverty Law Center (April 10, 2017).

[“United States Mission to the OSCE: Hate Crimes in the United States - As delivered by Charge d’Affaires, a.i. Kate M. Byrnes to the Permanent Council, Vienna.”](#). United States Mission to the Organization for Security and Co-operation in Europe (March 9, 2017).

Samee Ali, [“Justice Department Considering Reopening Emmett Till Murder Case, Family Says”](#), NBC News (April 6, 2017).

[“Assistant Attorney General Wheeler Appointed by Attorney General Sessions to Task Force on Crime Reduction and Public Safety and Asked to Chair the Hate Crimes Subcommittee”](#), (April 5, 2017).

[“Assistant Attorney General Visits Naval Aviation Technical Training Command,”](#), United States Navy Military Times (March 2, 2017).

Senior Airman Krystal M. Garrett, [“Seminar to teach Air Commandos to ‘Know your rights’](#)”, United States Air Force Hulburt Field News (February 2, 2017).

Interview/quotes in Department of Justice Press Releases:

July 30, 2025

[Three-Time Convicted Sex Offender Sentenced to 15 Years in Federal Prison](#)

July 29, 2025

[Violent Career Criminal Sentenced to Eight Years in Federal Prison for Setting Fire to IndyGo Bus and Bus Station](#)

July 28, 2025

[U.S. Attorney’s Office, Southern District of Indiana Increases Immigration Prosecutions: Three Violent Felons Sentenced in Two Weeks](#)

July 23, 2025

[Member of Interstate Cargo Theft Conspiracy Found Guilty at Federal Trial](#)

July 22, 2025

[Serial Scammer Sentenced to Federal Prison after Defrauding Department of Education out of More Than \\$930,000 in Financial Aid](#)

July 21, 2017

[22 Sentenced to Federal Prison for Meth and Cocaine Trafficking Operation from Southwest Border to Indianapolis](#)

July 26, 2017

[Justice Department Files Lawsuit Against Technical Marine Maintenance Texas and Gulf Coast Workforce Alleging Discrimination Based on Citizenship Status](#)

July 25, 2017

[Justice Department Sues Puerto Rico Business for Violating Employment Rights of United States Army Reservist](#)

July 21, 2017

[Acting U.S. Attorney Settles Civil Rights Suit Against Westchester Property Management Company And Cooperative Building For Discriminating On The Basis Of Disability](#)

July 18, 2017

[Justice Department and Washington State Courts Partner to Ensure Access to State Court Services for Limited English Proficient Individuals](#)

July 13, 2017

[Justice Department Files Sexual Harassment Lawsuit against Owner and Seller of North Carolina Homes](#)

Kaufman, E., [“Trump’s Office of Civil Rights Is on the Right Path”](#), National Review (July 13, 2017).

July 10, 2017

[Justice Department Settles Sexual Harassment Lawsuit Against Morgantown, West Virginia, Landlords](#)

July 6, 2017

[Justice Department Resolves Allegations of Housing Discrimination Involving North Attleboro Apartment Complex](#)
[Justice Department Reaches Settlement with Michigan Credit Union for Illegally Repossessing Servicemembers’ Cars](#)

July 3, 2017

[Mississippi Corrections Officers Sentenced for Inmate Assault and Cover-Up](#)

June 30, 2017

[Justice Department Settles Immigration-Related Discrimination Claim against](#)

[Florida Staffing Company](#)

June 29, 2017

[Former Prison Transport Officer Indicted for Sexual Assault and Threatening the Victim with a Firearm](#)

June 28, 2017

[Indictment: Former Highway Patrol Trooper Used Excessive Force](#)
[Justice Department Settles Immigration-Related Discrimination Claim Against Panda Express](#)

[Former Kansas Highway Patrol Trooper Indicted for Using Excessive Force](#)

June 22, 2017

[Victoria Man Charged with Hate Crime in Burning of Mosque](#)

June 20, 2017

[Justice Department and the State of New York Settle Claims over Voter Registration Opportunities](#)

June 15, 2017

[Florida Man Indicted for a Hate Crime for Making Telephonic Threat to Shoot Congregants at the Islamic Center of Greater Miami](#)

[Mississippi Corrections Officer Sentenced for Inmate Assault](#)

[Chattanooga Man Sentenced For Solicitation To Burn Down A Mosque In Islamberg, New York](#)

June 10, 2017

[Former Providence, Kentucky Police Officer is Charged With Civil Rights Violations and Obstruction](#)

June 9, 2017

[Kansas Man Charged with Hate Crime, Firearm Offenses in Shooting of Three Men at Olathe Bar](#)

[Current and Former Boynton Beach, Florida Police Officers Indicted for Using Excessive Force Against an Arrestee, Filing False Reports and Obstructing Justice](#)

June 7, 2017

[Husband and Wife Convicted for Roles in Alien Harboring Scheme Involving Labor Exploitation of Domestic Servant](#)

June 6, 2017

[Justice Department and City of Des Plaines, Illinois Settle Lawsuit Over Alleged RLUIPA Violations](#)

June 2, 2017

[Prisoner-Transport Officer Arrested for Sexual Assault](#)

[Mississippi Corrections Officers Sentenced for Inmate Assault and Cover-Up](#)

June 1, 2017

[Justice Department Settles Disability-Based Housing Discrimination Lawsuit with City of Jacksonville, FL](#)

[Justice Department Reaches Settlement Agreement with Washington State Public Transit System on Behalf of Washington Army National Guard Member](#)

May 31, 2017

[Justice Department and City of Jackson, Mississippi Resolve Lawsuit Over Zoning of Group Homes](#)

May 30, 2017

[North Carolina Man Sentenced to 15 Years for Charges Involving Scheme to Compel Five Women to Prostitute](#)

[Justice Department and Bernards Township \(NJ\) Settle Lawsuit Over Alleged RLUIPA Violations](#)

May 23, 2017

[Justice Department Settles U.S. Worker Discrimination Claims Against New Mexico Farm](#)

May 19, 2017

[Former Correctional Officer in West Virginia Pleads Guilty to Using Force to Punish A Detainee](#)

May 17, 2017

[Justice Department Obtains \\$37,000 Verdict in Disability Discrimination Case Against Montana Landlord](#)

