

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Philip Cole Finegan, II (also known as Cole Finegan)

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

United States Attorney, District of Colorado

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.

Hogan Lovells US LLP
1601 Wewatta Street, Suite 900
Denver, CO 80202

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

1956; Tulsa, OK

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.

Georgetown University Law Center, 1982-1986
J.D. – February 1987

Notre Dame University, 1974-1978
B.A. – May 1978

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.

Jobs

February 2007 – Present
Office Managing Partner (May 2007 – Present)

Regional Managing Partner for the Americas (excluding Washington, D.C.) (July 2014 – June 2020)

Board of Directors (May 2013 – April 2014)

Hogan Lovells US LLP

1601 Wewatta Street, Suite 900

Denver, CO 80202

(Prior to August 2016, the office address was: 1200 17th Street, Suite 1500, Denver, CO 80202)

Paid

July 2005 – December 2006

Chief of Staff to Mayor John W. Hickenlooper

City and County of Denver

1437 Bannock Street, Suite 353

Denver, CO 80202

Paid

October 2003 – December 2006

City Attorney

City and County of Denver

1437 Bannock Street, Suite 353

Denver, CO 80202

Paid

May 1997 – December 2005

Principal and Manager

Stratton-Finegan, LLC

6 Bald Eagle Drive, Littleton, CO 80127

Paid

February 1993 – October 2003

Shareholder

Brownstein, Hyatt & Farber, P.C.

410 17th Street, 22nd Floor

Denver, CO 80202

Paid

July 1991 – February 1993

Chief Legal Counsel, Director of Office of Policy & Initiatives

Office of the Governor

State of Colorado

State Capitol, Room 136

Denver, CO 80203

Paid

February 1991 – July 1993

Campaign Manager
Norm Early for Mayor
595 S. Broadway
Denver, CO 80209
Paid

March 1987 – February 1991
Attorney (Associate)
Brownstein, Hyatt, Farber, & Strickland, P.C.
410 17th Street, 22nd Floor
Denver, CO 80202
Paid

May 1986 – December 1986
Campaign Manager
James R. Jones for U.S. Senate
Oklahoma City, OK
Paid

January 1985 – May 1986
Chief of Staff
U.S. Congressman James R. Jones
203 Cannon House Office Building
Washington, D.C. 20515
Paid

May 1984 – December 1984
Campaign Manager
James R. Jones Election Committee
Tulsa, OK
Paid

May 1978 – May 1984
Legislative Assistant, Press Secretary
U.S. Representative James R. Jones
4536 Federal Building (1978-1980)
Tulsa, OK
203 Cannon House Office Building (1980-1984)
Washington, D.C. 20515
Paid

Board Memberships

April 2020 – Present
Board of Directors
Palace Lofts Condominium Association
1499 Blake Street

Denver, CO 80202
Unpaid

November 2015 – March 2017
Board of Directors
Rose Andom Center
1330 Fox Street
Denver, CO 80204
Unpaid

January 2012 – December 2014
Board of Directors
The Denver Foundation
1009 Grant Street
Denver, CO 80203
Unpaid

*2011 – 2014
Board of Directors
Colorado Black Chamber of Commerce
444 Sherman Street
Denver, CO 80203
Unpaid

October 2011 – October 2015
Board of Directors
Teach for America
1391 Speer Boulevard, #710
Denver, CO 80204
Unpaid

September 2007 – July 2014
Board of Directors (2007-2014)
Vice Chair (2012-2014)
Secretary (2010-2012)
Children's Hospital Colorado
Anschutz Medical Campus
13123 East 16th Avenue
Aurora, CO 80045
Unpaid

July 2007 – June 2014
Board of Directors (2007-2014)
Chair (2012-2013)
Downtown Denver Partnership
1515 Arapahoe St., Tower 3, Suite 100

Denver, CO 80202
Unpaid

September 2006 – August 2014
Board of Directors
Denver Metro Chamber of Commerce
1445 Market Street
Denver, CO 80202
Unpaid

September 2001 – October 2007
Board of Directors
Colorado "I Have A Dream" Foundation
1836 Grant Street
Denver, Colorado 80203
Unpaid

December 1997 – January 2009
Board of Directors (1997-2009)
Vice Chair (2001-2003)
Denver Public Schools Foundation
1860 Lincoln Street, 10th Floor
Denver, Colorado 80203
Unpaid

April 1998 – June 1999
Board of Directors
Colorado State Board of Agriculture
305 Interlocken Parkway
Broomfield, CO 80021
Unpaid

November 1993 – December 1997
Board of Directors
Colorado Board of State Colleges
9101 E. Lowry Boulevard
Denver, CO 80230
Unpaid

November 1993 – September 1995
Board of Directors
Auraria Higher Education Commission
1068 9th Street Park
Denver, CO 80204
Unpaid

(*This organization has checked its records and is unable to provide exact dates for my board service.)

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

I have not served in the U.S. military. I was not required to register for 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.

Top Lawyer – Government Relations, Contracts, and Lobbying, *5280*, 2015-2021
Municipal Law, *The Best Lawyers in America*, 2010-2019, 2021
Acritas Star, *Acritas Stars Independently Rated Lawyers*, 2018-2020
Dreamer Award, Colorado “I Have A Dream” Foundation, 2018
Colorado Super Lawyers, 2007-2009, 2012-2018
500 Leading lawyers list, Lawdragon, 2017
People's Choice Government Lawyer, Barrister's Best, *Law Week Colorado*, 2009-2017
Honorary Partner Award, Downtown Denver Partnership, 2016
Denver Municipal Law, Lawyer of the Year, *The Best Lawyers in America*, 2016
Distinguished Service Award, University of Notre Dame, 2015
Lawyer of the Year, *Law Week Colorado*, 2013
Lawyer of the Decade, *Law Week Colorado*, 2011
The 50 Most Influential People in Denver, *5280*, 2010-2011

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.

Colorado Bar Association

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.

Colorado, October 1987

District of Columbia, October 1989 (Inactive)

There have been no lapses in membership.

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.

U.S. District Court for the District of Colorado (November 1989 – February 2019;
June 2021 - Present)

Reason for lapse: Unpaid biennial fee in 2018 (due to an administrative oversight at the firm)

Colorado Supreme Court (October 1987)

All Colorado State Courts (October 1987)

Except as noted, 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.

Colorado Concern (2014-2018)

Rose Andom Center (2015-2017)

Board member (2015-2017)

The Denver Foundation (2012-2014)

Board member (2012-2014)

Colorado Black Chamber of Commerce (2011-2014)

Board member (2011-2014)

Children's Hospital Colorado (2007-2014)

Board member (2007-2014)

Vice Chair (2012-2014)

Secretary (2010-2012)

Teach for America (c. 2011-2015)

Board member (c. 2011-2015)

Downtown Denver Partnership (2007-2014)

Board member (2007-2014)

Chair (2012-2013)

The Denver Forum (2007-2014)

Denver Metro Chamber of Commerce (2006-2014)

Board member (2006-2014)

The Quarterly Forum (2004-2014)

Colorado "I Have A Dream" Foundation (c. 2001-2007)

Board member (c. 2001-2007)
Denver Public Schools Foundation (1997-2009)
Board member (1997-2009)
Vice Chair (2001-2003)
Colorado State Board of Agriculture (1998-1999)
Board member (1998-1999)
Colorado Board of State Colleges (1993-1997)
Board member (c. 1993-1997)
Auraria Higher Education Commission (1993-1995)
Board member (c. 1993-1995)

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.

