

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Adam Lorne Braverman

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

United States District Court Judge for the Southern District of California

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

Office: United States Department of Justice
950 Pennsylvania Avenue, Northwest
Washington, District of Columbia 20001

Residence: San Diego, California

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

1975; Columbus, Ohio

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.

1997 – 2000: The George Washington University Law School, Juris Doctorate, 2000

1993 – 1997: The George Washington University, Bachelor of Arts, 1997

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.

2019 – Present
Office of the Deputy Attorney General
United States Department of Justice

950 Pennsylvania Avenue, Northwest
Washington, District of Columbia 20001
Associate Deputy Attorney General

2017 – 2019
United States Attorney's Office for the Southern District of California
880 Front Street
San Diego, California 92101
United States Attorney

2008 – 2017
United States Attorney's Office for the Southern District of California
880 Front Street
San Diego, California 92101
Deputy Chief, Criminal Enterprise Section
Assistant United States Attorney

2007 – 2008
Hon. Consuelo M. Callahan
United States Court of Appeals for the Ninth Circuit
501 I Street
Sacramento, California 95814
Law Clerk

2004 – 2007
Goodwin Procter LLP
901 New York Avenue, Northwest
Washington, District of Columbia 20001
Associate

2002 – 2004
Hon. Reggie B. Walton
United States District Court for the District of Columbia
333 Constitution Avenue, Northwest
Washington, District of Columbia 20001
Law Clerk

2001 – 2002
William E. Artz, P.C.
8270 Greensboro Drive, Suite 700
Tysons Corner, Virginia 22102
Associate

2000 – 2001
Hon. Ann O'Regan Keary
Superior Court of the District of Columbia

500 Indiana Avenue, Northwest
Washington, District of Columbia 20001
Law Clerk

1999 – 2000
District of Columbia Law Students in Court Program, Inc.
4340 Connecticut Avenue, Northwest, Suite 214
Washington, District of Columbia 20008
Student-Attorney

1999 – 2000
Hogan Lovells LLP (formerly Hogan & Hartson, LLP)
555 13th Street, Northwest
Washington, District of Columbia 20004
Law Clerk

Summer 1998 (Approximate)
United States Attorney's Office for the District of Columbia
555 Fourth Street, Northwest
Washington, District of Columbia 20530
Intern

Summer 1997 (Approximate)
Bureau of Justice Assistance
Office of Justice Programs
United States Department of Justice
810 Seventh Street, Northwest
Washington, District of Columbia 20531
Paid Intern

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 United States Military. I registered for selective service upon turning 18.

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

United States Coast Guard Distinguished Public Service Award (2018)

Director of the Executive Office of the United States Attorneys Award for Superior Performance as an Assistant United States Attorney – Criminal (2017)

J. Michael Bradford Award Recipient by the National Association of Former United States Attorneys for Most Outstanding Performance by an Assistant United States Attorney (2016)

OCDETF National Award for Outstanding Investigation (2016)

FBI Director's Certificate of Appreciation for Prosecuting Major Criminal Case (2016)

DEA Administrator's Award (2014)

The George Washington University Dean's List (1994 – 1997)

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

Federal Bar Association Advisory Board (2017 – 2019)

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.

California (2006)
District of Columbia (2002)
Virginia (2000)

I am currently on inactive status in both Virginia and the District of Columbia. There has been no lapse in my membership in the California Bar.

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

United States Court of Appeals for the Ninth Circuit (2008)
United States District Court for the Central District of California (2016)
United States District Court for the Southern District of California (2008)
United States District Court for the Eastern District of Virginia (2005)

There have been no lapses in admissions.

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.

National Association of Former United States Attorneys (2019 – Present)

- 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, the National Association of Former United States Attorneys does not currently discriminate nor did it formerly discriminate 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.

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.

None.

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

None.

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

December 11, 2018: Speaker, United States Coast Guard Distinguished Public Service Award Ceremony, San Diego, California. Notes supplied. Press report supplied.

November 28, 2018: Speaker, San Diego Regional Hate Crimes Coalition Stop the Hate Community Forum, San Diego, California. Copy supplied.

October 22, 2018: Opening remarks welcoming prosecutors to the National Advocacy Center's West Coast Appellate Advocacy Class. I have no notes, transcript, or recording. The training was sponsored by the United States Department of Justice and the United States Attorney's Office for the Southern District of California, 880 Front Street, San Diego, California 92101.

October 16, 2018: Speaker, FBI's Citizen Academy, San Diego, California. I gave remarks to the FBI's Citizen's Academy about our office's efforts to protect the community. As part of my presentation, I provided them a copy of "The Federal Prosecutor," a speech delivered by then-Attorney General Robert Jackson at the Second Annual United States Attorneys Conference. I regularly quote from this speech when talking about the duties of a prosecutor and have attached a copy of that speech. I have no other notes, transcript or recording. The event was sponsored by the San Diego Field Office of the FBI, 10385 Vista Sorrento Parkway, San Diego, California 92121.