[Justice Department Settles Immigration-Related Discrimination Lawsuit Against Pasco, Washington Fruit and Vegetable Processor](#)

May 15, 2017

[Mississippi Man Sentenced To 49 Years in Prison for Bias-Motivated Murder of Transgender Woman in Lucedale, Mississippi](#)

May 12, 2017

[Former Deputy Jailer at Kentucky River Regional Jail Convicted of Federal Charges Related to the Death of a Detainee](#)

May 10, 2017

[Four Texas Men Indicted on Federal Hate Crime and Conspiracy Charges for Assaults Based on Victims' Sexual Orientation](#)

May 9, 2017

[Justice Department Settles Immigration-Related Discrimination Claim Against](#)

[Rhode Island-Based Staffing Agency
Former Corrections Officer Cadet in Alabama Pleads Guilty to Assaulting
Handcuffed Man](#)

May 8, 2017

[Former Puerto Rico Police Officer Pleads Guilty to Civil Rights Violation for
Assaulting Juvenile](#)

May 5, 2017

[Three Former Arkansas Juvenile Detention Officers Indicted for Conspiracy to
Assault Juvenile Detainees](#)
[Justice Department Reaches Settlement Agreement with El Paso Business Over
Allegations of Violating the Employment Rights of a Texas Army National Guard
Member](#)

May 3, 2017

[Former Miami-Dade Police Detective Sentenced to Prison for Stealing Money
from Migrant Workers and Obstructing Justice](#)
[Judge Sentences Three Law Enforcement Officer Defendants in Iberia Parish,
Louisiana, Civil Rights Case](#)
[Federal Officials Close Investigation Into Death of Alton Sterling](#)

May 2, 2017

[Former North Charleston, South Carolina, Police Officer Michael Slager Pleads
Guilty to Federal Civil Rights Offense](#)

April 27, 2017

[Idaho Man Sentenced For Federal Hate Crime Based on Victim's Sexual
Orientation](#)

April 26, 2017

[Two Former Arkansas Juvenile Detention Officers Plead Guilty to Conspiracy to
Assaulting Juvenile Detainees](#)

April 21, 2017

[U.S./Israeli Man Charged in Connection with Threats to Jewish Community
Centers, Conveying False Information, and Cyberstalking](#)

April 21, 2017

[Four Former Corrections Officers Indicted for Civil Rights Violations](#)

April 21, 2017

[Eight Members of Mexican Sex Trafficking Enterprise Plead Guilty to
Racketeering, Sex Trafficking, and Related Crimes](#)

April 19, 2017

[Federal Court Issues Order in Lawsuit Against the Twin Cities of Colorado City, Arizona and Hildale, Utah, Finding Widespread Police Misconduct and Religious Discrimination](#)

April 19, 2017

[Fourth Defendant Convicted for Role in Georgia-Based Mexican Sex Trafficking Ring](#)

April 17, 2017

[Justice Department Settles Lawsuit Against South Dakota Business on Behalf of Air National Guard Member](#)

April 12, 2017

[Kentucky Deputy Jailer Convicted by Jury of Assault of Inmate and Obstruction of Justice](#)

April 10, 2017

[Bakersfield Man Sentenced to 15 Years in Prison for Hate Crime](#)

April 10, 2017

[Arson Awareness Week 2017 to Focus on Preventing Arson at Houses of Worship](#)

April 6, 2017

[Justice Department Settles Immigration-Related Discrimination Claim Against Florida Roadside Assistance Services Company](#)

April 6, 2017

[Michigan Man Sentenced to 235 Months in Prison for Sex Trafficking and Interstate Transportation for Prostitution](#)

April 5, 2017

[Ohio Men Sentenced to Prison for Racially Motivated Attack on Stranger](#)

April 4, 2017

[Third Conspirator Pleads Guilty to 2012 Florida Cross Burning](#)

April 3, 2017

[Justice Department Cautions Employers Seeking H-1B Visas Not to Discriminate Against U.S. Workers](#)

March 27, 2017

[Knoxville Man Sentenced to Ten Years in Prison for Sex Trafficking Conspiracy and Related Drug Offenses](#)

[Florida Man Ordered to Pay Over \\$1.1 Million in Restitution to Victims of Sex Trafficking and Interstate Prostitution Scheme](#)

March 21, 2017

[Justice Department Settles with Public School District to Resolve HIV-Related Discrimination Findings](#)

[Justice Department Settles Immigration-Related Discrimination Claim Against Florida Pizza Delivery Chain](#)

March 20, 2017

[Justice Department Reaches Agreement With Suffolk City Virginia School District to Desegregate Its Schools](#)

March 17, 2017

[Kansas Man Pleads Guilty to Making False Statements in Federal Hate Crime Investigation](#)

March 16, 2017

[Pennsylvania Man Indicted for Hate Crime Assault](#)

March 14, 2017

[Two Identity Document Suppliers Sentenced for Roles in Identity Trafficking Scheme](#)

March 13, 2017

[Justice Department Settles Immigration-Related Discrimination Claim Against California Janitorial Companies](#)

[Court Approves Desegregation Plan for Cleveland, Mississippi, Schools](#)

March 10, 2017

[Pasco County, Florida, Man Pleads Guilty to 2012 Cross Burning](#)

March 8, 2017

[Minnesota Man Who Sent Threatening Letter to Islamic Center Sentenced to 12 Months In Prison](#)

March 3, 2017

[Justice Department Sues Edmonds, Washington Landlords for Discriminating Against Families With Children](#)

March 2, 2017

[Anoka County Resident Sentenced to Six Months in Prison for Threatening Two Clinics that Provide Reproductive Health Services](#)

March 1, 2017

[Justice Department Reaches Agreement With Washington Metropolitan Area Transit Authority to Resolve Disability Discrimination Complaint](#)

February 23, 2017

[Florida Man Sentenced for Sex Trafficking and Interstate Prostitution](#)

February 22, 2017

[Justice Department and Sterling Heights, Michigan, Resolve Lawsuit over Denial of Zoning Approval for a Mosque](#)

[Kansas Men Sentenced for Roles in Federal Hate Crime Against Black Somali Men](#)