None of the organizations listed above currently discriminate or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

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:

Mobilizing to Support Victims in Boulder's Aftermath, DENVER GAZETTE, April 1, 2021. Copy supplied.

Tackling Tough Questions to Guide Colorado's Land Use, DENVER GAZETTE, March 17, 2021. Copy supplied.

The Children Come Still to the Old House in Park Hill, DENVER GAZETTE, March 3, 2021. Copy supplied.

Could Redistricting End Up in Court – Again?, DENVER GAZETTE, February 17, 2021. Copy supplied.

Dystopic Denver? Not With These Amenities, DENVER GAZETTE, February 3, 2021. Copy supplied.

Securing Safety, Justice for Domestic Violence Victims, DENVER GAZETTE, January 21, 2021. Copy supplied.

The Heart of Denver Will Beat Again, DENVER GAZETTE, January 6, 2021. Copy supplied.

Are Changes in Store for Denver’s Elections?, DENVER GAZETTE, December 23, 2020. Copy supplied.

Reflections on 2 Who Helped Build our Denver Community, DENVER GAZETTE, December 9, 2020. Copy supplied.

Denver Charter Changes Ensure Dysfunction, DENVER GAZETTE, November 10, 2020. Copy supplied.

Don’t Let council Politics Derail Police Contract, DENVER GAZETTE, September 14, 2020. Copy supplied.

The Best Prospects Won’t Apply, COLORADO POLITICS, July 20, 2020. Copy supplied.

2018 Midterm Election Results: The Bottom Line for Colorado Business, COLORADOBIZ, November 11, 2018. Copy supplied.

Public-Private Partnerships are Here to Stay; Good News for Colorado Residents, DENVER BUSINESS JOURNAL, April 18, 2014. Copy supplied.

The Super PAC and Its Lesser Known Sidekick; Guest Column; Politician Committees, COLORADOBIZ, July 1, 2012. Copy supplied.

Benson's Passion a Big Plus for CU, ROCKY MOUNTAIN NEWS, February 6, 2008. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the

name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to identify any reports, memoranda, or policy statements I have prepared or contributed to, including through a review of my personal files and searches of publicly available electronic databases. I was not able to locate any.

- 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. In my past positions as a legislative aide and then Chief of Staff to Congressman James R. Jones, as Chief Legal Counsel and Director of Policy & Initiatives for Governor Roy Romer, and as the City Attorney for the City and County of Denver as well as the Chief of Staff for Mayor John Hickenlooper, I provided testimony, official statements, and other communications on matters of public policy and legal interpretation. I believe that some of those statements are reflected in the media information provided for 12(a) and 12(e). I also have identified (and supplied) several Power Point presentations that I provided in 2006 to a Task Force determining whether changes were needed in Denver's City Charter to create a new position for a Chief Financial Officer for the City and County of Denver. At the time of the presentations, I was the City Attorney and Chief of Staff to the Mayor.

- 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 included all that I could find below. Despite my searches, there may be other materials I have been unable to identify, find, or remember.

Downtown Denver Partnership

1515 Arapahoe Street

Tower 2, Suite 400

Denver, CO 80202

Monthly Leadership Luncheon – Denver, CO

April 2021

Keynote address

I shared information on how my career evolved, leadership skills I have learned through the years, and lessons I would share for anyone preparing to be a leader in his or her organization.

Copy not available.

Professional Services Growth Alliance

1624 Market Street

Suite 202

Denver, CO 80202

2019 Spring Round Table – New York, NY

April 2019

“Building the High-Performance Team”

I shared lessons learned in building a leadership team while serving as the Regional Managing Partner for our firm, a job which entailed working with 11 distinct offices.

Copy not available.

Western Legal Leadership Council

1624 Market Street

Suite 202

Denver, CO 80202

2019 Spring Roundtable – Los Angeles, CA

January 2019

“Building the High-Performance Team”

I shared lessons learned in building a leadership team while serving as the Regional Managing Partner for our firm, a job which entailed working with 11 distinct offices.

Copy not available.

International Association of Business Communicators

330 N. Wabash Avenue

Suite 2000

Chicago, IL 60611

Denver, CO

October 2016

“Client Service – Inside and Out”

I shared lessons learned from creating a “Client Service Experience” for our clients at Hogan Lovells, for clients in Denver, and around the nation.

Copy not available.

Legal Marketing Association

330 N. Wabash Avenue

Suite 2000

Chicago, IL 60611

2013 Legal Marketing Association Annual Conference – Las Vegas, NV

April 2013

“Making Client Service a Differentiator”

I shared with marketing professionals the ideas that we developed in Hogan Lovells’ Denver office in building out our client base and in recognizing services we could provide that differentiated our firm from other law firms.

Copy not available.

Office of the City Attorney/Office of the Mayor

1437 Bannock Street, 3rd Floor

Denver, CO 80202

Presentation to Finance Committee

August 2006

“Discussion of Current CCD Financial Practices & Financial Management Task Force Recommendations”

I provided this presentation to a Task Force determining whether changes were needed in Denver’s City Charter to create a new position for a Chief Financial Officer for the City and County of Denver. At the time of the presentations, I was the City Attorney and Chief of Staff to the Mayor.

Copy supplied.

Office of the City Attorney/Office of the Mayor

1437 Bannock Street, 3rd Floor

Denver, CO 80202

Presentation to Denver Mayor and his Cabinet

February 2005

“2005 Employee Survey Results”

On behalf of the Denver City Attorney’s Office, I briefed the Mayor and the Cabinet on the 2005 Employee Survey results for the Office of the City Attorney.

Copy supplied.

Denver City Council

1437 Bannock Street, 3rd Floor

Denver, CO 80202

Presentation to Denver City Council

October 2005

“Briefing”

On behalf of the Denver City Attorney’s Office, I explained the significant savings that our Reorganization had given to the City.

Copy supplied.

Office of the City Attorney
Wellington Webb Building
201 W. Colfax Avenue
Denver, CO 80202
Presentation to City Attorney's Office
October 2004 (Approximately)
"Seeing, Improving, Executing"
I presented the proposed Reorganization of the City Attorney's Office and explained the multiple changes and the reasons behind the most extensive changes in 20 years.
Copy supplied.

- 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:

Senators Recommend Regina Rodriguez for U.S. District Court Judgeship, LAW WEEK COLORADO, February 8, 2021. Copy supplied.

Q3 Managing Partner Roundtable, LAW WEEK COLORADO, September 13, 2019. Copy supplied.

Cole Finegan, Hogan Lovells, LAW WEEK COLORADO; March 6, 2019. Copy supplied.

Lateral Move Boosts Hogan Lovells' Real Estate Practice, LAW WEEK COLORADO, March 27, 2017. Copy supplied.