September 21, 2018: Speaker, First Annual Community Mentor Summit, San Diego, California. Copy supplied.

September 4, 2018: Speaker, Fentanyl Forum, San Diego, California. Copy supplied.

August 7, 2018: Speaker, City of San Diego's National Night Out, San Diego, California. I gave remarks about our office's efforts to protect the community. Due to time limitations, the remarks I gave were only a portion of what I was prepared to provide. Copy supplied.

July 31, 2018: Speaker, California District Attorney's Summer Conference,

Garden Grove, California. I gave remarks about our office's efforts to protect the community. I have no other notes, transcript or recording. The event was sponsored by the California District Attorneys Association, 921 11th Street, Suite 300, Sacramento, California 95814.

July 27, 2018: Speaker, Presentation to the United States Attorney's Office by community organizations, San Diego, California. Copy supplied.

July 17, 2018: Speaker, San Diego Regional Hate Crimes Coalition Stop the Hate Community Forum, El Cajon, California. Copy supplied.

June 5, 2018: Speaker, La Raza Lawyer's Association Board Meeting, San Diego, California. I spoke to the board of La Raza about our office's efforts to keep the community safe and desire to recruit diverse interns and attorneys to our office. I have no notes, transcript or recording. The event was sponsored by the San Diego La Raza Lawyers Association, Post Office Box 125010, San Diego, California 92112.

June 3, 2018: Speaker, Women of Color in Law Luncheon, San Diego, California. Copy supplied.

June 1, 2018: Speaker, Annual Law Enforcement Iftar Dinner, San Diego, California. I made brief remarks to a gathering of law enforcement leaders and community members to celebrate Ramadan. I have no notes, transcript or recording. The event was sponsored by the United States Attorney's Office for the Southern District of California, 880 Front Street, San Diego, California 92101; City of San Diego, 202 West C Street, San Diego, California 92101; and the Pacifica Institute, 5945 Pacific Center Boulevard, Suite 507, San Diego, California 92121.

April 18, 2018: Speaker, California State Sheriff's Association, Ontario, California. I gave remarks about our office's efforts to protect the community. I have no notes, transcript or recording. The event was sponsored by the California State Sheriffs' Association, 1231 I Street, Suite 200, Sacramento, California 95814.

April 4, 2018: Speaker, Southern District of California District Court Conference, San Diego, California. Copy supplied.

April 3, 2018: Speaker, Violent Crimes Against Children Unit's Protecting Victims of Child Sex Trafficking Training, San Diego, California. Copy supplied.

March 28, 2018: Panelist, 2018 United States Attorneys' National Conference, Washington, District of Columbia. I participated in a panel discussion titled "Human Trafficking, Smuggling and Related Border Issues." I have no notes,

transcript or recording. The event was sponsored by the United States Department of Justice, 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20001.

March 28, 2018: Panelist, "Going Dark and Other Technology-Related Investigative Challenges," 2018 United States Attorneys' National Conference, Washington, District of Columbia. I have no notes, transcript or recording. The event was sponsored by the United States Department of Justice, 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20001.

March 23, 2018: Speaker, "Excellence in Pursuit of Justice" Awards Ceremony, San Diego, California. Copy supplied.

March 20, 2018: Speaker, International Organized Crime Intelligence and Operations Center's Southern Border Labor Trafficking and Work Visa Conference, San Diego, California. Copy supplied.

March 18, 2018: Speaker, California Police Chiefs' Association Board of Directors Meeting, Long Beach, California. I gave remarks about our office's efforts to protect the community. I have no notes, transcript or recording. The event was sponsored by the California Police Chiefs' Association, Post Office Box 255745, Sacramento, California 95865.

March 16, 2018: Speaker, Binational Conference on Human Trafficking – Two Regions, One Border, Chula Vista, California. Copy supplied.

March 13, 2018: Speaker, United States Attorney Swearing-in Ceremony by United States District Court, San Diego, California. Copy supplied.

March 8, 2018: Speaker, Press Conference to announce indictment in Operation Jumping Rooftops, San Diego, California. Copy supplied.

March 6, 2018: Speaker, FBI's Citizen Academy, San Diego, California. Remarks are similar to the ones provided for the above October 16, 2018 entry.

March 1, 2018: Speaker, San Diego County Summit on Elder Abuse & Neglect Press Conference, San Diego, California. I gave remarks about our office's efforts to combat elder abuse and neglect. I have no notes, transcript, or recording. The event was sponsored by the San Diego County District Attorney's Office, Hall of Justice, 330 West Broadway, San Diego, California 92101.