[Former Correctional Officer in West Virginia Charged with Using Force to Punish Detainees and Submitting a False Incident Report](#)

February 16, 2017

[Chattanooga Man Convicted of Solicitation to Burn Down a Mosque in Islamburg, New York](#)

[Idaho Man Charged in Church Arson Case](#)

[Chattanooga Man Convicted Of Solicitation to Burn Down a Mosque in Islamburg, New York](#)

February 15, 2017

[Former Oklahoma Jail Superintendent and Assistant Superintendent Sentenced for Using Excessive Force](#)

February 13, 2017

[Former Detective Convicted and Sentenced for Filing False Police Report to Cover Up Civil Rights Violation](#)

February 9, 2017

[Former Jail Administrator Pleads Guilty to Civil Rights Violation for Depriving Inmate of Medical Care](#)

February 8, 2017

[Florida Man Pleads Guilty to Hate Crimes for Threatening Muslim Grocery Store Owners](#)

February 7, 2017

[Idaho Man Pleads Guilty to Federal Hate Crime](#)

February 6, 2017

[Justice Department Reaches Agreement with City of Philadelphia to Resolve Disability Discrimination Complaint](#)

February 3, 2017

[Miami-Dade Police Detective Convicted of Civil Rights Offenses for Stealing Property from Motorists and Obstructing Justice](#)

February 2, 2017

[North Carolina Man Sentenced for Threats Against Mosque Members in Raeford, North Carolina](#)

[Mississippi Corrections Officers Plead Guilty to Inmate Assault and Cover-Up](#)
[Justice Department Settles Immigration-Related Discrimination Claim Against New York Restaurant](#)

January 31, 2017

[Justice Department Reaches Agreement with St. James Parish Louisiana School District to Desegregate Schools](#)

January 26, 2017

[New Hampshire Man Indicted for Sex Trafficking of a Minor in Connection with Interstate Prostitution Enterprise](#)

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.

Boone County (Indiana) Council, 2002-2005 (elected)

Chair, Indiana Election Commission, 2005-2010 (appointed by Governor Mitch Daniels)

Chair, Indiana State Recount Commission, 2009-2010 (appointed by Governor Mitch Daniels)

United States Commission on Civil Rights, Indiana Advisory Committee, 2021-2025 (appointed by President Joe Biden)

Commissioner, White River Park State Commission, 2016-Present (originally appointed by Governor Mitch Daniels, reappointed by Indiana Governors Mike Pence and Eric Holcomb)

- 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.

Republican National Lawyers Association Board Member, Vice President (2004-2016; 2019 – 2021; First Vice-President - 2023); Indiana Chapter, Chair (2003 - 2007).

2024 Trump-Vance 2024, Presidential, Campaign Counsel

2024 Sen. Mike Braun for Governor (Indiana), Advisor

2022 Rep. Greg Pence for U.S. Congress (Indiana), Campaign Counsel

2020 Trump-Pence, Presidential, Campaign Counsel
 2020 Rep. Todd Rokita for Attorney General (Indiana), General Counsel
 2020 Rep. Greg Pence for U.S. Congress (Indiana), Campaign Counsel
 2018 Greg Pence for U.S. Congress (Indiana), Campaign Counsel
 2018 Prosecutor Todd Meyer for Boone County (Indiana), Superior Court Judge,
 Treasurer
 2016 Trump-Pence, Presidential, Campaign Counsel
 2016 Curtis Hill for Attorney General (Indiana), Campaign Counsel
 2014 Joni Ernst for U.S. Senate (Iowa), NRSC Campaign Counsel Deployment
 2014 Bruce Petit for Boone County (Indiana), Circuit Court Judge, Treasurer
 2012 Romney-Ryan 2012, Presidential, Campaign Counsel
 2012 Rep. David McIntosh for Congress (Indiana), Campaign Counsel
 2012 Rep. Mike Pence for Governor (Indiana), General Counsel
 2012 Indiana State Republican Convention, Parliamentarian/Delegate
 2010 Todd Young for Congress (Indiana), Volunteer
 2010 Todd Rokita for Congress (Indiana), Campaign Counsel
 2010 Dan Coats for U.S. Senate (Indiana), Campaign Counsel
 2008 McCain-Palin, Presidential, Campaign Counsel
 2008 Gov. Mitch Daniels for Governor (Indiana), Campaign Counsel
 2004 Bush-Cheney, Presidential, Campaign Counsel
 2004 Marvin Scott for Senate, General Counsel
 2004 Mitch Daniels for Governor (Indiana), Campaign Counsel
 2002 Brose McVey for Congress, Special Counsel
 2002 Chris Chocolla for Congress, General Counsel, Recount Counsel
 2000 Bush-Cheney, Presidential, Campaign Counsel – Florida Recount

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 have not clerked for a judge.

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

I have not practiced solo.

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.

August 1987 – March 1988

Associate

Middleton & Reutlinger
401 South 4th Street, Suite 2600
Louisville, Kentucky 40202

March 1988 – December 1997
Associate/Partner
Kightlinger & Gray LLP
One Indiana Square, Suite 300
211 North Pennsylvania Street
Indianapolis, Indiana 46204

January 1998 – July 2000
Partner
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, Indiana 46204

August 2000 – January 2017
Partner
Frost Brown Todd LLP (formerly Locke Reynolds LLP)
111 Monument Cir Suite 4500
Indianapolis, Indiana 46204

January 2017 – July 2017
Acting Assistant Attorney General for Civil Rights
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

August 2017 – December 2023
Partner
Frost Brown Todd LLP
111 Monument Cir Suite 4500
Indianapolis, Indiana 46204
Part-time between May 2018 to December 2018 and August 2020 to
January 2021

May 2018 – December 2018
Senior Adviser, White House Federal Commission on School Safety
United States Department of Education
Lyndon Baines Johnson Department of Education Building
400 Maryland Ave, SW
Washington, D.C. 20202
Part-time Special Government Employee

August 2020 – January 2021

Senior Counselor/Senior Advisor, U.S. Secretary
United States Department of Education
Lyndon Baines Johnson Department of Education Building
400 Maryland Ave, SW
Washington, D.C. 20202
Part-time Special Government Employee