Honorary Partner Award, DENVER BUSINESS JOURNAL, 2016. Copy supplied.

A Shifting Career Forecast, LAW WEEK COLORADO, November 21, 2016. Copy supplied.

Why It Works the Way It Works, LAW WEEK COLORADO. Copy supplied.

Legislative Session Notable for More Losses than Wins, LAW WEEK COLORADO, May 26, 2016. Copy supplied.

Cole Finegan on Colorado Politics and the Art of the Big Bet, COLORADO POLITICS, January 13, 2016. Copy supplied.

Managing Partner Q&A, LAW WEEK COLORADO, December 21, 2015. Copy supplied.

Good Company: Cole Finegan, COLORADOBIZ, July 16, 2015. Copy supplied.

'Citizenship' Galvanizes Global Firm to Give Back, LAW WEEK COLORADO, June 4, 2015. Copy supplied.

Worthy Captain, LAW WEEK COLORADO, December 16, 2013. Copy supplied.

The Power Issue, December 2011. Copy supplied.

Miklosi Support Rises for 6th CD: The State Lawmaker Gets the Backing of ex-House Speaker Romanoff to Face Coffman, DENVER POST, December 7, 2011. Copy supplied.

Life According to Cole Finegan, 5280 MAGAZINE, April 2011. Copy supplied.

Lawyers of the Decade, LAW WEEK COLORADO, March 14, 2011. Copy supplied.

Finegan Decides Against Denver Mayoral Run, DENVER POST, November 8, 2010. Copy supplied.

Hogan & Hartson Merger with Lovells Will Land Firm in Top 10, COLORADOBIZ, April 2010. Copy supplied.

Finegan Appointed Regional FEMA Chief, DENVER BUSINESS JOURNAL, April 9, 2010. Copy supplied.

We Rank the Mile High City's Most Influential Powerbrokers in Our Primer on Who's Running Denver. Plus: A Look at Whose Stars Are Rising and Whose Stock Is Plummeting, 5280 MAGAZINE, January 2010. Copy supplied.

Hogan & Hartson, London Firm to Merge: The Washington, D.C. Based Firm with Offices in Denver Will Join with Lovells as of May 1, Pending Approval, DENVER POST, December 16, 2009. Copy supplied.

Hogan & Hartson Merging with UK Law Firm Lovells, DENVER BUSINESS JOURNAL, December 15, 2009. Copy supplied.

Roxane White Named Hickenlooper's New Chief of Staff, DENVER BUSINESS JOURNAL, September 11, 2009. Copy supplied.

Mayor's Top Aide a Finalist at Chamber: Hickenlooper May Lose His Third Chief of Staff as the Business Group Picks a Leader, DENVER POST, July 23, 2009. Copy supplied.

Staff and Wire Reports, DENVER ROCKY MOUNTAIN NEWS, January 21, 2009. Copy supplied.

Interview: Hogan & Hartson's Cole Finegan, Who Is Representing Union Station Owners in Talks with Developers, DENVER POST, 2008. Copy supplied.

About \$17 Million Will be Spent to Redevelop the Site as the Centerpiece for FasTracks. Construction Is to Begin Next January, DENVER POST, 2008. Copy supplied.

Union Project Plan Termed a 'Tough Deal', DENVER ROCKY MOUNTAIN NEWS, July 1, 2008. Copy supplied.

Union Station Revenue Booster: The Council Creates a Nonprofit that Could Spawn Millions More, DENVER POST, July 1, 2008. Copy supplied.

All Rail Lines Will Now be Above Ground, and a Regional Bus Facility Will be Underground, THE DENVER POST, 2007. Copy supplied.

Peña Snub "Disappoints" Richardson, DENVER POST, September 11, 2007. Copy supplied.

Strickland Leaving Hogan & Hartson, DENVER BUSINESS JOURNAL, April 24, 2007. Copy supplied.

Full Planes Send Flier Ire Higher: Airlines' Fight To Boost Slim Profits Means Weather or Other Delays Create a Ripple Effect Even the Bigwigs Can't..., DENVER POST, March 2, 2007. Copy supplied.

Former City Attorney Finegan To Join Law Firm, DENVER ROCKY MOUNTAIN NEWS, January 17, 2007. Copy supplied.

Hogan & Hartson Hires ex-Denver Attorney: Cole Finegan Left Mayor Hickenlooper's Administration Last Month.: His Practice Will Focus on Public Private..., DENVER POST, January 17, 2007. Copy supplied.

D.C. Firm's Denver Office Hires Finegan: Hogan & Hartson Wins the Race to Snag the Former Denver City Attorney and Mayoral Chief of Staff, DENVER POST, January 17, 2007. Copy supplied.

Hick's 'Preschool Matters' Facing Test Proposal Violates Separation of Church, State, Groups Say, DENVER ROCKY MOUNTAIN NEWS, October 4, 2006. Copy supplied.

Preschool Tax Sees Opposition: Civil Rights Group: No Money Should Go to Religious Schools, DENVER POST, October 4, 2006. Copy supplied.

Mayor's Chief Leaving, Finegan To Depart in December, Deputy to Take Over Position, DENVER ROCKY MOUNTAIN NEWS, September 27, 2006. Copy supplied.

"2-Hats" Finegan To Leave Mayor's Staff: John Hickenlooper's Top Aide is Also the City Attorney, Credited with Helping Overhaul Denver's Finances, DENVER POST, September 27, 2006. Copy supplied.

Mayor Hickenlooper Announces Executive Staff Changes, US STATE NEWS, September 26, 2006. Copy supplied.

Finegan Leaving Hickenlooper's Staff, DENVER BUSINESS JOURNAL, September 26, 2006. Copy supplied.

Finance System Nearing Changes, A Denver Council Panel OKs a Plan Some Members Call the "Most Important" Charter Move in 100 Years, DENVER POST, August 15, 2006. Copy supplied.

City Auditor Won't Support Plan for Chief Financial Officer, DENVER POST, August 8, 2006. Copy supplied.

Auditor Won't Back City's Finance Plan, DENVER POST, August 8, 2006. Copy supplied.

City Leaders Report Their Freebies Records Show Array of Perks for Elected, Appointed Officials, DENVER ROCKY MOUNTAIN NEWS, August 2, 2006. Copy supplied.

City Auditor Blows Chance to Make Case, DENVER POST, June 30, 2006. Copy supplied.

Editorial: Resolve Concerns of Police Bias, DENVER POST, May 18, 2006. Copy supplied.

New Yorker Ready to Sue over Graffiti, Entrepreneur Wants To Hold 'Bloc Party' Painting Exhibition, DENVER ROCKY MOUNTAIN NEWS, April 13, 2006. Copy supplied.

Make Your Case, Denver Tells Graffiti Artist: Officials Refuse to Budge on the City's Anti-Graffiti Ordinance Despite the Threat of a Lawsuit, DENVER POST, April 13, 2006. Copy supplied.

Mayor Wannabes Eye Job While Hick Deliberates, DENVER ROCKY MOUNTAIN NEWS, January 31, 2006. Copy supplied.

