

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR JUDICIAL NOMINEES**

**PUBLIC**

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

Jasmine Hyejung Yoon  
Hyejung Yoon

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

United States District Judge for the Western District of Virginia

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.

Capital One Financial Corporation  
West Creek  
15075 Capital One Drive  
Richmond, Virginia 23238

Residence: Charlottesville, Virginia

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

1980; Ulsan, South Korea

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.

2003 – 2006, University of Virginia School of Law; J.D., 2006

1999 – 2003, University of Virginia; B.A. (with distinction), 2003

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.

2022 – present

Capital One Financial Corporation  
West Creek  
15075 Capital One Drive  
Richmond, Virginia 23238  
Vice President, Corporate Integrity, Ethics & Investigations

2019 – 2022  
Office of the University Counsel  
University of Virginia  
Madison Hall  
P.O. Box 400225  
Charlottesville, Virginia 22904  
Interim University Counsel (2021 –2022)  
Associate University Counsel (2019 – 2021)

2019 – 2022  
Office of the Attorney General  
Education Section  
202 North Ninth Street  
Richmond, Virginia 23219  
Assistant Attorney General for the Commonwealth of Virginia (2019 – 2022)

2016 – 2019  
University of Virginia Law School Foundation  
580 Massie Road  
Charlottesville, Virginia 22903  
Associate Director of Annual Giving

2010 – 2016  
United States Attorney's Office for the Eastern District of Virginia  
Justin W. Williams United States Attorney's Building  
2100 Jamieson Avenue  
Alexandria, Virginia 23219  
Assistant United States Attorney, Alexandria Division (2010 – 2014)  
Assistant United States Attorney, Richmond Division (2014 – 2016)

2009 – 2010  
The Honorable James C. Cacheris  
United States District Court for the Eastern District of Virginia  
Albert V. Bryan U.S. Courthouse  
401 Courthouse Square  
Alexandria, Virginia 22314  
Law Clerk

2006 – 2009, Summer 2005  
Crowell & Moring LLP

1001 Pennsylvania Avenue, Northwest  
Washington, DC 20004  
Associate (2006 – 2009)  
Summer Associate (Summer 2005)

Summer 2005  
Morrison & Foerster LLP  
2100 L Street, Northwest  
Suite 900  
Washington, DC 20037  
Summer Associate

Summer 2004  
Nelson Mullins LLP  
One Wells Fargo Center  
310 South College Street  
Charlotte, North Carolina 28202  
Summer Associate

Other affiliations (uncompensated)

2023 – present  
Asian Pacific American Bar Association of Virginia (APABA-VA)  
APABA-VA does not have a physical address.  
Board Member

2023 – present  
Literacy Volunteers Charlottesville Albemarle  
233 4th Street Northwest  
Charlottesville, Virginia 22903  
Board Member

2018 – present  
Rams Head LLC  
Charlottesville, Virginia  
Sole Owner and Member

2016 – 2022  
Fountain Fund  
Jefferson School City Center  
233 4th Street Northwest, Box Z  
Charlottesville, Virginia 22903  
Board Member

2005 – 2006  
University of Virginia School of Law - Prosecution Clinic

Buckingham County Commonwealth Attorney's Office  
13049 W James Anderson Highway  
Buckingham, Virginia 23921  
Student Intern

2003 – 2006  
University of Virginia – Housing and Residence Life  
Gibbons House  
425 Tree House Drive  
Charlottesville, Virginia 22904  
Graduate Advisor

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

I did not serve in the military. I was not required to register for the 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.

Council of the Inspector General on Integrity and Efficiency (CIGIE) Annual Award (2015)

Federal Bureau of Investigation Director's Award (2014)

Crowell & Moring LLP

Pro Bono Associate of the Year Award (2009)

Firm Citizenship Award (2007-2009)

University of Virginia School of Law

20 Prominent AAPI Grads (2022)

Virginia Journal of Social Policy & the Law (2005 – 2006)

Managing Board, Development Editor

Jack Kent Cooke Foundation Scholarship (2003 – 2006)

University of Virginia

Graduated with Distinction (2003)

Maryland Alumni Association Graduate of the Year (2003)

Phi Beta Kappa (2003)

Head Resident on the Lawn (2002 – 2003)

Gray Carrington Scholarship (2002)

Raven Society (2002 – present)

Echols Scholar (1999 – 2003)

Jefferson Scholar (1999 – 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.

Asian Pacific American Bar Association of Virginia, Board of Directors (2023 – present)

Charlottesville Albemarle Bar Association

Federal Bar Association - Western District of Virginia Chapter

National Association of College and University Attorneys

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.