January 2024 – January 2025
Partner
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, Indiana 46204

January 2025 – Present
Acting General Counsel
United States Department of Education
Lyndon Baines Johnson Department of Education Building
400 Maryland Ave, SW
Washington, D.C. 20202

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

I have not served as a mediator or arbitrator.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

Chair, Indiana Election Commission - 2005 to 2010 (appointed by Governor Mitch Daniels)

Chair, Indiana State Recount Commission - 2009 to 2010 (appointed by Governor Mitch Daniels)

b. Describe:

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

Early in my career I worked at two insurance defense firms and started as second or even third chair depending on the nature of the case, with my first chair experience generally limited to trying smaller personal injury cases, primarily in state court. As my practice evolved to represent schools and law enforcement the complexity increased with a majority of my practice

focused in federal court and with litigating constitutional issues. Along with that, fewer cases were tried to a jury, and most cases were tried to judges on preliminary or permanent injunctions, bench trials, or resolved on summary judgment. However, more of these cases resulted in appeals by the opposing side, and my appellate practice increased significantly (both state and federal up to and including the Supreme Court). I also began to provide more general counsel advice to educational and law enforcement entities and advocacy organizations as well as becoming heavily involved with speaking and providing training on these issues to local, state, and national audiences.

As I moved into leadership roles in national advocacy organizations such as the National School Boards Association where I was a Board member, Chair of the NSBA's Council of School Attorneys, and as General Counsel to the National Sheriffs Association, I became heavily engaged in federal *amici* litigation on their behalf, including in the United States Supreme Court. Throughout this time, I remained involved in a variety of bar associations, frequently in leadership roles, including the Federal Bar Association and the 7th Circuit Bar Association.

My expertise in law enforcement and education issues, particularly the constitutional and civil rights matters, has also led to me being asked to serve in a variety of federal roles, including as the Acting Assistant Attorney General for Civil Rights at the United States Department of Justice, Senior Advisor/Senior Counsel to the United States Secretary of Education, and work on the White House School Safety and Coronavirus Task Forces. Most recently I served as the Acting General Counsel at the United States Department of Education until July 11, 2025. On July 14, 2025 I began serving, via an Attorney General Appointment, as the Interim United States Attorney for the Southern District of Indiana.

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

See detailed discussion above. I am an experienced litigation practitioner in state and federal court, specializing in the area of civil rights and education and law enforcement and my typical clients have been schools, colleges and universities as well as state, county and local law enforcement units.

- 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.

I am a trial lawyer and 90% of my practice has been devoted to litigation. As such I appeared in court frequently.

- i. Indicate the percentage of your practice in:
 1. federal courts: 60%
 2. state courts of record: 25%
 3. other courts: 0%
 4. administrative agencies: 15%
- ii. Indicate the percentage of your practice in:
 1. civil proceedings: 95%
 2. criminal proceedings: 5%
- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

Over the past 38 years I have been involved in almost a hundred jury, bench and administrative trials, as well as almost fifty appeals in various state and federal courts and the United States Supreme Court. My early trials (jury and bench) were small matters, and I handled them as sole counsel. Almost all of my larger jury trials were as part of a trial team. In my bench trials, administrative hearings, preliminary and permanent injunctive cases I was lead attorney. Similarly, my entire appellate practice has been as lead attorney or with co-counsel, but I led the team.

- i. What percentage of these trials were:
 1. Jury: 20%
 2. non-jury. 80%
- 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.

In addition to my own cases, I also engaged in an *amici* practice while in the private sector and have been involved in several Supreme Court matters while at the United States Department of Education and the United States Department of Justice; however, I have not argued orally before the Supreme Court.

- Brief for the United States as Amicus Curiae Supporting Petitioner - 2025 WL 755897 | *A.J.T., by and Through her Parents, A.T. & G.T., Petitioner, v. OSSEO AREA SCHOOLS, Independent School District No. 279, et al.* | No. 24-249 (March 6, 2025). (Copy attached)
- Brief of the Public Interest Legal Foundation and Former Justice Department

Civil Rights Division Officials as Amici Curiae in Support of Petitioners - 2020 WL 7264949 | *Mark Brnovich, In His Official Capacity As Arizona Attorney General, Et Al., Petitioners, V. Democratic National Committee, Et Al., Respondents* | No. 19-1257 (December 4, 2020). (Copy attached)

- Brief of the Public Interest Legal Foundation and Former Justice Department Civil Rights Division Officials as Amici Curiae in Support of Petition for a Writ of Certiorari - 2020 WL 3050206 | *Mark Brnovich, In His Official Capacity As Arizona Attorney General, Et Al., Petitioners, v. Democratic National Committee, Et Al., Respondents* | No. 19-1257 (June 1, 2020). (Copy attached)
- Respondents' Brief in Opposition - 2007 WL 2456171 | *Mayer v. Monroe County Community School Corp.* | No. 08-970 (June 29, 2009). (Copy attached)
- Amicus Curiae Brief of National School Boards Association in Support of Petitioners - 2009 WL 1913520 | *Sonny Perdue, et al. v. Kenny A.* | No. 06-1657 (August 24, 2007). (Copy attached)
- Brief of Amicus Curiae National School Boards Association in Support of Petitioners - 2005 WL 1284578 | *Garcetti v. Ceballos* | No. 04-473 (May 26, 2005). (Copy attached)
- Brief Of Amici Curiae National School Boards Association, Et Al., In Support Of Petitioners - 2001 WL 1745226 | *Board of Educ. of Tecumseh Public School Dist.* | No. 01-332 (December 26, 2001). (Copy attached)
- Respondent's Brief in Opposition - 1996 WL 3343830 | *Peter Helland v. South Bend Community School Corporation* | No. 96-773 (December 19, 1996). (Copy attached)

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

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

1. United States v. Michael Slager

Case No. 2:16-cr-00378-DCN
United States District Court for the District of South Carolina
The Honorable David C. Norton
2016-2019
United States v. Slager, 912 F.3d 224 (4th Cir. 2019).