City Decides to Release Cops' Internal Affairs Files, DENVER ROCKY MOUNTAIN NEWS, January 25, 2006. Copy supplied.

City to Open Its Records Policy: Ruling to Increase Access: Denver's Decision Not to Appeal a Judge's Order to Release Internal Affairs Records from ..., DENVER POST, January 24, 2006. Copy supplied.

Editorial: Plugging a Civil Service Gap, DENVER POST, January 17, 2006. Copy supplied.

Penalty Sets Key Precedent for Police, DENVER POST, January 11, 2006. Copy supplied.

Police Reforms Ahead, Mayor's Aide Says Expert Will Offer New Ways to Fight Crime, DENVER ROCKY MOUNTAIN NEWS, December 8, 2005. Copy supplied.

Judge Orders Police to Turn over Reports, DENVER ROCKY MOUNTAIN NEWS, December 8, 2005. Copy supplied.

Council Votes to Add Cop Money to Budget, 102 Vote for 19 More Officers Is in Defiance of Hickenlooper, DENVER ROCKY MOUNTAIN NEWS, November 8, 2005. Copy supplied.

Council Adds 19 Cops to Budget, Mayor Lobbied Against Action in His First Big Clash with the Council, Hickenlooper Also Agrees to Replace 10 Denver ..., DENVER POST, November 8, 2005. Copy supplied.

Biography: Faatz Delivers Feisty Voice on Council, DENVER POST, October 24, 2005. Copy supplied.

City Attorney, Auditor Trade Accusations, DENVER ROCKY MOUNTAIN NEWS, September 22, 2005. Copy supplied.

City Attorney Criticizes Auditor, DENVER ROCKY MOUNTAIN NEWS, September 21, 2005. Copy supplied.

Audit of City Finds Sloppy Accounting, DENVER ROCKY MOUNTAIN NEWS, September 21, 2005. Copy supplied.

City Attorney Fires Back at Auditor's Blame, DENVER POST, September 21, 2005. Copy supplied.

Workers' Jackpot Auditor Wants Overpayments Returned to City, DENVER ROCKY MOUNTAIN NEWS, September 20, 2005. Copy supplied.

Denver Police Rack Up Overtime, \$6 Million Cost May Factor in Debate on Boosting Cop Hires, DENVER ROCKY MOUNTAIN NEWS, August 29, 2005. Copy supplied.

Gallagher Seeks Payment of Landing Fees, DENVER ROCKY MOUNTAIN NEWS, August 19, 2005. Copy supplied.

Lobato Family Hopes Suit Spurs Police Changes, DENVER POST, July 13, 2005. Copy supplied.

Denver's Process for Permits Still Costly, Slow, DENVER ROCKY MOUNTAIN NEWS, July 9, 2005. Copy supplied.

Finegan Appointed Acting Chief of Staff, DENVER ROCKY MOUNTAIN NEWS, July 6, 2005. Copy supplied.

Mayor Hickenlooper Names Finegan as Acting Chief of Staff, US STATE NEWS, July 5, 2005. Copy supplied.

Parade Bills Given Initial Nod: Measures Aimed at Stopping Protesters from Blocking Columbus Event, DENVER POST, June 14, 2005. Copy supplied.

'99 Legal Opinion Backs City, Denver Cops Don't Have To Tell Feds of Illegal Immigrants, DENVER ROCKY MOUNTAIN NEWS, May 18, 2005. Copy supplied.

No City Sanctuary Policy, Official Says, DENVER ROCKY MOUNTAIN NEWS, May 17, 2005. Copy supplied.

"Sanctuary" Policy Sparks Radio Fracas, DENVER POST, May 13, 2005. Copy supplied.

Tancredo Gets Flak for Criticism of City, DENVER ROCKY MOUNTAIN NEWS, May 12, 2005. Copy supplied.

Benefits Get All Clear Compensation, Ok'd for Injured Officer, Slain Cop's Family, DENVER ROCKY MOUNTAIN NEWS, May 11, 2005. Copy supplied.

Arbitrator Ok's 10% Pay Hike for Denver Sheriff's Deputies, DENVER ROCKY MOUNTAIN NEWS, March 30, 2005. Copy supplied.

Police Intel in Dispute, 2 Denver Officers in FBI Task Force Spark Concerns for ACLU, DENVER ROCKY MOUNTAIN NEWS, March 30, 2005. Copy supplied.

Another Suit Filed over 'Airport Waste' Case Cites Sewage, Deicing Fluid, Mold Problems at DIA, DENVER ROCKY MOUNTAIN NEWS, February 8, 2005. Copy supplied.

2nd Suit Claims Contamination at DIA Concourse: Lawyers for One Current and One Former United Worker Say Their Clients Were Sickened by Deicing Flu..., DENVER POST, February 8, 2005. Copy supplied.

Columbus Day Protesters Victorious in Court, INDIAN COUNTRY TODAY, February 2, 2005. Copy supplied.

Columbus Parade to March on: Foes Seek Repeal of Holiday: Opponents See the Celebration as Racist, While Organizers Say It's a Recognition of Their h..., DENVER POST, January 6, 2005. Copy supplied.

On Point, DENVER ROCKY MOUNTAIN NEWS, January 25, 2005. Copy supplied.

Parade Trials Fizzle, City Attorney Backs Off Vow to Prosecute Columbus Protesters, DENVER ROCKY MOUNTAIN NEWS, January 25, 2005. Copy supplied.

Cases Dropped against Columbus Parade Protesters, Prosecutors Do an About Face after a Third Judge Ends Loitering Charges against the Defendants, DENVER POST, January 25, 2005. Copy supplied.

Parade Disrupters Off the Hook, BOULDER DAILY CAMERA, January 25, 2005. Copy supplied.

Denver Marches on in Trials of Columbus Day Protesters: 230 Cases Remain: One of the Eight Leaders Acquitted Last Week in the First Round, Said All Ch..., DENVER POST, January 23, 2005. Copy supplied.

City to Pursue Parade Trials, Official Undeterred by Legal Setbacks, DENVER ROCKY MOUNTAIN NEWS, January 22, 2005. Copy supplied.

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City Seeks to Reinstate Turney Penalty: Denver Will Appeal a Ruling that Reduced the Officer's 10-month Suspension in the Shooting of Paul Childs to..., DENVER POST, January 21, 2005. Copy supplied.

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Profiling Lawsuit Is Settled for \$75,000, the Denver Man Claims Two Officers Roughed Him up Because He's Black, DENVER POST, October 28, 2004. Copy supplied.

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City's Truth Depends on Venue, DENVER POST, May 26, 2004. Copy supplied.

City Settles Childs Case: Denver To Pay \$1.325 Million to Family of Teenager Killed by Police: Council Must Ok: Denver's Moves to Reform Police Policy..., DENVER POST, May 26, 2004. Copy supplied.

Judge Turned Mediator Played Key Role in Pact, DENVER POST, May 26, 2004. Copy supplied.

Denver Agrees to Pay \$1.3 Million to Family of Teen Slain by Police, AP ONLINE, May 25, 2004. Copy supplied.