District of Columbia, 2007

Virginia, 2006

There has been one lapse in my Virginia bar membership. In early June 2022, I left the University of Virginia to pursue a new position with Capital One. Unbeknownst to me, in late June 2022, the Virginia State Bar (VSB) had sent the annual dues statement to my former business email after my departure. I did not have access to my Virginia e-mail account after leaving the University. Because of the dues statement being delivered to my old business e-mail account, I had no notice and missed the deadline, which caused my membership to be administratively suspended on October 12, 2022, for non-payment. On April 19, 2023, when I sought to report my mandatory CLE hours, I called the VSB when I could not sign into the website. I learned during that phone call that I had accidentally missed the deadline for the annual dues. I immediately paid the annual dues along with the additional late fees and my membership was reinstated that same day.

I have been on inactive status in the District of Columbia since July 2011, as I primarily practiced in Virginia at that point. There have been no other lapses in membership.

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

United States Court of Appeals for the Fourth Circuit, 2013  
United States District Court for the Eastern District of Virginia, 2009  
United States District Court for the Western District of Virginia, 2019

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.

Crowell & Moring, LLP

Recruiting Committee (2006 – 2009)

Diversity Committee (2006 – 2009)

Fountain Fund

Founding Board Member (2016 – 2022)

Governance Committee (2016 – 2022)

Jefferson Scholars Foundation

National Selection Committee Member (2015 – 2017)

International Region Selection Committee Chair (2014 – present)

Washington DC/Suburban Maryland Regional Selection Committee  
Member (2006 – 2013)

United States Attorney's Office for the Eastern District of Virginia

Coach/Mentor to Special Assistant United States Attorneys (2010 – 2014)

University of Virginia Alumni Association

Alumnae Steering Committee Member, the Retold Virtual Experience  
(2020)

University of Virginia School of Law

Alumni Recruiting Program (2013 – present)

Law Alumni Council (2012 – 2015)

Annual Giving Campaign Volunteer, Class Manager (2006 – present)

Since 2019, I have been a member of the Parent Teacher Organization at my children's elementary school. Additionally, I served as a Class Parent between 2019 and 2023.

- b. The American Bar Association's Commentary to its Code of Judicial Conduct

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

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated based on 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.

None.

- 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.

Cultural Commitment Statement, Fountain Fund. The Board Members of the Fountain Fund collectively discussed and agreed on the cultural commitment statement, which is found on the organization's website. Copy supplied.

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

The following list reflects my best effort to identify responsive items, based on a review of my records and publicly available information online.

As a member of the Board, I approved publication of the below annual reports, which were sent to the donors and interested community members. This report is also publicly available on the Fountain Fund's website.

2021 Annual Report, Fountain Fund. Copy supplied.

2020 Annual Report, Fountain Fund. Copy supplied.

2019 Annual Report, Fountain Fund. Copy supplied.

2018 Annual Report, Fountain Fund. Copy supplied.

As counsel to UVA, I attended and offered legal advice at the quarterly Board of Visitors meetings and the annual retreat.

June 2 – 3, 2022: Attended as Counsel, Full Board Minutes, Board of Visitors of the University of Virginia. Minutes supplied.

March 2 – 4, 2022: Attended as Counsel, Full Board Minutes, Board of Visitors of the University of Virginia. Minutes supplied.

December 9 –10, 2021: Attended as Counsel, Full Board Minutes, Board of Visitors of the University of Virginia. Minutes supplied.

December 2, 2021: Attended as Counsel, Public Comment Session Minutes, Board of Visitors of the University of Virginia. Minutes supplied.

September 23 – 24, 2021: Attended as Counsel, Full Board Minutes, Board of Visitors of the University of Virginia. Minutes supplied.

August 27 – 28, 2021: Attended as Counsel, Board of Visitors Retreat Minutes, Board of Visitors of the University of Virginia. Minutes supplied.

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

The following list reflects my best efforts to identify the speeches and talks I have delivered. To compile this list, I searched my records and various Internet sources. There may, however, be other speeches or talks that I have been unable to identify or recall.

October 18, 2023: Panelist, “Guiding Your Company through Internal Investigation,” Women, Influence & Power in Law, New Orleans, Louisiana. Slides supplied.

October 16, 2023: Panelist, “Diversity in the Legal Profession,” the University of Virginia School of Law’s Asian Pacific American Law Student Association (APALSA) and the Asian Pacific American Bar Association of Virginia (APABA-VA) via Zoom. The presentation focused on the variety of legal jobs and opportunities students can pursue post-law school. I have no notes, transcript, or recording. The APABA-VA does not have a physical address.