February 28, 2018: Speaker, Press Conference to announce indictment and arrests in North County San Diego gang takedown, San Diego, California. Copy supplied. Video available at:
<https://www.youtube.com/watch?v=URXA2TtYoa8>

February 20, 2018: Speaker, Press Conference to announce expansion of Success Agents to Johnson Elementary School, San Diego, California. Copy supplied.

January 25, 2018: Speaker, Press Conference to announce United States Coast Guard offload of cocaine, San Diego, California. Copy supplied.

January 12, 2018: Speaker, California Gang Task Force Meeting, San Diego, California. I gave opening remarks regarding the United States Attorney's Office's efforts to fight violent crime. I have no notes, transcript or recording. The event was sponsored by the California Gang Task Force, 2880 Sunrise Boulevard, Suite 130, Rancho Cordova, California 95742.

November 28, 2017: Speaker, Fentanyl Forum, San Diego, California. Remarks are similar to the ones provided for the September 4, 2018 entry.

October 8, 2016: Presenter, 2016 National Association of Former United States Attorneys' Conference, Coronado, California. Copy supplied.

August 24, 2016: Presenter, 2016 Southwest Regional OCDETF Conference, Phoenix, Arizona. I gave a presentation along with my case agent about our work targeting the Sinaloa Cartel upon receiving an OCDETF National Award for Outstanding Investigation. Remarks are similar to the ones provided for the October 8, 2016 entry.

- 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.

Press release, *Defendants Charged Separately in Fentanyl Death Overdose & Pill Trafficking Scheme*, United States Attorney's Office for the Southern District of California, January 9, 2019. Copy supplied.

Press release, *Four Defendants Receive Significant Sentences for Child Exploitation Crimes*, United States Attorney's Office for the Southern District of California, December 18, 2018. Copy supplied.

Press release, *Defendant in Expanding Cocaine Conspiracy Involving Weapons Stockpile Sentenced to 135 Months*, United States Attorney's Office for the Southern District of California, December 14, 2018. Copy supplied.

Kristina Davis, *San Diego's U.S. Attorney Honored for Leadership in High-Seas Cocaine prosecutions*, San Diego Union-Tribune, December 11, 2018. Copy supplied.

Kristina Davis, *Hate Crimes on the Rise as the Divide Widens and Civility*

Erodes, San Diego Union-Tribune, December 10, 2018. Copy supplied.

Press release, *Investment Banker Jailed for Operating Unlicensed Money Transmitting Business*, United States Attorney's Office for the Southern District of California, December 3, 2018. Copy supplied.

Press release, *Mexican National Charged with Assaulting Border Patrol Agent*, United States Attorney's Office for the Southern District of California, November 29, 2018. Copy supplied.

Jade Hindmon, *San Diego US Attorney Discusses Rise In Reported Hate Crimes*, KPBS Midday Edition, November 28, 2018. Audio available at: <https://www.kpbs.org/news/2018/nov/28/san-diego-us-attorney-discusses-rise-reported-hate/#>.

Press release, *Government Contractors Found Guilty in \$11 Million Veteran Set-Aside Fraud Scheme*, United States Attorney's Office for the Southern District of California, November 21, 2018. Copy supplied.

Press release, *Jury Convicts San Diego Executive and Broker of \$50 Million Real Estate Fraud*, United States Attorney's Office for the Southern District of California, November 20, 2018. Copy supplied.

Lyndsay Winkley, *'Stop the Hate' Forum to Address Double-Digit Increase in Hate Crimes*, San Diego Union-Tribune, November 19, 2018. Copy supplied.

Press release, *United States Attorney Addresses Latest Hate Crimes Statistics and Announces Upcoming Hate Crimes Forum*, United States Attorney's Office for the Southern District of California, November 19, 2018. Copy supplied.

Press release, *Defendant Pleads Guilty to Importing over 20,000 Fentanyl Pills at the San Ysidro Port of Entry*, United States Attorney's Office for the Southern District of California, November 15, 2018. Copy supplied.

Press release, *Former U.S. Navy Captain Pleads Guilty and Former Master Chief Petty Officer Sentenced in Sweeping U.S. Navy Corruption and Fraud Probe*, United States Attorney's Office for the Southern District of California, November 13, 2018. Copy supplied.

Press release, *Disbarred Attorney Sentenced to Prison for Defrauding Former Clients and Investors*, United States Attorney's Office for the Southern District of California, November 9, 2018. Copy supplied.

Press release, *Jury Returns Conviction on Assault on Federal Officer Charge*, United States Attorney's Office for the Southern District of California, November 7, 2018. Copy supplied.

Press release, *Utah Man Pleads Guilty to Denial-of-Service Computer Hacking Attacks*, United States Attorney's Office for the Southern District of California, November 6, 2018. Copy supplied.

Press release, *Northrop Grumman Subsidiary Agrees to Pay \$31.65 Million for Overbilling U.S. Air Force in Civil and Criminal Settlements*, United States Attorney's Office for the Southern District of California, November 2, 2018. Copy supplied.