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Childs Slaying Divides Council: Response to Police Shooting of Teen Leaves Denver Officials at Odds, DENVER POST, December 5, 2003. Copy supplied.

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Email Misuse Brings Sanction: Assistant City Attorney Suspended in Denver, DENVER POST, November 20, 2003. Copy supplied.

Affirmative Action Victory Supreme Court Won't Review City's Minority Program, DENVER ROCKY MOUNTAIN NEWS, November 18, 2003. Copy supplied.

New City Attorney Won't Cut All Ties to Law Firm, Finegan To Steer Clear of His Former Clients, Partners, DENVER POST, October 2, 2003. Copy supplied.

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DPS Foundation Sets Ambitious Goals, Board Members Vow to Hit Record Level of Fund Raising, DENVER ROCKY MOUNTAIN NEWS, December 2, 2002. Copy supplied.

Successful Partnering Between Inside and Outside Counsel, COLORADO LAWYER, July 31, 2002. Copy supplied.

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Rio Rancho Will Let Money Flow to Buy Utility, ALBUQUERQUE JOURNAL, January 31, 1995. Copy supplied.

State to Pay \$210,000 in Whistleblower Case, DENVER ROCKY MOUNTAIN NEWS, November 26, 1992. Copy supplied.

Ex-PUC Chief Sought Favors Papers Show, JENNIFER GAVIN AND ADRIEL BETTELHEIM, DENVER POST, October 16, 1992. Copy supplied.

Wife Had Clue Before Court Nominee Knew, DENVER ROCKY MOUNTAIN NEWS, September 19, 1992. Copy supplied.

At Times, He's Mister Romer, Suit Claims, DENVER ROCKY MOUNTAIN NEWS, July 16, 1992. Copy supplied.

Public Utilities Chairman Quits Under Pressure, Romer Seeks Resignation After Inquiry into Claims by Whistleblower, Finds Public Trust Has Eroded, DENVER ROCKY MOUNTAIN NEWS, June 12, 1992. Copy supplied.

Romer Sues Legislature in Bid to Validate His Vetoes, Lawmakers Claim Five Vetoes Came Too Late, Order Bills Printed as Law, DENVER ROCKY MOUNTAIN NEWS, September 18, 1991. Copy supplied.

Yes, There's Life After Crashing and Burning, DENVER ROCKY MOUNTAIN NEWS, June 28, 1991. Copy supplied.

City to Pick First Black Mayor Early, Webb Campaigns Have Bolstered Their Get Out To Vote Efforts, but Poor Turnout Forecast, DENVER ROCKY MOUNTAIN NEWS, June 18, 1991. Copy supplied.

'War Chest' of DA Tops Million Mark, DENVER POST, June 15, 1991. Copy supplied.

Poll: Webb, Early a Dead Heat, City Auditor Has Gained Since May 21 Election, Leaving Race for Mayor of Denver 'Wide Open', DENVER ROCKY MOUNTAIN NEWS, June 14, 1991. Copy supplied.

Webb's Climb in Post Poll Slow, Steady, DENVER POST, June 13, 1991. Copy supplied.

Webb, Early Each Get 40 Percent in Polling, DENVER POST, June 10, 1991. Copy supplied.

Early, Webb Neck and Neck in Mayor Race, DENVER POST, June 9, 1991. Copy supplied.

Runoff Foes Early, Webb to Face Off in TV Debates: College-style or a Free For All?, DENVER POST, May 25, 1991. Copy supplied.

Close Look Reveals Crucial Differences in Candidates, DENVER POST, May 26, 1991. Copy supplied.

Early to Return \$13,625 to Brokers: Campaign May Keep S&L Defaulter's Gift, DENVER POST, May 17, 1991. Copy supplied.

Early Lead Fades by Another Point; Runoff Likely, DENVER POST, May 14, 1991. Copy supplied.

Bain Challenges Early on Record: Issue Raised on Question of Plea Bargains, DENVER POST, April 24, 1991. Copy supplied.

Bain, Early Quiet on Votes Each Campaigned in Only One of Several Elections, Observers See as Important to the Future of Denver, DENVER ROCKY MOUNTAIN NEWS, April 18, 1991. Copy supplied.

Early Parries Stings with Ridicule Frontrunner, Dismisses Allegations as 'Scud Missiles,' but Foes Keep Up the Serious Attacks, DENVER ROCKY MOUNTAIN NEWS, April 15, 1991. Copy supplied.

Stevens Tries to Link Early to S&L Scandal, DA Challenges Mayoral Candidate To Offer Facts or 'Stop Launching Those Scud Missiles', DENVER ROCKY MOUNTAIN NEWS, March 29, 1991. Copy supplied.

Stevens Tries to Link Early, Scam, DENVER POST, March 29, 1991. Copy supplied.

Early Boots Campaign Manager, DENVER ROCKY MOUNTAIN NEWS, January 15, 1991. Copy supplied.

Airport Backers Disclose War Chest, DENVER POST, March 3, 1990. Copy supplied.

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.

I have not run for public office. I was appointed to the positions listed below:

Legislative Assistant, Press Secretary, Chief of Staff, Office of U.S. Representative James R. Jones (Oklahoma) (1978-1986). I was appointed by Congressman James R. Jones.

Chief Legal Counsel and Director of Office of Policy & Initiatives, Office of the Governor of Colorado (1991-1993). I was appointed by Governor Roy Romer (Colorado).

City Attorney for the City and County of Denver (2003-2006); Chief of Staff for the Mayor of Denver (2005-2006). I was appointed by Mayor John W. Hickenlooper (Denver, Colorado).

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

I am a member of the Democratic Party and I have held unpaid and paid positions with the campaigns listed below:

Finance Chair (Unpaid), Bennet for America (2019)
Finance Chair (Unpaid), Michael Bennet for U.S. Senate (2016)
Finance Chair, (Unpaid), Mark Udall for U.S. Senate (2014)
Colorado Finance Chair* (Unpaid), (*One of four), Obama for President (2012)
Finance/Election Chair, (Unpaid), Hickenlooper for Governor (2010)
Finance Chair (Unpaid), Michael Bennet for U.S. Senate (2010)
Finance Chair, (Unpaid), Mark Udall for U.S. Senate (2008)
Campaign Manager, Norm Early for Mayor (January – June 1991)
Campaign Manager, Jones for U.S. Senate (March – November 1986)
Campaign Manager, Jones for Congress (May – November 1984)
Field Staff Coordinator, Jones for Congress; responsible for Get Out the Vote, press relations (August – November 1980)
Field Coordinator, James R. Jones Election Committee (U.S. House of Representatives) (Jones for Congress) (June – November 1978)

In 2002, I represented Congressman Mark Udall's campaign committee in litigation related to congressional redistricting (*People ex Rel. Salazar v. Davidson*, 79 P.3d 1221 (Colo. Dec. 1, 2003)).

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 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.