August 3, 2021: Speaker, “Campfire Chat with Jasmine Yoon,” University of Virginia Echols Council via Zoom. The chat was to provide advice and tips for undergraduate students who aspired to pursue careers in law. I have no notes, transcript, or recording. The address for the University of Virginia Echols Scholars Program is Monroe Hall, Charlottesville, Virginia 22904.

April 16, 2019: Panelist, “UVA Law hosts Public and Private Careers Panel,” the University of Virginia Chapter of the Virginia Bar Association. I participated in a panel discussion about career paths in public and private sectors. I have no notes, transcript, or recording, but press coverage is supplied. The address for the University of Virginia Chapter of the Virginia Bar Association is 580 Massie Road, Charlottesville, Virginia 22903.

March 2016 (specific date unknown): Panelist, “APALSA Career Networking Day,” the University of Virginia Chapter of the APALSA. I participated in a panel discussion and provided advice about career paths in public service. I have no notes, transcript, or recording, but press coverage is supplied. The address for the APALSA at the University of Virginia School of Law is 580 Massie Road, Charlottesville, Virginia 22903.

November 18, 2015: Panelist, “Classroom to Courtroom,” the University of Virginia Career Center. I participated in a panel discussion for pre-law students at the University of Virginia and talked about how to prepare for one’s career post-graduation. I have no notes, transcript, or recording. The address for the University of Virginia Career Center is 1815 Stadium Road, Charlottesville, Virginia 22903.

April 9, 2015: Panelist, “UVA Law Panel on Transition from Private to Public Sector,” the University of Virginia School of Law. I participated in a panel discussion about how to prepare and transition from a private sector job to public service. I have no notes, transcript, or recording. The address for the University of Virginia School of Law is 580 Massie Road, Charlottesville, Virginia 22903.

- 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.

University of Virginia Law School Foundation, *The Law School Welcomes Jasmine Yoon '06 to the community*, Facebook (June 10, 2016). Copy supplied.

Journey Group, Jefferson Scholars Foundation, 2015 Annual Report (2015). Copy supplied.

Mary Wood, *Jasmine Yoon '06 Fights Financial Fraud*, University of Virginia School of Law Alumni Q&A (July 7, 2011). Copy supplied.

Michael Marshall, *Author David Baldacci to Address Class of 2006*, UVA Law (Jan. 27, 2006). Copy supplied.

Drew Cohan, *Committee Selects 47 New Lawn Residents*, Cavalier Daily (Feb. 14, 2003). Copy supplied.

Natasha Altamirano, *Third-years Apply for Lawn Rooms, Await Decisions*, Cavalier Daily (Jan. 31, 2003). Copy supplied.

Allison O'Shea, *'SQL Slammer' Worm Jams Student Networks*, Cavalier Daily (Jan. 28, 2003). Copy supplied.

Lauren Akselrod, *Odds & Ends*, Cavalier Daily (Oct.14, 2002). Copy supplied.

Julie Hofler, *You've Got Mail?*, Cavalier Daily (Nov. 9, 2001). Copy supplied.

Beth Berselli, *Charles Board May Give Student Member a Vote*, Washington Post (Jan. 14, 1999). Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_
- i. Of these cases, approximately what percent were:
- jury trials: \_\_\_\_\_%
- bench trials: \_\_\_\_\_% [total 100%]
- ii. Of these cases, approximately what percent were:
- civil proceedings: \_\_\_\_\_%
- criminal proceedings: \_\_\_\_\_% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.
  - c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
  - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
  - e. Provide a list of all cases in which certiorari was requested or granted.
  - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
  - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

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

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

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

I have not held any public offices nor have I had any unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

None.

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

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

From 2009 – 2010, I served as a law clerk to the Honorable James C. Cacheris of the United States District Court for the Eastern District of Virginia.

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

I have not practiced law alone.

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

2006 – 2009

Crowell & Moring, LLP  
1001 Pennsylvania Avenue, Northwest  
Washington, DC 20004  
Associate

2010 – 2016

U.S. Attorney's Office for the Eastern District of Virginia  
Justin W. Williams United States Attorney's Building  
2100 Jamieson Avenue  
Alexandria, Virginia 23219  
Assistant United States Attorney, Alexandria Division (2010 – 2014)  
Assistant United States Attorney, Richmond Division (2014 – 2016)

2019 – 2022

Office of the University Counsel  
University of Virginia  
Madison Hall  
P.O. Box 400225  
Charlottesville, Virginia 22904  
Associate University Counsel (2019 – 2021)  
Interim University Counsel (2021 – 2022)