Press release, *Jury Returns Conviction on Felony Assault on Federal Officer Charges*, United States Attorney's Office for the Southern District of California, November 2, 2018. Copy supplied.

Press release, *United States Attorney Announces Resources for Election Day Program*, United States Attorney's Office for the Southern District of California, November 2, 2018. Copy supplied.

Press release, *Two San Diego Men Plead Guilty to Robbery Spree Involving 10 Metro PCS Stores and a Subway Restaurant*, United States Attorney's Office for the Southern District of California, November 1, 2018. Copy supplied.

Press release, *Guatemalan Drug Trafficker who Coordinated Maritime Cocaine Loads on High Seas Pleads Guilty*, United States Attorney's Office for the Southern District of California, November 1, 2018. Copy supplied.

Press release, *Brothers Operating Import/Export Business Plead Guilty to International Drug Trafficking*, United States Attorney's Office for the Southern District of California, November 1, 2018. Copy supplied.

Press release, *Chinese Intelligence Officers and Their Recruited Hackers and Insiders Conspired to Steal Sensitive Commercial Aviation and Technological Data for Years*, United States Attorney's Office for the Southern District of California, October 30, 2018. Copy supplied.

Press release, *Bitcoin Dealer Pleads Guilty & Agrees to Forfeit Ill-Gotten Gains*, United States Attorney's Office for the Southern District of California, October 29, 2018. Copy supplied.

Press release, *Vista Man Sentenced for Drug Trafficking and Firearms Offenses*, United States Attorney's Office for the Southern District of California, October 26, 2018. Copy supplied.

Press release, *San Diego Jury Convicts Child Predator*, United States Attorney's Office for the Southern District of California, October 25, 2018. Copy supplied.

Press release, *Former U.S. Navy Commander Sentenced for Bribery Conspiracy with Foreign Defense Contractor in Massive U.S. Navy Corruption and Fraud Case*, United States Attorney's Office for the Southern District of California, October 19, 2018. Copy supplied.

Press release, *Drug Cartel Leader Charged: Juan Perez-Vargas, aka Piolin, Indicted as Part of Coordinated Nationwide Enforcement Efforts Against Cartel Jalisco Nueva Generacion*, United States Attorney's Office for the Southern District of California, October 16, 2018. Copy supplied.

Press release, *U.S. Attorney Adam Braverman Announces Progress in Making our Communities Safer Through Project Safe Neighborhoods*, United States Attorney's Office for the Southern District of California, October 12, 2018. Copy supplied.

Press release, *Suspected Online Drug Dealer Indicted in Fentanyl Overdose Death*, United States Attorney's Office for the Southern District of California, October 10, 2018. Copy supplied.

Press release, *U.S. Attorney Announces Millions of Dollars in DOJ Grants Awarded to San Diego Organizations*, United States Attorney's Office for the Southern District of California, October 4, 2018. Copy supplied.

Press release, *CEO of Encrypted Communications Company Pleads Guilty to Operating a Criminal Enterprise that Facilitated the Transnational Distribution of Narcotics*, United States Attorney's Office for the Southern District of California, October 2, 2018. Copy supplied.

Press release, *Former CEO of the Freedom Fighters Foundation Convicted of Felony Gun Trafficking*, United States Attorney's Office for the Southern District of California, October 2, 2018. Copy supplied.

Press release, *CPA Sentenced for Role in Racketeering Enterprise*, United States Attorney's Office for the Southern District of California, October 2, 2018. Copy supplied.

Press release, *Illegal Sea Cucumber Trade Nets More Than \$1.2 Million Dollars in Fines, Forfeiture and Restitution*, United States Attorney's Office for the Southern District of California, October 1, 2018. Copy supplied.

Press release, *Man Sentenced to 10 Years for 2016 Encinitas Arson Spree*, United States Attorney's Office for the Southern District of California, September 27, 2018. Copy supplied.

Press release, *Twenty-Six Charged and 228 Guns Seized in Crackdown on San Diego Street Gangs and Mexican Mafia*, United States Attorney's Office for the

Southern District of California, September 20, 2018. Copy supplied.

Press release, *Father and Son Sentenced to Prison for Million-Dollar Fraud*, United States Attorney's Office for the Southern District of California, September 17, 2018. Copy supplied.

Press release, *"The Player" Indicted for Stealing Almost \$100,000 in Social Security Disability Payments*, United States Attorney's Office for the Southern District of California, September 17, 2018. Copy supplied.

Press release, *Three Brothers Charged in Conspiracy to Distribute More than 20,000 Tablets of Fentanyl*, United States Attorney's Office for the Southern District of California, September 14, 2018. Copy supplied.

Press release, *Postal Annex Owner Sentenced for Structuring Currency Transactions*, United States Attorney's Office for the Southern District of California, September 7, 2018. Copy supplied.