March 1987 – January 1991
Attorney (Associate)
Brownstein, Hyatt, Farber, & Strickland, P.C.
410 17th Street, 22nd Floor
Denver, CO 80202

July 1991 – February 1993
Chief Legal Counsel, Director of Office of Policy & Initiatives
Office of the Governor
State of Colorado
State Capitol, Room 136
Denver, CO 80203

February 1993 – October 2003
Shareholder
Brownstein, Hyatt & Farber, P.C.
410 17th Street, 22nd Floor
Denver, CO 80202

October 2003 – December 2006
City Attorney, City and County of Denver
City and County of Denver, Suite 353
Denver, CO 80202

July 2005 – December 2006
Chief of Staff, Office of the Mayor
Mayor John W. Hickenlooper
City and County of Denver, Suite 353
Denver, CO 80202

February 2007 – Present
Office Managing Partner (May 2007 – Present)
Regional Managing Partner for the Americas (excluding Washington,

D.C.) (July 2014 – June 2020)
Board of Directors (May 2013 – June 2014)
Hogan Lovells US LLP
1601 Wewatta Street, Suite 900
Denver, CO 80202
(Prior to August 2016, the office address was: 1200 17th Street, Suite
1500, Denver, CO 80202)

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

I have not served as a mediator or arbitrator.

b. Describe:

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

In 1987, I began the practice of law as a first-year associate at Brownstein, Hyatt, Farber, and Madden, P.C. in Denver, Colorado. In the first four years of practicing law, I focused on basic real estate issues and administrative law, with an emphasis on land use law. As an associate lawyer, I worked for multiple partners on civil litigation, administrative cases, corporate transactions, legislative and policy matters, as well as campaign finance issues and cases. The firm and its associates worked in multiple disciplines.

In 1991, I became the Chief Legal Counsel (and Director of the Office of Policy & Initiatives) for Colorado Governor Roy Romer. In that capacity, I worked for and advised Governor Romer, his front office staff, and his Cabinet (the Executive Directors for the 17 state agencies and their staff members). I focused exclusively on state-related matters, which included, but were not limited to: review of all legislation proposed in the state General Assembly, including representing the Governor in any disputes with the General Assembly (such as disputes over vetoed legislation and congressional redistricting); prison and criminal reform issues; investigation and review of all proposed judicial appointments; requests for pardons and paroles; disputes and issues related to natural resources and the environment, including state parks; Colorado Bureau of Investigation matters; and, engagement in preparing and implementing the multi-billion dollar state budget.

Within weeks of joining Governor Romer's office, he expanded my title and role to include "Director of the Office of Policy & Initiatives." Because of my additional role, I supervised a policy development staff of

approximately 60 people working on economic, environmental, health care, energy, criminal justice, telecommunications, transportation, and education policy issues.

In 1993, I returned to my former firm and was a shareholder in the firm. I represented corporate clients, including real estate businesses; trade associations, such as the Colorado Credit Union League and others; local and state governmental entities (in Colorado and in New Mexico); nonprofit organizations; and certain individuals. My work included legislative and public policy issues (including lobbying); representing private businesses and individuals on various matters, including local, state, and federal governments; and negotiations between private businesses on multiple commercial issues.

On October 1, 2003, Mayor John Hickenlooper appointed me as the City Attorney for the City and County of Denver (the “City”). The City Attorney is the lawyer for the Mayor as well as the City’s agencies and employees, including the 13-person City Council. In my tenure, I supervised approximately 100 lawyers involved in all aspects of city government (including criminal, land use, and contract) as well as a section of non-lawyers devoted to victim advocacy. The character of my practice from 2003 until December 2006, was exclusively public as the Chief Legal Officer for the City and devoted completely to serving all legal needs for the City. In July 2005, the Mayor selected me as his Chief of Staff, and I served as both City Attorney and the Chief of Staff until leaving the City on December 1, 2006. In these dual capacities, I supervised the Department of Law as well as the Mayor’s Cabinet, and I oversaw the City’s legal and operational activities.

In 2007, I joined the Denver office of Hogan & Hartson as a partner. Since May 2007, I have served as the Office Managing Partner in Denver, supervising approximately 80 lawyers (sometimes as many as 95) as well as a business services staff of approximately 100 persons. My practice has focused broadly on the intersection of business and government, with a particular emphasis on creating and expanding public private partnerships. In 2012, the partners elected me to serve on the Board of Directors for Hogan Lovells (the “Board”), and the firm’s Chief Executive Officer selected me, in 2014, to serve on Hogan Lovells’ International Management Committee (IMC) as the Regional Managing Partner for the Americas (excluding Washington, D.C.). The IMC consists of approximately 15 people responsible for managing the firm, which comprises more than 2,800 lawyers. From 2014 until July 2020, I continued to practice law, but my primary duties became more managerial in scope, supervising over 500 lawyers and the business staff personnel in 11 offices in the United States, Mexico, Venezuela, and Brazil.

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

In my three different chapters in private practice, my clients and areas of practice varied over the years. While at Brownstein Hyatt from 1987-1991, I represented civic organizations on issues related to municipal laws and the planned development of Denver International Airport; major corporations on tax issues and federal legislative policies; real estate businesses on local land use, zoning, and general business issues; and professional sports organizations and Colorado ski resorts on business and administrative issues. In my second chapter at Brownstein Hyatt from 1993-2003, I focused on legislative and policy work as well local land use, administrative law, and municipal law issues, representing civic organizations, local real estate businesses, contractors, national corporations, trade associations, telecommunications companies, Colorado ski resorts, and some individuals. I also represented cities in New Mexico (Santa Fe and Rio Rancho) that purchased municipal water systems.

Since joining Hogan Lovells (2007-present), I have focused primarily on public-private partnerships and the redevelopment of U.S. Highway 36, representing a state agency on the change in transportation uses for a major highway connecting Boulder and Denver. I also have worked on administrative law issues, real estate and land use matters (including zoning), legislative and policy matters, defending criminal investigations of clients, aviation-related matters, and many different transactions that involved local, state, and federal agencies.

Serving as Governor Roy Romer's Chief Legal Counsel (1991-93), I represented Governor Romer as well as the front office staff, and the Governor's Cabinet. Serving as the City Attorney for the City and County of Denver (2003-2006), my clients were the Mayor, the City Council, the City's agencies, and the thousands of employees who worked for all City agencies, boards, and commissions.

- 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.

Throughout my career, I have appeared in court infrequently. As an associate attorney at Brownstein, I appeared in court several times as a support lawyer for litigation matters. As an associate, and later as a shareholder, I appeared before administrative agencies and occasionally before administrative law judges, where I made presentations and answered questions. I appeared in state court in 2002-2003 on behalf of U.S. Representative Mark Udall's campaign committee. As the Governor's primary lawyer, I appeared twice in federal court to make arguments on his behalf and to answer questions from the judges. As the Denver City

Attorney, I appeared in court approximately 12 times to explain the City's positions on certain matters, to answer questions from the judges, and to discuss strategy with our attorneys and make major decisions on the case at hand, if necessary.

- i. Indicate the percentage of your practice in:
 1. federal courts: 1%
 2. state courts of record: 0%
 3. other courts: 10%
 4. administrative agencies: 89%
- ii. Indicate the percentage of your practice in:
 1. civil proceedings: 100%
 2. criminal proceedings 0%
- c. 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 not tried any cases by myself. By my recollection, I appeared approximately half a dozen times in cases before administrative law judges.