2019 – 2022

Office of the Attorney General  
Education Section  
202 North Ninth Street  
Richmond, Virginia 23219  
Assistant Attorney General for the Commonwealth of Virginia

2022 – present

Capital One Financial Corporation  
West Creek  
15075 Capital One Drive  
Richmond, Virginia 23238  
Vice President, Corporate Integrity, Ethics and Investigations

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

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

Following law school graduation, I worked at Crowell & Moring LLP from 2006 to 2009 as an associate in the white collar and securities litigation practice group. During my time there, I represented and advised individuals and companies involved in federal investigations and civil litigation. I drafted various pleadings, briefs, and memoranda. I also interviewed witnesses, worked on discovery productions, and counseled clients. Most of my work was civil in nature. I was also an active member of the firm's pro bono program and represented an indigent criminal defendant before the Maryland Court of Special Appeals, as well as immigrant survivors of gender-based violence in connection with immigration matters.

From 2009 to 2010, I served as a federal judicial law clerk in the Eastern District of Virginia, researching and drafting memoranda and opinions.

From 2010 to 2016, I served as an Assistant United States Attorney (AUSA) in the Eastern District of Virginia. In this role, I investigated and prosecuted more than 80 financial crime and public corruption cases involving corporate fraud, public corruption, bribery, bank fraud, mail and wire fraud, the Foreign Corrupt Practices Act (FCPA), mortgage fraud, tax fraud, health care fraud, and identity theft. I worked closely with regulatory and law enforcement agencies and handled all phases of criminal proceedings including investigations, grand jury proceedings, plea bargaining, motions, jury trials, and sentencing. I prepared search warrants, subpoenas, criminal complaints, indictments, plea agreements, sentencing memos, motions, responses to motions, and appellate briefs. I also handled criminal and civil forfeiture issues and counseled other attorneys and law enforcement agents regarding methods and procedures to protect and preserve valuable assets.

From 2019 to 2022, I served as an Associate University Counsel for the University of Virginia (2019 – 2021) then as the Interim University Counsel (2021 – 2022) for the University of Virginia. Under Virginia Law, the Attorney General of Virginia has authority to provide necessary legal services to all state agencies including the University of Virginia and appoints Assistant Attorneys General to serve as University Counsel and Associate University Counsels at Virginia's public universities. Thus, I

also served as an Assistant Attorney General for the Commonwealth of Virginia during this time.

As a lawyer for the University of Virginia, I worked with other attorneys in the Office of the University Counsel and collaborated with Education Section attorneys in the Office of the Attorney General to provide timely legal advice and client service. In this role, I provided legal advice and counsel to the Board of Visitors, University leadership, President's office, provosts, administrative vice presidents, deans, faculty, and student leaders. I advised on a variety of legal matters including risk and liability management and compliance related to student affairs, student academic and non-academic misconduct, privacy rights and responsibilities, policy enforcement and management, campus security and safety, student organizations, student wellness and health, housing and dining, and career services. As Interim University Counsel, I served as a lead supervisory lawyer and supervised a team of attorneys and support staff in the Office of the University Counsel.

Since 2022, I have served as Vice President, Corporate Integrity, Ethics and Investigations, for Capital One Financial Corporation, a federally regulated financial institution. I serve as the Accountable Executive for all aspects of Capital One's Corporate Integrity Program including internal investigations into allegations of fraud, insider abuse, and business misconduct; the administration of the company's Code of Conduct, Ethics Office, enterprise ethics program, and conflicts of interest resolution; and management of anti-corruption and anti-bribery compliance program to ensure the company's compliance with the FCPA and other laws.

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

At Crowell & Moring LLP, my clients were typically large business entities and individuals involved in civil and criminal investigations, litigation, and disputes before the federal courts and administrative agencies.

At the United States Attorney's Office, my client was the United States of America. I specialized in federal criminal procedures and practice especially in financial crimes and public corruption such as bribery, wire fraud, bank fraud, foreign corrupt practices, and securities fraud. My work was exclusively criminal in nature until I joined the Richmond Division. In Richmond, I also covered forfeiture and restitution proceedings which are civil in nature.

At the University of Virginia, my typical clients were the University itself as well as individual employees and senior leadership. I served as an in-

house lawyer and specialized in higher education law covering varied legal issues including compliance, privacy, student affairs, litigation, and outside counsel management.

My pro bono representations have involved representation of individuals without adequate financial resources in criminal and administrative proceedings.