When I became the Acting Assistant Attorney General for Civil Rights one of the first cases I had to deal with was the extremely highly publicized police shooting by Officer Michael Slager of Walter Scott, a fleeing unarmed African-American suspect shot in the back after being stopped for a broken tail light. This was documented on a bystander cell phone video. The 4th Circuit described the case as follows: “In May 2016, a federal grand jury in the District of South Carolina returned an indictment alleging, among other things, that Defendant, ‘while acting under color of law as an officer with the North Charleston Police Department, shot [and killed] Walter Scott without legal justification, willfully depriving him of the right ... to be free from the use of unreasonable force by a law enforcement officer.’ In the meantime, Defendant was tried in state court on one count of murder. That trial resulted in a hung jury and mistrial.” *Slager*, 912 F.3d at 227.

Despite the state hung jury we negotiated “a global plea agreement with the United States and the State of South Carolina. Under that agreement, in exchange for Defendant’s guilty plea in federal court to one count of depriving Scott of his civil rights under color of law, the United States agreed to drop the remaining counts of the indictment and agreed to recommend a three-level reduction in the applicable sentencing level for acceptance of responsibility. Additionally, South Carolina agreed not to retry Defendant and dismissed the murder charge against him.” *Slager*, 912 F.3d at 227-228. In connection with the plea agreement, Officer Slager was sentenced to twenty years in prison (the maximum available) in what was acknowledged at the time as one of the longest sentences given to an officer in a shooting of this type. The Fourth Circuit affirmed the sentence and Slager is currently serving his twenty-year prison sentence.

Primary Co-Counsel:

Nathan Stuart Williams
Eric J. Klumb
United States Attorney's Office, District of South Carolina
151 Meeting St # 200
Charleston, SC 29401
(843) 727-4381

Jared Fishman
Rose Gibson
United States Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.

Washington, D.C. 20530

Opposing Counsel:

Andrew John Savage, III
Donald Lee McCune
15 Prioleau Street
Charleston, SC 29401
(843) 720-7470

Shaun C. Kent
Kent Law Firm
19 South Mill Street
Manning, SC 29102
(803) 433-5368

2. United States v. CB&I AREVA MOX Servs., LLC

Case No. 1:19-CV-444-TLW

United States District Court for the District of South Carolina

The Honorable Terry L. Wooten

2019-2020

United States v. CB&I AREVA MOX Servs., LLC, No. 1:19-CV-444-TLW, 2020 WL 13920697 (D.S.C. 2020) and *CB & I Areva Mox Servs., LLC v. United States*, 2019 WL 2276700 (Fed. Cl. 2019).

I represented CB&I AREVA MOX Servs., LLC, the general contractor, in connection with litigation relating to the closing of the MOX Fuel Fabrication Facility known as the Savannah River Site in Aiken, South Carolina. The MOX Fuel Fabrication Facility was created to satisfy the nuclear non-proliferation agreement between the Russian Federation and the United States in 2000 to de-enrich plutonium into Mixed Oxide fuel or MOX fuel which is a type of nuclear reactor fuel that contains a mixture of plutonium and uranium oxides. It is used in commercial nuclear power plants and is produced by combining plutonium with uranium, often depleted uranium.

After large cost overruns in the billions of dollars, and with the facility only 70% complete, the Department of Energy shut down the project and multi-pronged claims and litigation between the United States government and my client, CB&I AREVA ensued. There was litigation by CB&I AREVA against the United States under the Contract Disputes Act claims that the National Nuclear Security Administration improperly withheld funds. *See e.g. CB & I Areva Mox Servs., LLC v. United States*, 2019 WL 2276700 (Fed. Cl. 2019). There were also claims by the United States back against CB&I AREVA seeking massive damages under the False Claims Act, the Anti-Kickback Act, and other federal and state statutes and causes of action. These cases involved tens of millions of documents, and after several years of litigation, massive electronic document discovery, and dozens of

depositions, hearings and related matters, the parties resolved these matters as part of a global settlement whereby CB&I AREVA agreed to accept substantially reduced payments for outstanding bills in the hundreds of millions of dollars.

Primary Co-Counsel:

John E. Cuttino
Lindsay A. Joyner
Gallivan White and Boyd
P.O. Box 7368
1201 Main Street, Suite 1200
Columbia, SC 29202
(803) 724-1714

Opposing Counsel:

Donald J. Williamson
Rory Lawrence Skaggs
United States Department of Justice
Civil Division
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

James C. Leventis, Jr.
Johanna Valenzuela
Stanley D. Ragsdale
United States Attorney's Office, District of South Carolina
151 Meeting St # 200
Charleston, SC 29401
(843) 727-4381

3. Freedom From Religion Found. v. Concord Community Schools

Case No. 3:15–CV–463 JD

United States District Court for the Northern District of Indiana

The Honorable Jon E. DeGuilio

2015-2018

Freedom From Religion Found. v. Concord Cmty. Sch., 240 F. Supp. 3d 914 (N.D. Ind. 2017), *aff'd sub nom. Freedom From Religion Found., Inc. v. Concord Cmty. Sch.*, 885 F.3d 1038 (7th Cir. 2018).¹

I represented the Concord Community School Corporation with respect to a complaint filed by a public high school student, his father, and the Freedom From Religion Foundation alleging that a living nativity scene incorporated into the school's annual holiday program violated the Establishment Clause of the First

¹ Note that I was not listed as counsel of record on the appeal as I had to withdraw from the case when I joined the Department of Justice.

Amendment. The parties filed cross-motions for summary judgment, and the plaintiffs moved for a permanent injunction. After evidentiary hearings on the preliminary injunction, multiple rounds of briefing, and hearings, the trial court granted summary judgment to the School and denied the motion for permanent injunction. The parties cross-appealed and on appeal the 7th Circuit held: [1] That a reasonable observer would not have perceived school's final iteration of show as a religious endorsement; [2] that the Holiday program was not impermissibly coercive; and, [3] that the Holiday program did not have an unlawful religious purpose. "The parties put us in the uncomfortable role of Grinch, examining the details of an impressive high school production. But we accept this position, because we live in a society where all religions are welcome. The district court found that the Christmas Spectacular program Concord actually presented in 2015—a program in which cultural, pedagogical, and entertainment value took center stage—did not violate the Establishment Clause. We AFFIRM this judgment." *Freedom From Religion Found.*, 885 F.3d at 1053.