- i. What percentage of these trials were:
 1. jury: None
 2. non-jury: Any cases before an administrative law judge were decided by an administrative law judge
- d. 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.

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.

As noted earlier, I am not a litigator. Whether in private practice or public service, I always involved experienced litigators in my cases and then worked with them on strategy as well as on client communications, public communication strategies, and other details of the matter. While the City Attorney, I worked regularly with litigators and prosecutors on ongoing cases. See below for significant legal matters I have worked on.

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.)

Perhaps the most significant legal activities in my career relate directly to my service as Denver's City Attorney as well as Chief of Staff to the Mayor. I worked daily with the Manager of Public Safety, the Denver Police Department, and the Denver Sheriff's Office. During this period (2003-2006), Denver's police department was involved in several highly publicized incidents in which police officers shot and killed citizens. The most prominent incident involved the death of Paul Childs, a 15-year-old developmentally disabled child who was shot and killed by Officer James Turney in July 2003. This event triggered multiple conflicts and crises over the ensuing months. The Childs family hired The Cochran Firm and notified the City that the family intended to sue for more than \$5 million. I supervised a group of eight attorneys, and we worked for months with the family to settle the case, working closely with former Judge Richard Dana of the Judicial Arbitrator Group. We settled the case in May 2004, for \$1.325 million (at that time, it was the largest settlement in City history for a matter related to a police shooting).

As a result of the killing of Mr. Childs, the Denver Manager of Safety suspended Officer Turney for 10 months, and this action led to multiple hearings before the Civil Service Commission as Officer Turney sought to overturn his punishment. The Police Protective Association supported Officer Turney and approximately 500 police officers assembled on the steps of the City and County Building to protest the Mayor's support for the suspension. In the meantime, Mayor Hickenlooper committed to a series of reforms, and appointed me as a co-chair (along with the Manager of Safety, Chief of Police, and the Mayor's Chief of Staff) of a special task force that included community activists, citizens, and law enforcement officials. Our tasks were to review the use of force by Denver police and to study civilian oversight of the police department. We met in extremely tense public gatherings almost every week for several months, with the City Attorney's Office responsible for review of all legal issues and policy coordination of all matters related to the task force. Our efforts resulted in the creation of Denver's first independent police monitor, and the Mayor unveiled a series of reforms to improve training and to review the use of deadly force by the department. To assist those efforts, and because of the tension among various communities in Denver and the police department, I assigned an assistant City Attorney to work solely on police-related, public safety and policy matters.

During my tenure as Denver's City Attorney and Chief of Staff to the Mayor, I reorganized the City Attorney's Office for the first time in 20 years and saved the City more than \$1 million by cutting outside legal services and expanding our capacity to try

our own cases. I also assigned an additional three lawyers to our domestic violence unit.

In 2003, I helped resolve the so-called “Spy Files” case that had been ongoing between the American Civil Liberties Union and the City since 1997. In that instance, the police department was forced to release secret files kept over the years on activists allegedly engaged in illegal actions. We reached a settlement agreement in which those files were archived with the Denver Public Library and were made available for review.

In 2005-2006, in my dual role as City Attorney and Chief of Staff, I helped lead the initiative requiring the Denver Police Department to release its internal affairs records for the first time, ending a years-long pattern of the police department issuing blanket denials for open-records requests for police internal affairs files. I also helped initiate and supervise a major restructuring project to study and implement different community policing models in Denver.

In 2005, I was involved closely in a tragic case in which a Denver police officer, Donald Young, was murdered by Raul Garcia-Gomez, an illegal immigrant. Mr. Garcia-Gomez had been cited for traffic violations on three separate occasions before the murder, but he had not been detained because of police procedures that did not require officers “to initiate police actions with the primary objective of discovering the immigration status of a person.” Then Congressman Tom Tancredo attacked the Denver Police Department and city government, falsely asserting that Denver was a “sanctuary city” that prohibited local law enforcement from working with federal officials on immigration matters. A lengthy debate centered on an executive order issued by Mayor Wellington Webb in 1998, asserting that Denver police would not initiate immigration actions against persons not suspected of other criminal activity. Our office reviewed a 1999 legal opinion by the City Attorney, and I concurred that the Executive Order drew a clear distinction between the criminal and civil aspects of federal immigration laws. If a person was arrested for a criminal act, he or she would be referred to federal immigration authorities, but otherwise no referral was mandated.

While serving as Governor Romer’s Chief Legal Counsel from 1991-1993, there were two legal matters that stand out for me. First, in January 1993, a state agency erroneously issued a permit to a local Ku Klux Klan chapter, allowing the group the right to stage a rally on the steps of the State Capitol. The Klan scheduled the rally to coincide with a parade scheduled to celebrate the life of Dr. Martin Luther King. Fearing imminent violence, I worked with Deputy Attorney General Maury Knaizer to file for injunctive relief in federal court. Judge Richard Matsch rejected our arguments, siding with the First Amendment claims of the Klan. Unfortunately, violence did ensue during the rally with injuries to participants and the overturning of a Denver police car.

The second incident of note involved a long-running dispute on drawing congressional district lines, between Governor Romer and the Republican-majority General Assembly. After repeated gubernatorial vetoes, a special legislative session was scheduled specifically to resolve the issue. In the meantime, a special panel of three federal judges was appointed, along with a Special Master (the dean of the University of Colorado Law

School) to hear arguments on both sides in an effort to reach an agreement. Because of conflicts alleged by the Colorado Attorney General, I supervised our presentation in federal court, worked with outside counsel, made oral arguments in court, and answered questions from the judges. We did resolve the dispute in a manner acceptable to both sides.

In private practice, I recall two cases that were especially significant:

Through my career in private practice and public service, I have been involved in almost every major public-private partnership in Denver, including the redevelopment of Stapleton Airport and the redevelopment of Denver's Union Station. In 2007, a consortium of the City and County of Denver, the Regional Transportation Department, the Colorado Department of Transportation, and the Denver Regional Council of Governments engaged me to assist in the long-anticipated redevelopment of Denver's Union Station. In 1995, while working at Brownstein, Hyatt, Farber, & Strickland, I led the rezoning of Denver's Central Platte Valley (where Union Station is located). Now, 12 years later, I was once again involved, except this time my legal challenge was to negotiate agreements with private developers as well as to find creative ways to finance the infrastructure needed for a transportation hub that would feature light rail, buses, and trains. As the national economy deteriorated in 2008, we imaginatively created an entity called the Denver Union Station Project Authority (DUSPA) to use the City's financial tools, including its highly touted AAA Bond rating, to underwrite construction of the infrastructure and facilities needed. Unfortunately, the financial markets collapsed dramatically in late 2008, rendering those financial tools impracticable. Searching desperately for a solution since construction was already underway, the team I led determined that there were two unique "rail financing" programs that would permit DUSPA to borrow up to \$300 million from the U.S. Department of Transportation, leveraging the City's excellent credit ratings and "moral obligation" to serve as the collateral for the loan. Because of our innovative legal strategies and execution, Denver's Union Station redevelopment moved ahead, fueling an economic resurgence in downtown Denver. Additionally, because the economic success was so dramatic, DUSPA was able to retire the debt to USDOT several years ahead of schedule.