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

My practice has been mostly in litigation. In private practice, I was heavily involved in litigation conducting legal research and writing, working on dispositive motions and responses, and observing in court as a junior member of the team. I also engaged in extensive pro bono work such as briefing and arguing an appeal before the Maryland Court of Special Appeals. As an Assistant United States Attorney, I was a litigator and appeared in court on an almost weekly basis and also handled asset forfeiture litigation. At the University of Virginia, my practice focused on oversight, policy, litigation management, and compliance, and I did not regularly appear in court, although I supervised and managed matters that were actively being litigated, including the work done by outside counsel and other attorneys in the office. In my current position at Capital One Financial Corporation, my role is in Compliance rather than the Legal department; I do not litigate or appear in court.

- i. Indicate the percentage of your practice in:

|                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 95% |
| 2. state courts of record:  | 5%  |
| 3. other courts:            | 0%  |
| 4. administrative agencies: | 0%  |

- ii. Indicate the percentage of your practice in:

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

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

I have participated in three trials that proceeded to verdict in the federal district court. I served as chief counsel in one of the matters and co-lead counsel in two matters.

I have also handled multiple hearings before the district court such as an appeal to

the detention order issued by a magistrate judge and contested sentencing hearings where live testimony was necessary to prove the loss amount in a complex fraud case. I have also argued a number of pre-trial motions.

- i. What percentage of these trials were:
  - 1. jury: 100%
  - 2. non-jury: 0%

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

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

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

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

1. *United States v. WMT Brasilia S.a.r.l.*, No. 1:19-cr-192 (E.D. Va.) (O'Grady, J.)

From 2012 to 2016, I was part of the Department of Justice and the Securities and Exchange Commission (SEC) team that investigated Wal-Mart Stores, Inc. (WMT) and its subsidiaries such as WMT China, WMT India, and WMT Brasilia for potential violations of the books and records provision of the Foreign Corrupt Practices Act. I assisted with the investigation by conducting document review, obtaining search warrants, conducting witness interviews abroad, and developing case chronology and strategy. I regularly attended cooperation meetings with the company and the company's Audit Committee's counsel. This was a multi-year investigation that continued and resolved after my departure from the United States Attorney's Office. Ultimately the case resolved by a guilty plea under which WMT paid a criminal penalty of \$137 million and agreed to disgorge \$144 million in profits.

Co-Counsel  
Lorinda Laryea

United States Department of Justice  
Criminal Division, Fraud Section  
1400 New York Avenue, Northwest  
Washington, DC 20005  
(202) 514-2000

Tarek Helou (formerly with United States Department of Justice)  
Wilson Sonsini Goodrich & Rosati  
1700 K Street, Northwest  
Washington, DC 20006  
(202) 973-8863

Opposing Counsel

Karen P. Hewitt  
Jones Day  
4655 Executive Drive, Suite 1500  
San Diego, CA 92121  
(858) 314-1119

2. *United States v. Hailemariam*, 1:12-cr-497 (E.D. Va.) (Ellis, J.); *United States v. Mebrahtu*, 1:12-cr-455 (E.D. Va.) (Ellis, J.); *United States v. Terefe*, No. 1:12-cr-414 (E.D. Va.) (Ellis, J.); *United States v. Yigzu*, No. 1:12-cr-432 (E.D. Va.) (Ellis, J.)

From 2012 to 2014, I represented the United States in this case involving a three-year conspiracy by parking lot attendants and the manager at the Smithsonian National Air and Space Museum - Steven F. Udvar-Hazy Center in Chantilly, Virginia to steal approximately \$1.4 million from parking fees collected from approximately 92,000 visitors to the Udvar-Hazy Museum. My co-counsel and I worked closely with the agents from the Smithsonian Office of the Inspector General to investigate and prosecute this matter. Using external video recordings that showed a traffic pattern going into the parking lot, we were able to extrapolate the amount that the defendants had embezzled, and therefore owed to the Smithsonian as restitution. With overwhelming evidence of their criminal activities, I successfully negotiated plea agreements with all members of the conspiracy. At sentencing, I presented the testimony of a case agent and proved the amount of restitution and forfeiture owed by each of the defendants. Ultimately, all defendants pleaded guilty to one count of conspiracy to commit theft of public money and were sentenced to 40 months (Mr. Hailemariam), 27 months (Ms. Mebrahtu), and 20 months (Mr. Terefe) in prison. Ms. Yigzu passed away post-arrest and before her scheduled plea hearing.

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3. *United States v. All Assets Listed in Attachment A, and All Interests, Benefits, and Assets Traceable thereto*, No. 1:14-cv-969 (E.D. Va.) (O'Grady, J.)