Primary Co-Counsel:

Timothy S. Shelly
861 Parkway Avenue
Elkhart, IN 46516
(574) 294-7491 for the Defendant

Opposing Counsel:

Gavin M. Rose
ACLU of Indiana
1031 E Washington Street
Indianapolis, IN 46202
(317) 635-4059

Samuel Troxell Grover
Ryan Jayne
Freedom From Religion Foundation
PO Box 750
Madison, WI 53701
(608) 256-8900

Daniel Mach
Heather L. Weaver,
American Civil Liberties Union
915 15th St NW,
Washington, DC 20005
(202) 457-0800 for the Plaintiffs

4. Taflinger v. Westfield-Washington School Corporation and U.S. Swimming, Inc.

Case No. 1:09-cv-00771

United States District Court for the Southern District of Indiana

The Honorable Tanya Walton Pratt

2008-2011

Taflinger v. Westfield-Washington School Corporation and U.S. Swimming, Inc., 771 F. Supp. 2d 931 (S.D. Ind.), *vacated in part and remanded sub nom.*

Taflinger v. U.S. Swimming, Inc., 435 F. App'x 559 (7th Cir. 2011).

I represented the Westfield-Washington School Corporation with respect to a complaint filed by Brooke Taflinger who alleged that her private swim coach, who rented the high school pool and locker facilities after hours to run his private swim club practices, secretly videotaped her as she was changing in the locker room. Her coach was affiliated with USA Swimming, and this was part of a much larger nationwide sex scandal embroiling USA Swimming. “Taflinger was an elite swimmer who competed at the University of Florida and Indiana University and qualified for the Olympic trials in 2000 and 2004. As a result of a criminal investigation, she learned in 2008 that Brian Hindson, her former swimming coach, had secretly videotaped her on at least one occasion during the summer of 2000 as she changed clothes in a locker room at Westfield High School, part of the Westfield Washington school district. The video of Taflinger was found on Hindson's laptop, but there is no evidence that he ever broadcast or disseminated it. Hindson eventually pleaded guilty to 16 counts relating to the production, distribution, and possession of child pornography—none relating to the footage of Taflinger, who was 18 when she was videotaped. Hindson is now serving 400 months in federal prison.” *Taflinger*, 435 F. App'x at 560.

“Hindson was never employed by the Westfield Washington school district. He rented the pool at Westfield High School during the summer of 2000 so that members of the swimming club he founded, Central Indiana Aquatics, could train and compete in meets there. Hindson and his club were not affiliated with or regulated by Westfield Washington, nor did the school district supervise Hindson's use of the pool. Taflinger swam with Hindson's club team that summer, but she was not a student at Westfield High School; in fact, she had graduated earlier that year from Kokomo High School. Her complaint comprised 16 claims: three under 42 U.S.C. § 1983, two under Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681(a), and eleven arising under Indiana law.” *Taflinger*, 771 F. Supp. 2d at 932.

After years of litigation, discovery and depositions the trial court granted summary judgment and the 7th Circuit affirmed noting that “[t]he district court already has concluded that there is no evidence that Hindson was an employee or agent of Westfield Washington, or that the school district knew or should have known about his misconduct. The same must be said about United States Swimming, against which Taflinger's claims are even more tenuous. Hindson rented a pool from Westfield Washington and allowed his club members, including Taflinger, to use it. As far as this record shows, that is the only connection between Taflinger and

the appellants, and there is no evidence of any duty, contractual or otherwise, running to her. And Taflinger, who in this court ignores the appellants' argument that her state claims lack merit, apparently concedes that a decision adverse to her is inevitable.” *Taflinger*, 435 F. App'x at 562.

Primary Co-Defendant’s Counsel:

Bernard Lowell Pylitt
Kristopher N. Kazmierczak
Katz & Korin P.C.,
Now – Stoll Keenon Ogden PLLC
334 N Senate Avenue
Indianapolis, IN 46204
(317) 464-1100 for the Defendant USA Swimming

Opposing Counsel:

B. Robert Allard
Cerri, Boskovich & Allard, LLP
96 N 3rd St #620
San Jose, CA 95112
(408) 289-1417

Jonathan Charles Little
Saeed & Little LLP
8777 Purdue Rd, Ste. 225
Indianapolis, IN 46268
(317) 721-9214 for Plaintiff.

5. Shirley Trotter as Special Administrator of the Estate of Carlos Trotter v. Officer Brandon Logan and the City of Lawrence

Case No. 1:23-CV-01065-RLY-TAB
United States District Court for the Southern District of Indiana
The Honorable Richard L. Young and Magistrate Tim A. Baker
2022-2024
Trotter v. Logan, No. 1:23-CV-01065-RLY-TAB, 2024 WL 3552028 (S.D. Ind. 2024).

I represented the City of Lawrence and Officer Brandon Logan in a §1983 Complaint filed by the mother of Carlos Trotter, an African-American fleeing felon who after a lengthy chase by multiple police agencies, attempted to stab several officers, and was fatally shot by an African-American Officer, Brandon Logan. The matter involved dozens of witnesses, reams of evidence including body-cam video, dash cam video, and as the Court noted: “So far, this fatal police-action shooting case has been more about Plaintiff’s quest for discovery from Defendant City of Lawrence than the merits of the underlying claims. Relying on recently provided

discovery and depositions, Plaintiff seeks leave to amend her complaint to add claims against the City of Lawrence for negligent hiring, retention, supervision, and entrustment, as well as a *Monell* claim.” *Trotter*, at *4. After two years, most of the claims were dismissed and the case was ultimately settled.

Primary Co-Defendant’s Counsel:

Andrew R. Duncan
Ruckelshaus Kautzman Blackwell Bemis Duncan & Merchant, LLP
135 N Pennsylvania St #1600
Indianapolis, IN 46204
(317) 455-8682 for Defendant Brandon Logan

Opposing Counsel:

Edward R. Reichert
Golitko & Daly, PC
8900 Keystone Crossing # 150
Indianapolis, IN 46240
(317) 566-9600

Terrance Lamont Kinnard
Kinnard Rowley Powers Jimenez,
320 N Meridian St
Unit 1006, Indianapolis, IN 46204
(317) 855-6282 for Plaintiff.