Press release, *Two Charged in Connection with Drug Lab Explosion*, United States Attorney's Office for the Southern District of California, September 5, 2018. Copy supplied.

Press release, *Oceanside Man Admits to Stealing Benefits Intended for Widow of Military Veteran*, United States Attorney's Office for the Southern District of California, September 5, 2018. Copy supplied.

Press release, *Two Members of the Westside Crips Criminal Street Gang Plead Guilty to Racketeering Conspiracy Related to Sex Trafficking, Drug Trafficking, and Other Violent Crimes*, United States Attorney's Office for the Southern District of California, August 31, 2018. Copy supplied.

Press release, *Rep. Duncan Hunter and Wife Indicted for Converting Hundreds of Thousands of Dollars in Campaign Funds and Falsifying Campaign Finance Records*, United States Attorney's Office for the Southern District of California, August 21, 2018. Copy supplied.

Press release, *Former U.S. Border Patrol Supervisor Pleads Guilty, Admits to Violating Civil Rights of Legal Border Crosser*, United States Attorney's Office for the Southern District of California, August 16, 2018. Copy supplied.

Press release, *Supervisory Customs and Border Protection Officer Arrested and Charged with Strangling a Traveler at San Ysidro Port of Entry*, United States Attorney's Office for the Southern District of California, August 15, 2018. Copy supplied.

Press release, *Defendant Charged with Importation of More than 20,000 Fentanyl*

Pills at the San Ysidro Port of Entry, United States Attorney's Office for the Southern District of California, August 9, 2018. Copy supplied.

Press release, *20-Year-Old Tijuana College Student Sentenced to 87 Months in Custody for Smuggling Fentanyl*, United States Attorney's Office for the Southern District of California, August 6, 2018. Copy supplied.

Press release, *Fugitive Extradited in Border Patrol Agent Brian Terry Murder Case*, United States Attorney's Office for the Southern District of California, July 31, 2018. Copy supplied.

Press release, *Five Crew Members Sentenced for Smuggling 1,205 Pounds of Cocaine on the High Seas; Captain of Low-Profile Vessel Sentenced to 210 Months*, United States Attorney's Office for the Southern District of California, July 19, 2018. Copy supplied.

Press release, *Convicted Alien Smuggler Sentenced to 97 Months in Custody for Event that Left Two People Dead*, United States Attorney's Office for the Southern District of California, July 17, 2018. Copy supplied.

Press release, *Youth are Smuggling Drugs on Behalf of Cartels; Law Enforcers Launch Education Campaign*, United States Attorney's Office for the Southern District of California, July 16, 2018. Copy supplied.

Press release, *Disbarred Attorney Admits Defrauding Former Clients and Law Firm Investors*, United States Attorney's Office for the Southern District of California, July 3, 2018. Copy supplied.

Press release, *National Health Care Fraud Takedown Results in Charges Against 601 Individuals Responsible for More than \$2 Billion in Fraud Losses; Seven Charged in San Diego*, United States Attorney's Office for the Southern District of California, June 28, 2018. Copy supplied.

Press release, *Twenty Defendants Indicted for Heroin, Methamphetamine and Cocaine Trafficking*, United States Attorney's Office for the Southern District of California, June 27, 2018. Copy supplied.

Press release, *Lakeside Pharmacy Pays \$75,000 for Failing to Keep Accurate Records of Opioids*, United States Attorney's Office for the Southern District of California, June 27, 2018. Copy supplied.

Kristina Davis, *Prominent Private Litigator Brewer Picked for San Diego U.S. Attorney Nomination*, San Diego Union-Tribune, June 20, 2018. Copy supplied.

Press release, *Beverly Hills Doctor Sentenced to 10 Years in Custody for Massive Workers' Comp Scheme*, United States Attorney's Office for the Southern District

of California, June 18, 2018. Copy supplied.

Katie Zezima and Sari Horwitz, *Federal, State Authorities Step up Fentanyl Prosecutions as Drug Drives Spike in Overdoses*, Washington Post, June 7, 2018. Copy supplied.

Press release, *Credit Card Fraudster Sentenced to Prison*, United States Attorney's Office for the Southern District of California, June 1, 2018. Copy supplied.

Press release, *Twenty-three Defendants Charged in Drug Indictments*, United States Attorney's Office for the Southern District of California, May 25, 2018. Copy supplied.

Press release, *Vista Man Sentenced to More than 17 Years in Prison for Child Pornography Offenses*, United States Attorney's Office for the Southern District of California, May 21, 2018. Copy supplied.

Press release, *Bank Sentenced for Obstructing Regulators, Forfeits \$368 Million for Concealing Anti-Money Laundering Failures*, United States Attorney's Office for the Southern District of California, May 18, 2018. Copy supplied.