From 2014 to 2015, I represented the United States with a team of lawyers handling a civil forfeiture lawsuit against the individuals and companies charged with allegedly running an international criminal enterprise responsible for worldwide online piracy of numerous types of copyrighted works through a file sharing website called megaupload.com. This case is one of the largest criminal copyright cases ever brought by the United States government, which targeted the misuse of a public content storage and distribution site to commit intellectual property crime. I researched and drafted portions of numerous pleadings in this case to include the government's motion to strike claims of the defendants, the founders of megaupload.com, who were named in the parallel criminal case based on the doctrine of fugitive entitlement. As a result, the United States successfully seized approximately \$67 million in cash and assets that were proceeds of copyright related crimes and money laundering.

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4. *United States v. Tsoa*, No. 1:13-cr-137 (E.D. Va.) (Cacheris, J.)

In 2013, I, along with my co-counsel, represented the United States in this jury trial involving a loan officer who defrauded mortgage lenders as part of a scheme to profit from fraudulently obtained mortgage loans and the purchase of residential real estate in northern Virginia. The total conspiracy involved the purchases of approximately 36 homes in Ashburn, Virginia and approximately \$19.9 million in loan proceeds disbursed based on fraudulent loan applications. I briefed and argued a number of pre-trial motions and interviewed and prepared multiple witnesses for their trial testimony. My co-counsel and I developed trial strategy and preparing jury instructions and exhibits. Over the course of several days, I delivered the government's opening statement and presented the testimony of multiple civilian witnesses and cooperating witnesses before the jury. The defendant was ultimately convicted of conspiracy to commit bank fraud and two counts of bank fraud for her role in the fraud scheme and was sentenced to 30 months in prison.

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5. *United States v. Jannell*, No. 1:12-cr-431 (E.D. Va.) (Brinkema, J.); *United States v. Jannell*, No. 1:12-cr-524 (E.D. Va.) (Hilton, J.)

From 1992 through 2011, the defendants, Mr. and Mrs. Jannell, were a married couple. During this time, Mr. Jannell was employed by the Virginia Railway Express (VRE), a commuter rail service, as its Facilities Manager and Facilities Superintendent at various locations in the Metropolitan Washington, DC area. In this capacity, Mr. Jannell oversaw VRE contracts for individuals and companies providing landscaping and maintenance services to VRE. Beginning in 2003, Mr. Jannell agreed to accept monthly bribe payments of up to \$4,000 from Person A in return for Mr. Jannell's favorable treatment of Person A and Person A's company regarding the receipt of contracts and favorable evaluation of Company A in connection with Company A's performance of contracts for maintenance at various VRE stations and facilities. The defendants created a nominee company for which Mrs. Jannell was named the President. The defendants then used this company to receive and conceal the wrongful nature of the bribe payments. Between approximately 2003 through approximately March 2012, Person A made a total payment of approximately \$357,000 to the Jannells. From 2012 to 2013, on behalf of the United States, my co-counsel and I led this investigation and prosecution by conducting multiple interviews including the interview of Person A. We negotiated plea agreements for both defendants and secured guilty pleas. I authored the sentencing memorandum for Mrs. Jannell and did the sentencing allocution. Mr. Jannell was sentenced to 24 months in prison and Mrs. Jannell was sentenced to one year probation.

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6. *United States v. Komolafe*, No. 1:11-cr-388 (E.D. Va.) (Trenga, J.)

From 2011 to 2012, I represented the United States as co-counsel in this jury trial involving an identity theft ring that stole credit card numbers from more than 780 victims in the Washington, DC, metropolitan area. Defendant and his co-conspirators recruited,

trained, and paid restaurant servers to skim and copy customer credit card numbers. The men used the stolen credit card numbers to re-encode credit cards to purchase designer merchandise and gift cards, which were sometimes returned for cash. Four members of the conspiracy pleaded guilty and testified at trial. My co-counsel and I interviewed and prepared multiple witnesses for their trial testimony, including the four cooperators. At trial, I presented the opening statement and the rebuttal statement. My co-counsel and I presented the testimony of multiple civilian witnesses, a law enforcement agent, and the four cooperating witnesses before the jury. The defendant was convicted of the conspiracy to commit access device fraud and aggravated identity theft and was sentenced to 66 months in prison.

Co-Counsel

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7. *United States v. Tribby*, No. 1:11-cr-106 (E.D. Va.) (O'Grady, J.)

From 2011 to 2012, I represented the United States in the investigation and prosecution of a former business relationship manager of Wachovia Bank who stole \$14 million from her clients to purchase real estate, luxury automobiles, a helicopter, and an assortment of exotic livestock to include two zebras. In addition to drafting multiple search warrants that had to be executed simultaneously, I handled preliminary and detention hearings both before the federal magistrate judge, John F. Anderson, and the federal district court judge when the defendant appealed the magistrate judge's detention order. I worked closely with the FBI to identify and interview victim clients and negotiated the plea agreement. I was the principal author of the sentencing memorandum and presented the victim impact statement and the argument of the government at sentencing. The defendant was sentenced to seven years in prison.