6. Estate of Tuzinski v. Porter County Sheriff’s Department

Case No. 2:23 CV 173

United States District Court for the Northern District of Indiana

The Honorable James T. Moody

2021-2024

Estate of Tuzinski v. Porter Cnty. Sheriff’s Dep’t, No. 2:23 CV 173, 2024 WL 1252269 (N.D. Ind. 2024).

I represented the Porter County Sheriff’s Department in a §1983 Complaint filed by a woman who fled her home after her intoxicated husband beat her and threatened to shoot himself. “According to the complaint, on May 1, 2021, plaintiff Nakita Tuzinski asked police officers from the Porter County Sheriff’s to perform a wellness check on her husband, Alexander, who had stated that he wanted to shoot himself. Sheriff’s deputies, including David Murray, went to Alexander’s residence, and at some point Murray fired his gun at Alexander, who died from his injuries.” *Tuzinski*, * 1. Mr. Tuzinski was barricaded in their home when police arrived, was armed, and after a multi-hour standoff, SWAT officers entered the home. Mr. Tuzinski attempted to fire at officers and was shot and killed by Deputy Murray. The matter involved dozens of witnesses, many depositions, reams of evidence

including body-cam video, expert witnesses, related discovery and numerous discovery motions and dispositive pleadings. Following the filing of a dispositive motion by the defendants, and in lieu of the Estate's response, the case was settled.

Opposing Counsel:

David E. Baum
David Baum Law Office PC
324 S Calumet Rd
Chesterton, IN 46304
(219) 728-6621 for Plaintiffs.

7. Clifton French and Real News Michiana v. Goshen Community Schools and Superintendent Steve Hope

Case No. 3:21-CV-670 JD

United States District Court for the Northern District of Indiana

The Honorable Jon E. Deguilio

2021-2024

French v. Hope, No. 3:21-CV-670 JD, 2023 WL 2599518 (N.D. Ind. 2023).

I represented the Goshen Community Schools and Superintendent Steve Hope in a §1983 Complaint filed by Clifton French and Real News Michiana who alleged that their 1st Amendment freedom of the press rights were violated by the school. As the Court put it in granting summary judgment: “Plaintiffs Clifton French and Real News Michiana are a journalist and a news organization covering events in the Northern District of Indiana. Mr. French wrote an article in Real News Michiana about a sixth-grade teacher, an employee of Defendant Goshen Community Schools (“GCS”), who was an organizer of a party for children involving a drag show. Three weeks later, Mr. French attended GCS's School Board meeting. Due to Covid-19 and expected large number of attendees, the meeting was held at a location different than usual and there was no podium for the speakers. When Mr. French asked Defendant Superintendent Steven Hope where he can place his recording devices, he was told ‘no mics!’ Believing that Dr. Hope forbade Mr. French to record the meeting in retaliation of their coverage of the planned drag show by a GCS's employee, Plaintiffs sued in this Court, alleging a First Amendment violation. Defendants moved for summary judgment, which the Court will grant in their favor because Plaintiffs have not presented any evidence showing that Plaintiffs’ protected conduct was at least a motivating factor of any adverse action.” *French*, at * 1.

Opposing Counsel:

Michael P. Misch
Bradley P. Colborn
Anderson Agostino & Keller PC
131 South Taylor Street

South Bend, IN 46601
(574) 288-1510 for Plaintiffs

8. Esselona Jane Larson v. Portage Township School Corporation.

Case No. 2:05-CV-431 PPS

United States District Court for the Northern District of Indiana

The Honorable Philip P. Simon

2006-2008

Larson v. Portage Twp. Sch., No. 2:05-CV-431PPS, 2007 WL 2601080 (N.D. Ind. Sept. 10, 2007), *aff'd sub nom. Larson v. Portage Twp. Sch. Corp.*, 293 F. App'x 415 (7th Cir. 2008).

I represented the Portage Township School Corporation in a §1983 Complaint filed by former Principal Esselona Jane Larson who alleged that the school violated Title VII by disciplining her based her religion. “Portage Township School Corporation decided not to renew the contract of Esselona Larson, as principal of Myers Elementary School, after the 2004–2005 school year. The reasons stated for this decision were essentially Larson's poor leadership, poor decision making and insubordination. Larson then sued the township under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e–2, alleging religious discrimination. The district court granted summary judgment for Portage Township, and Larson appeals. Because Larson has not shown a genuine factual dispute of unequal treatment, we affirm the district court's grant of summary judgment. * * * In July 2003 Portage Township Schools hired Larson as principal of Myers Elementary School. Almost immediately after being hired, Larson began having minor disputes with Diane Zuick, a Jewish teacher at the school, and so both began documenting the conflicts. The conflict between Larson and Zuick reached a boiling point in November when, at a staff meeting, Larson said, with an outstretched hand, ‘Heil Hitler’ in response to several staff members having raised their hands.” *Larson* at 416.

After extensive discovery and briefing the District Court granted summary judgment for the school. On a appeal the Seventh Circuit held that “[b]ecause Larson has not shown a genuine factual dispute of unequal treatment, we affirm the district court's grant of summary judgment.” *Id.*

Opposing Counsel:

Jay Lauer

105 E Jefferson Blvd Ste 220,

South Bend, IN 46601

(574) 288-5562 for Plaintiff

9. Debra A. Barnett v. Camille Clark, Trustee of Pleasant Township.

Case No. 76S03–0803–CV–148

Indiana Supreme Court

2007-2008

Barnett v. Clark, 889 N.E.2d 281 (Ind. 2008).

I represented the Amicus Curiae Indiana Chamber of Commerce, Ind. School Boards Assoc., Ind. Assoc. of Public School Superintendents, Ind. Assoc. of Cities and Towns, Ind. Municipal Lawyers Assoc., and Insurance Institute of Indiana in this case which presented the question of whether the Indiana Supreme Court should overrule or limit a prior case on the issue of whether the “Trustee may be held vicariously liable for its employee's actions under the theory of *respondeat superior* for wrongful acts committed within the scope of the employment, *citing Stropes v. Heritage House Children's Ctr.*, 547 N.E.2d 244, 247 (Ind.1989), but which were both unauthorized and unknown to the employer and criminal in nature.” *Barnett*, 889 N.E.2d at 282-283.