Press release, *Airline Staffing Executive Sentenced to Prison for Years of Immigration Fraud*, United States Attorney's Office for the Southern District of California, May 17, 2018. Copy supplied.

Press release, *Vista Man Sentenced to Almost 20 Years for Coercing Young Children into Sending Him Naked Pictures & Videos*, United States Attorney's Office for the Southern District of California, May 11, 2018. Copy supplied.

Press release, *Attorney General Jeff Sessions and U.S. Attorney Adam Braverman Recognize Law Enforcement Service and Sacrifice During National Police Week*, United States Attorney's Office for the Southern District of California, May 11, 2018. Copy supplied.

Press release, *Alien Smuggler Sentenced for Blowing Through Checkpoint at High Speed, Seriously Injuring Border Patrol Agent*, United States Attorney's Office for the Southern District of California, May 11, 2018. Copy supplied.

Press release, *Two Mexican Nationals Arrested for Assaulting Border Patrol Agents*, United States Attorney's Office for the Southern District of California, May 11, 2018. Copy supplied.

Press release, *High School Senior Charged with Recruiting Other Juveniles to Smuggle Methamphetamine and Fentanyl from Mexico*, United States Attorney's Office for the Southern District of California, May 7, 2018. Copy supplied.

Jaime Lowe, *How the Biggest Scammers Get Away With It*, New York Times Magazine, May 3, 2018. Copy supplied.

Press release, *Dark Web Vendor Enters Plea, Faces 10 Years for Internet Distribution of Deadly Carfentanil, Fentanyl, and Other Drugs*, United States Attorney's Office for the Southern District of California, May 1, 2018. Copy supplied.

Press release, *Justice Department Announces First Criminal Illegal Entry Prosecutions of Suspected Caravan Members*, United States Department of Justice, May 1, 2018. Copy supplied.

Press release, *Supervisory Border Patrol Agent Convicted of Lying to Federal Grand Jury*, United States Attorney's Office for the Southern District of California, April 27, 2018. Copy supplied.

Press release, *Seller of Counterfeit and Unapproved Pharmaceuticals Sentenced to Prison*, United States Attorney's Office for the Southern District of California, April 27, 2018. Copy supplied.

Press release, *U.S. Border Patrol Agent Pleads Guilty to Drug Smuggling*, United States Attorney's Office for the Southern District of California, April 25, 2018. Copy supplied.

Press release, *Navy Sailor Arrested for Stealing Grenades from Ship*, United States Attorney's Office for the Southern District of California, April 24, 2018. Copy supplied.

Press release, *San Diego Metropolitan Transit System Agrees to Improve Accessibility*, United States Attorney's Office for the Southern District of California, April 16, 2018. Copy supplied.

Matt Hoffman, *Federal Prosecutors Targeting Fentanyl Dealers During Opioid Crisis*, KPBS, April 12, 2018. Video and article available at: <https://www.kpbs.org/news/2018/apr/12/federal-prosecutors-targeting-dealers-amidst-opioid/>.

Press release, *Lakeside Gang Member Indicted in Fentanyl Overdose Death*, United States Attorney's Office for the Southern District of California, April 11, 2018. Copy supplied.

Press release, *Sinaloa Cartel Trafficker Sentenced*, United States Attorney's Office for the Southern District of California, April 6, 2018. Copy supplied.

Press release, *Rancho Santa Fe Couple Sentenced to Prison for Their Roles in*

Concealing \$1.5 Million in Bankruptcy Assets, Evading \$6 Million in Taxes, and Committing Bank Fraud, United States Attorney's Office for the Southern District of California, April 6, 2018. Copy supplied.

Press release, *Vista Home Boy Gang Member Sentenced to 16½ Years in Custody on Gun Charges*, United States Attorney's Office for the Southern District of California, March 29, 2018. Copy supplied.

Greg Moran, *ATF Agent Honored for Valor at Deadly Las Vegas Shooting*, San Diego Union-Tribune, March 23, 2018. Copy supplied. Reprinted in multiple outlets.

Press release, *U.S. Attorney Honors Law Enforcement Officials and Bestows Award for Extraordinary Valor*, United States Attorney's Office for the Southern District of California, March 23, 2018. Copy supplied.

Press release, *Defendant Sentenced to 41 Months in Prison for Defrauding Local Retailers and Hotels*, United States Attorney's Office for the Southern District of California, March 22, 2018. Copy supplied.

Roberto Moreno, *Chula Vista Hosts Anti-Trafficking Forum*, The Star-News, March 22, 2018. Copy supplied.

I was interviewed by International Network of Hearts about the threat of human trafficking in San Diego, March 16, 2018. Talking points supplied.

Press release, *Fallbrook Man Charged in Fentanyl Overdose Death*, United States Attorney's Office for the Southern District of California, March 16, 2018. Copy supplied.