Opposing Counsel

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8. *United States v. Abrishami-Azar*, No. 1:11-cr-40 (E.D. Va.) (Lee, J.)

In 2011, I represented the United States as lead counsel in this jury trial involving a gas station owner who tried to evade law enforcement and tax authorities' scrutiny by structuring cash deposits totaling approximately \$117,000 to avoid triggering the filing of a Currency Transaction Report and reporting to the Internal Revenue Service. My co-counsel observed without taking an active role in the trial, and I conducted the direct examination of all of the government's witnesses and also conducted the cross examination of the defendant when he took the stand. I presented the opening, closing, and rebuttal argument on behalf of the United States of America, after which the jury returned guilty verdicts on two counts of money structuring. The defendant was sentenced to three years' probation.

Co-Counsel

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Opposing Counsel

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This is Mr. Blanke's last known information. According to my internet research, Mr. Blanke surrendered his Virginia law license in 2018.

9. *Brown v. State*, 182 Md. App. 138, 957 A.2d 654 (2008) (Davis, Hollander, Eyler, JJ.)

In 2008, I was appointed as pro bono counsel by Maryland Public Defender to represent an indigent criminal defendant, Mr. Brown, who had been sentenced to a total of 45 years in prison – 25 years' imprisonment for first-degree assault and 20 years' imprisonment for the use of the handgun conviction consecutively – in the trial court in Baltimore, Maryland. I, along with my co-counsel, represented Mr. Brown in connection with his appeal before the Maryland Court of Special Appeals. I reviewed voluminous trial transcripts and exhibits, and interviewed Mr. Brown, to develop the argument that there was insufficient evidence to prove that the weapon used was a handgun as defined by Maryland law. I authored both Mr. Brown's opening brief and the reply and argued the

appeal before the court. The Maryland Court of Special Appeals affirmed the assault convictions and reversed the use of the handgun conviction, which reduced Mr. Brown's sentence by 20 years. I subsequently learned that a judge in Baltimore County Circuit Court vacated Mr. Brown's remaining conviction completely in March 2021 after reviewing post-conviction DNA testing result, which showed that there was no forensic evidence tying Mr. Brown to the crime scene.

Co-Counsel

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10. *United States v. Pazavelil*, No. 1:07-cr-479 (E.D. Va.) (Hilton, J.)

From 2010 to 2011, I served as lead counsel for the United States in the prosecution of a tax preparer who prepared false and fraudulent tax returns for various taxpayers to yield higher tax refund amounts by including claims for deductions that were either fabricated or inflated. This case had been investigated and indicted by co-counsel in 2007, but the defendant had fled the country and the case could not move forward. In August 2010, the defendant was arrested at John F. Kennedy international airport returning from India and the indictment was unsealed. When the case was assigned to me, I had to familiarize myself quickly with the facts of the case, prepared and produced discovery, and interviewed and prepared 10 witnesses for trial testimony. The defendant pled guilty just before trial and was ultimately sentenced to 10 months in jail. I authored the government's sentencing memorandum and argued it.

Co-Counsel

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

Most of my legal practice has been in litigation, but I have also engaged in various other significant legal activities. For instance, at the University of Virginia, I handled a variety of legal matters in multiple areas of law. My case load was heavy and I managed various client questions quickly and thoroughly. I worked as a true generalist and counseled various clients across the University to provide proactive advice to minimize legal risks as well as to represent them in proceedings against the University. My responsibilities included resolving conflicts and disputes within the confines of laws unique to a public institution of higher education and advising and overseeing matters litigated by the attorneys in the office as well as by outside counsel. Moreover, I provided advice, counsel, and guidance to audit and compliance departments and led internal investigations. For example, from 2019 to 2020, I led an internal investigation into the University's rebates and credits program and negotiated a \$1 million settlement resolution with the U.S. Attorney's Office in the Eastern District of Virginia regarding claims of unaccounted rebates and discounts in connection with federal grants and awards. I also provided supervision and case management while serving as Interim University Counsel.

At the United States Attorney's Office, though I was a litigation attorney, most of my cases did not result in trials. I devoted a substantial amount of time to the investigation of potential criminal matters and led investigative teams including federal and local law enforcement officers and fellow attorneys. I presented countless matters for indictment or for witness testimony to a grand jury and successfully represented the United States in over 80 matters, resulting in pleas or non-prosecution agreements.