In late 2018, Trammell Crow Company was fired by the City and County of Denver (the "City") for allegedly engaging in "bid rigging" with possible contractors preparing to bid on building the \$220 million expansion of Denver's Convention Center. Trammell Crow was the City's Project Manager, and it was alleged that a key Trammell Crow employee had shown city documents to private construction firms and contractors that tainted the fair bidding process. The City referred the matter to the Denver District Attorney as well as to the Colorado Attorney General, requesting an investigation into possible criminal violations by the company. Trammell Crow engaged me to investigate all actions taken by its Denver team; to determine what criminal activity, if any, had occurred; and, to advise the company as it navigated the maze of the District Attorney's office, the Attorney General's office, and the Denver City Attorney's office. I assembled approximately 15 lawyers to review thousands of emails, memoranda, blueprints, and documents related to the company's work for the City. I then worked closely with two

senior litigators with criminal law experience to devise a strategy that would (a) ensure that the company cooperated fully with the government, and (b) that the company resolved all issues in a manner that permitted it to salvage its reputation and to remain a viable commercial entity. I met several times in person with key lawyers for the District Attorney's Economic Crimes Unit and the Attorney General's Anti-Trust Division to present our extensive findings, to explain completely what had occurred, and to outline the steps the company was taking to strengthen its internal procedures to avoid any further violations. After two years of investigations and meetings, the Denver District Attorney took no action against Trammell Crow. The Colorado Attorney General and Trammell Crow resolved all civil and criminal disputes, with the company agreeing to make a payment to the Attorney General's office, to establish an internal compliance program, and to make annual presentations for three years on "lessons learned" in ethics and compliance issues. The Attorney General noted publicly that Trammell Crow was assessed a smaller monetary penalty than assessed other actors in the matter because of its early and full cooperation in the investigation. Trammell Crow also reached a settlement agreement with the City.

I performed lobbying activities during my two stints at Brownstein Hyatt and primarily between 1993-2003. To the best of my recollection, and relying upon any records available to me and public information, I lobbied for the following clients: Western Union (worked on changes in tax legislation related to the transfer of assets); Alliance for Capital Access (worked on issues related to financial instruments); M.D.C. Asset Investors (issues related to financial instruments); the Colorado Credit Union League (monitoring any legislation that affected credit unions in Colorado); First Nation Gaming (assisted on administrative matters before the National Gaming Commission and related matters); Tele-Tech Services (monitoring legislation that affected telephone call-in centers); KinderCare (tracking legislation that could affect a national child-care company); Republic Health (working on legislation related to physician-owned clinics and tax legislation in the House of Representatives); Vector Group (monitoring federal export regulations, tobacco tax issues, and public health legislation); George K. Baum & Co. (working on certain 501(c)(3) related issues); First Data (worked on issues related to data protection); Global Crossing (issues related to telecommunications); Vail Resorts (issues related to the ski industries in Colorado); Pfizer (issues related to tax policies and regulatory changes); and US West (worked on telecommunications issues).

A review of public records also shows me listed as one of several lawyers for the following Brownstein Hyatt clients, but I have no recollection of any work I performed in those instances: AT&T; DelAmerican; SHORE; American Salvage Pool Association; Cadiz; Buena Vista Rancheria at Ione; Apollo; Clear Channel Entertainment; College Loan Corp.; Collier Enterprises; Expanets; Lightsquared; Luna Entertainment; Mallon Resources; National Cable & Telecommunications Association; Next Wave Personal Communications, Inc.; NL Industries; Oil Exchange; Precision Castapart Corporation; Public Children Services Association of Ohio; Veeder Root Corp.; Discount Refrigerants; Rhythms Net Connections, Inc. Trout & Raley; Warren Rogers Associates; Simmons Inc.; Ustman Technologies; and United Airlines. In my first years at Brownstein Hyatt, I assisted in filing required documents because of my familiarity with the process, and I

may have been listed on some filings simply because of my signature.

At Hogan Lovells, my lobbying activity was primarily between 2007-2014 for the following clients: Xanterra Parks & Resorts, Inc. (working on National Park matters with congressional members and the Department of Interior); Anschutz Corporation (advising on policies and issues related to planning, siting, permitting, and the cost allocation of electric transmission facilities); Tap Pharmaceuticals (advising on issues related to Medicaid coverage and reimbursement); and Amgen (advising on issues related to tax policies, Medicaid rebate laws, and Medicaid coverage and reimbursement).

My last lobbying work was for the City and County of Denver in 2018, and we monitored issues in the federal budget and appropriations process that would be of interest to the City.

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.

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

None.

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.

No, I do not have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during my public service.

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 SF-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).

Please see the 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 will consult with the Department of Justice's ethics office and Designated Ethics Officer to identify 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.

Through my many years practicing law, I have been deeply committed to performing pro bono legal services as well as engaging in our community in multiple ways. From 2007 to the present, I have consistently performed at least 20 hours per year of pro bono service, performing as many as 60.5 hours in 2015. These services often have involved review of documents, negotiations on real estate transactions, negotiations with government entities (such as zoning administrators), analysis and rewriting of governing documents, and assistance on other issues that emerged. While at Hogan Lovells, I have provided pro bono legal services to the following clients: Veterans Green Jobs; Thomas and Jean L. Griesen; the Denver Exploratory Committee; the Denver Justice Council; Denver Metro Chamber of Commerce; Colorado Forum; Rocky Mountain Human Services; Clyfford Still Art Collection; Denver Children's Advocacy Center; Great Falls Studios; Denver Scholarship Foundation; Children's Museum of Denver; Colorado Black Chamber of Commerce; and, Energize Colorado.

Additionally, I am deeply committed to the expansion of victims' rights and have worked in multiple ways to advance that cause. As the City Attorney for Denver, I helped conceive, along with then Denver District Attorney Mitch Morrissey and then Councilman (now Mayor) Michael Hancock, the creation of the first family justice center in Colorado (now called the Rose Aandom Center) devoted solely to battling against domestic violence and helping victims of domestic violence. When I returned to private practice in 2007, I became engaged as the Center's pro bono counsel. In that role, I personally performed over 150 hours of pro bono service and engaged other lawyers in our firm to handle every aspect of creating the Center, including real estate transactions; negotiations and agreements among multiple local, state, and federal agencies; and the review of applications for government funds. Moreover, I helped raise a significant portion of the more than \$10 million needed to build and open the center in 2016.

Over the years, I have provided many hours of free legal assistance to numerous nonprofit organizations, including but not limited to, the Colorado Black Chamber of Commerce Foundation, Denver Public Schools, the Denver Public Schools Foundation, the Rape Assistance and Awareness Program, the Children's Museum of Denver, the Denver Exploratory Committee, and the GAP Fund (related to providing COVID-19 funds to affected individuals and companies).