We successfully convinced the Court to overturn the prior precedent and reject *respondeat superior* liability where “the employee was not explicitly or impliedly authorized to touch or confine applicants for assistance. His alleged acts of confining, sexually touching, and raping the plaintiff were not an extension of authorized physical contact. Such acts were not incidental to nor sufficiently associated with the deputy trustee's authorized duties. They did not further his employer's business. And they were not motivated to any extent by his employer's interests. The deputy trustee's injurious acts did not fall within the scope of his employment for the defendant Trustee, and thus the Trustee is not vicariously liable under the doctrine of *respondeat superior*.” *Id.*, at 286.

Appellant’s Counsel:

Christopher J. Wheeler
Stout Law Group P.C.
118 West Maumee Street
Angola, IN 46703
(260) 665-5717, Attorney for Appellant.

Frederick R. Hovde, Nicholas C. Deets,
Hovde Dassow & Deets, LCC
10201 Illinois St Suite 500
Indianapolis, IN 46290
(888) 229-1778, Attorneys for Amicus Curiae Indiana Trial Lawyers Association.

Appellee’s Counsel:

Robert T. Keen, Jr.
Barrett McNagny LLP
215 East Berry Street
Fort Wayne, IN 46802
(260) 423-9551, Attorneys for Appellee.

10. Deborah A. Mayer v. Monroe County School Corporation.

Case No. 1:04-CV-1695-SEB-VSS
United States District Court for the Southern District of Indiana
The Honorable Sarah Evans Barker
2006-2008

Mayer v. Monroe Cnty. Cmty. Sch. Corp., No. 1:04-CV-1695-SEB-VSS, 2006 WL 693555 (S.D. Ind. 2006), *aff'd*, 474 F.3d 477 (7th Cir. 2007).

I represented the Monroe County School Corporation in a §1983 Complaint filed by a plaintiff who was in her first year as a probationary elementary-school teacher and who alleged her First Amendment rights were violated by the school when her contract was not renewed, allegedly because she had expressed anti-Iraq war views to her students in an elementary school class. The school contended that because the teacher had widespread performance problems in addition to departing from the curriculum to express her personal political views, and that these reasons taken together justified her not being offered a contract following the expiration of her probationary period. The District Court granted summary judgment for the school and the Seventh Circuit affirmed noting that: “It is enough to hold that the first amendment does not entitle primary and secondary teachers, when conducting the education of captive audiences, to cover topics, or advocate viewpoints, that depart from the curriculum adopted by the school system.” *Mayer*, 474 F.3d at 480.

Opposing Counsel:

Michael L. Schultz
Parr Richey Frandsen Patterson Kruse LLP
251 North Illinois Street
Suite 1800
Indianapolis, IN 46204
(317) 269-2500
Indianapolis, IN, for Plaintiff.

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.)

I have listed significant litigation matters in the preceding section, but in addition to those listed items, in my federal service when I was Acting Attorney General for Civil Rights at the United States Department of Justice I managed an office with approximately 600 FTE attorneys and a budget of \$144 million dollars in 2017 and litigation associated therewith. As Acting General Counsel at the Department of Education in 2025 I managed legal services and litigation for a Cabinet Agency with a current budget of around \$250 billion dollars and a legal staff of several hundred attorneys between the Office of General

Counsel and the Office of Civil Rights. In these roles I have had the opportunity to be involved in a large number of significant legal matters.

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

I have not taught any courses on a full-time basis. From time to time, I have been asked to serve as a guest lecturer at educational institutions on various topics. I have described some of those lectures in response to Question 12(d) above.

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.

I have no arrangements in the future to be compensated for any financial or business interest.

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

None.

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).

Please see my OGE-278 as provided by the Office of Government Ethics.

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

See attached Net Worth Statement.

22. **Potential Conflicts of Interest**:

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which

you have been nominated. Explain how you would address any such conflict if it were to arise.

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

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

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

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.

Throughout my career I have been committed to performing *pro bono* legal service and am particularly proud of the work I have done for active-duty military families and veterans and for the victims of hate crimes through the Alliance for Asian-American Justice. With respect to veterans, I serve on the Indiana State Bar Association's Military & Veterans' Affairs Committee, which focuses on the legal needs of service members, veterans, and their families. It also supports the Indiana Lawyers for Servicemembers program, which provides *pro bono* legal assistance. As noted above, I also served on a *pro bono* basis as counsel for the USS Indiana (SSN 789) Commissioning Committee and the USS Indianapolis (LCS 17) Commissioning Committee which in addition to handling everything from keel laying to sea trials, also provides ongoing support to the crews aboard these ships and their families while they are on deployment.

Through the Alliance for Asian American Justice, on a *pro bono* basis, I provided legal services to victims of hate crimes. Most significantly, I represented the family of Shane Nguyen, a 55-year old Vietnamese immigrant who was killed and his body dismembered in Ft. Wayne, Indiana. This horrific killing resulted in a [national media spotlight](#). Representing the Nguyen family and working with law enforcement and prosecutors, we accomplished the eventual conviction of the [perpetrators for murder](#) and they were sentenced to life in prison without parole. *State of Indiana v. Mathew J Cramer, II*, Case Number 02D06-2104-MR-000007 and *State of Indiana v. Jacob D Carreon-Hamilton*, Case Number 02D06-2104-F5-000162, Allen County, Indiana Superior Court No. 6.

AFFIDAVIT

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

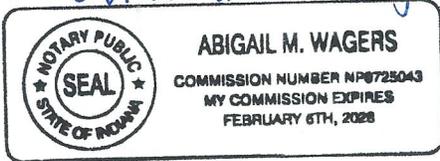
8/1/25

(DATE)

[Signature]

(NAME)

State of Indiana, County of Marion



Abigail M. Wagers

(NOTARY)

Abigail M. Wagers

Subscribed and sworn to before me, a Notary Public, this 1st day of August, 2025.

My commission expires 2/6/28.