Press release and Interview, *Chief Executive and Four Associates Indicted for Conspiring with Global Drug Traffickers by Providing Encryption Services to Evade Law Enforcement and Obstruct Justice*, United States Attorney's Office for the Southern District of California, March 15, 2018. Copy supplied.

Press release, *Disney Cruise Ship Employee Sentenced to Prison for Wire Fraud and Embezzlement of More than \$260,000*, United States Attorney's Office for the Southern District of California, March 13, 2018. Copy supplied.

Press release, *San Diego Communications Company Pays More Than \$12 Million to Settle False Claim Act Allegations Regarding Eligibility for Small Business Innovation and Research Contracts*, United States Attorney's Office for the Southern District of California, March 12, 2018. Copy supplied.

Press release, *Three More Members of Westside Crips Criminal Enterprise Sentenced to Prison for Participation in Racketeering Conspiracy Relating to Sex*

Trafficking, Drug Trafficking and Other Crimes, United States Attorney's Office for the Southern District of California, March 9, 2018. Copy supplied.

Press release, *Nationwide Takedown Targets Brazen International Money Laundering Scheme*, United States Attorney's Office for the Southern District of California, March 8, 2018. Copy supplied.

Press release, *Former Property Manager Pleads Guilty to "Loan Fraud" Scheme and Money Laundering Resulting in Over \$1.3 Million in Losses to Victims*, United States Attorney's Office for the Southern District of California, March 7, 2018. Copy supplied.

Press release, *Border Patrol Agent Charged with Making False Statements about his Relationships with Drug Traffickers*, United States Attorney's Office for the Southern District of California, March 5, 2018. Copy supplied.

Press release, *Man Charged in Fentanyl Overdose Death of Marine*, United States Attorney's Office for the Southern District of California, March 2, 2018. Copy supplied.

Press release, *Chula Vista Man Admits Being Source of Fentanyl that Resulted in Overdoses of Five People in Alpine*, United States Attorney's Office for the Southern District of California, March 1, 2018. Copy supplied.

Press release, *Former Correctional Officer Arrested for Attempting to Smuggle Heroin and Methamphetamine into Calipatria State Prison*, United States Attorney's Office for the Southern District of California, February 28, 2018. Copy supplied.

Press release, *Thirty-Seven Gang Members Charged in Crackdown of North County Heroin, Methamphetamine and Firearms Traffickers*, United States Attorney's Office for the Southern District of California, February 28, 2018. Copy supplied.

Press release, *San Diego Rancher Sentenced to Prison for Possession and Distribution of Child Pornography*, United States Attorney's Office for the Southern District of California, February 13, 2018. Copy supplied.

Press release, *Father and Son Convicted of Million-Dollar Fraud*, United States Attorney's Office for the Southern District of California, February 8, 2018. Copy supplied.

Press release, *U.S. Attorney Appoints Opioid Coordinators*, United States Attorney's Office for the Southern District of California, February 8, 2018. Copy supplied.

Press release, *Bank Pleads Guilty, Pays Historic Penalty for Concealing Anti-Money Laundering Failures*, United States Attorney's Office for the Southern District of California, February 7, 2018. Copy supplied.

Press release, *Former Supervisory United States Border Patrol Agent Found Guilty of Multiple Firearm Offenses*, United States Attorney's Office for the Southern District of California, February 2, 2018. Copy supplied.

Press release, *Former U.S. Navy Commander Pleads Guilty to Bribery Conspiracy with Foreign Defense Contractor*, United States Attorney's Office for the Southern District of California, January 30, 2018. Copy supplied.

Press release, *Two More Members of Westside Crips Criminal Street Gang Sentenced to Prison for Participation in Racketeering Conspiracy Relating to Sex Trafficking, Drug Trafficking and Other Crimes*, United States Attorney's Office for the Southern District of California, January 29, 2018. Copy supplied.

Press release, *Tennessee Couple and Utah Pharmacy Indicted for \$65 Million Tricare Fraud*, United States Attorney's Office for the Southern District of California, January 26, 2018. Copy supplied.

Press release, *Serial Fraudster Convicted*, United States Attorney's Office for the Southern District of California, January 18, 2018. Copy supplied.

Press release, *Brother of San Diego Man Killed Fighting for ISIS Sentenced to 10 Years for Terrorism-Related Charges and Illegal Firearms Possession*, United States Attorney's Office for the Southern District of California, January 12, 2018. Copy supplied.

Press release, *Sinaloa Cartel Cell Leader Convicted*, United States Attorney's Office for the Southern District of California, January 10, 2018. Copy supplied.

Press release, *Three Members and Associates of Westside Crips Criminal Street Gang including One Hotel Manager Sentenced to Prison for Participation in Racketeering Conspiracy Relating to Sex Trafficking, Drug Trafficking and Other Crimes*, United States Attorney's Office for the Southern District of California, January 8, 2018. Copy supplied.