Lastly, I have been an active member of diversity and recruiting committees in both private and public practice and served as a mentor and coach to younger lawyers as well as law students. For example, I have organized the Summer Mentorship Program as a board member of the APABA-VA and also put together a career panel in partnership with the University of Virginia School of Law's APALSA to foster a sense of community and to empower the next generation of AAPI lawyers.

I have never performed any lobbying activities, and I am not and have never been registered as a lobbyist.

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

None.

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

I currently hold Capital One Stock (vested and unvested) and participate in Capital One's Deferred Compensation Program. If confirmed, I will divest these interests in accordance with applicable laws and my employment contract.

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

None.

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

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

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

I would recuse myself from all matters in which Capital One Financial Corporation is involved directly or indirectly for at least as long as I maintain a financial interest in the company as well as with regard to any matters in which I was involved during my employment. I will also recuse myself from any litigation where I have previously played a role, whether from my time at the United States Attorney's Office for the Eastern District of Virginia, Virginia Office of the Attorney General, or the University of Virginia.

Additionally, my husband is currently serving as the United States Attorney for the Western District of Virginia. If I were confirmed, and if he were still the United States Attorney, I would recuse myself from matters in which the United States is a party until he leaves office and from any matters that were active within the United States Attorney's Office during his tenure as the United States Attorney.

Lastly, I would evaluate and resolve any potential conflict of interest, or relationship that could give rise to an appearance of conflict, on a case-by-case basis following the Code of Conduct for United States Judges and the rules and standards regarding disqualification under 28 U.S.C. §455. I would also be guided by the relevant judicial decisions and published advisory opinions issued by the Judicial Conference's Committee on Codes of Conduct.

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

In the event of a potential conflict of interest, I would address it by reviewing and consulting the Code of Conduct for United States Judges and the rules and standards specified in 28 U.S.C. §455. I would also consult relevant judicial decisions and published advisory opinions issued by the Judicial Conference's Committee on Codes of Conduct.

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

Most of my legal career has been devoted to public service. As a federal prosecutor, I had the opportunity to work with and assist victims of crime. My work was also dedicated to upholding the rule of law and keeping our community safe.

Moreover, I was deeply involved in pro bono work during my time in private practice and spent approximately 200 hours per year on pro bono matters. Much of my pro bono work involved representation of indigent immigrant women and criminal defendants. For example, I worked with Tahirih Justice Center to provide representation to immigrant survivors of gender-based violence from Mexico and South Korea who needed

representation in immigration matters to obtain U and T visas. My clients were victims of mental and physical abuse and were helpful to law enforcement in the investigation or prosecution of criminal activity. One client had lost her sister to physical violence by her husband and assisted the Commonwealth's prosecution of her husband. The other client was a victim of human trafficking from South Korea. She assisted the Department of Justice's investigation into a brothel in New York and New Jersey. To represent indigent criminal defendants, I completed training to be certified for providing representation to indigent clients charged with criminal offenses in the DC Superior Court.

Additionally, on referral of the Maryland Office of Public Defender, I represented an indigent criminal defendant who had been sentenced to a total of 45 years' imprisonment for his appeal before the Maryland Court of Special Appeals as a lead counsel. I briefed and argued the appeal. For my pro bono work, I was recognized by Crowell & Moring LLP as their pro bono associate of the year.

From 2016 to 2022, I served on the Board of Directors of a local nonprofit, the Fountain Fund, whose goal is to disrupt the cycle of poverty and incarceration through financial support and education for formerly incarcerated individuals. The Fountain Fund is a nonprofit group that provides microloans to formerly incarcerated individuals who would not qualify for traditional lines of credit. The Fountain Fund also provides helpful information and resources related to finances and credit building to returning citizens. I am one of the founding Board members and served on the Board and on the Governance Committee.

Throughout my career, I also frequently served on public service panels and conferences for the University of Virginia and University of Virginia School of Law. I agreed to attend multiple events at the school to discuss my career path with various student groups including affinity groups. I also served as a guest lecturer to the University of Virginia Law School's Public Interest Law and Advocacy class.

## **26. Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On August 11, 2023, I submitted an application to Senators Mark Warner and Tim Kaine for a position on the United States District Court for the Western District of Virginia. On September 15, 2023, I interviewed with the Senators' selection committee. On November 7, 2023, I interviewed with Senators Warner

and Kaine. On November 15, 2023, Senator Warner's Office advised me that Senators would be recommending my name to the White House for consideration. On November 17, 2023, I interviewed with attorneys from the White House Counsel's Office. Since November 21, 2023, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On January 10, 2024, the President announced his intent to nominate me.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.