Press release, *Attorney General Jeff Session Selects Southern District of California to Receive New United States Attorney Position to Combat Violent Crime*, United States Attorney's Office for the Southern District of California, January 5, 2018. Copy supplied.

Press release, *Final Defendants in Gang-Affiliated Drug Trafficking Conspiracy Sentenced to Decades in Prison; Sentencings Bring an End to the Successful Conviction of all 25 Charged Defendants*, United States Attorney's Office for the

Southern District of California, January 5, 2018. Copy supplied.

Press statement, *Statement on Today's AG Memo*, United States Attorney's Office for the Southern District of California, January 4, 2018. I issued a short statement concerning the Attorney General's January 4, 2018 Memorandum on marijuana. Copy supplied.

Press release, *Disney Cruise Ship Employee Pleads Guilty to Wire Fraud, Admitting He Embezzled More Than \$275,000*, United States Attorney's Office for the Southern District of California, December 21, 2017. Copy supplied.

Press release, *Alleged Sinaloa Cartel Associate Extradited*, United States Attorney's Office for the Southern District of California, December 19, 2017. Copy supplied.

Press release, *Leader of Violent International Drug Trafficking and Gambling Enterprise Sentenced to More than 21 Years*, United States Attorney's Office for the Southern District of California, December 15, 2017. Copy supplied.

Press release, *Former Substitute Teacher and Private Tutor Sentenced to More than 16 Years in Prison for Child Pornography Offenses*, United States Attorney's Office for the Southern District of California, December 15, 2017. Copy supplied.

Press release, *Defense Contractors Sentenced to Prison for Defrauding the United States*, United States Attorney's Office for the Southern District of California, December 14, 2017. Copy supplied.

Press release, *Beverly Hills Doctor Convicted of Fraud, Corruption in Massive Workers' Comp Scheme*, United States Attorney's Office for the Southern District of California, December 13, 2017. Copy supplied.

Press release, *Imperial Beach Man Sentenced to Life in Fatal Stabbing of his Texas Boyfriend*, United States Attorney's Office for the Southern District of California, December 11, 2017. Copy supplied.

Press release, *Man Pleads Guilty to Smuggling Tiger*, United States Attorney's Office for the Southern District of California, December 5, 2017. Copy supplied.

Press release, *Brawley Man Sentenced for Stealing More Than \$250,000 from Local Farm*, United States Attorney's Office for the Southern District of California, December 4, 2017. Copy supplied.

Press release, *Active-Duty U.S. Navy Commander Sentenced for Conspiring with Foreign Defense Contractor to Defraud the U.S. Navy*, United States Attorney's Office for the Southern District of California, December 1, 2017. Copy supplied.

Press release, *Oxycodone Trafficker Convicted by Federal Jury*, United States Attorney's Office for the Southern District of California, November 29, 2017. Copy supplied.

Press release, *Adam Braverman Sworn in as United States Attorney for the Southern District of California*, United States Attorney's Office for the Southern District of California, November 16, 2017. Copy supplied.

On July 20, 2016, I was interviewed by National Public Radio about the verdict in *United States v. Walthall*. I have been unable to locate a recording of that interview.

Elliot Spagat, *Mexico's Sinaloa Cartel Leaders Charged in San Diego*, San Diego Union-Tribune, January 16, 2016. 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 never held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____
- i. Of these, approximately what percent were:
- | | |
|-----------------------|---------------------|
| jury trials: | _____% |
| bench trials: | _____% [total 100%] |
| civil proceedings: | _____% |
| criminal proceedings: | _____% [total 100%] |
- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

- e. Provide a list of all cases in which certiorari was requested or granted.
 - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
 - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:
- I have never been a judge.
- 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.

On January 20, 2017, I submitted an application to the White House to be the United States Attorney for the Southern District of California. In November 2017, the Attorney General appointed me to be the United States Attorney for the Southern District of California. In March 2018, the United States District Court for the Southern District of California appointed me to be the United States Attorney for the Southern District of California. I held this position until January 2019, when a senate-confirmed United States Attorney began service.

In November 2017, I was named as a Commissioner for the City of San Diego's Commission on Gang Prevention and Intervention. This appointment was a result of my position as United States Attorney. I held this position until January 2019.

- 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 2000 to 2001, I served as a law clerk to the Honorable Ann O'Regan Keary, Superior Court of the District of Columbia.

From 2002 to 2004, I served as a law clerk to the Honorable Reggie B. Walton, United States District Court for the District of Columbia.

From 2007 to 2008, I served as a law clerk to the Honorable Consuelo M. Callahan, United States Court of Appeals for the Ninth Circuit.

- 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.

2001 – 2002

William E. Artz, P.C.
8270 Greensboro Drive, Suite 700
Tysons Corner, Virginia 22102
Associate

2004 – 2007

Goodwin Procter LLP
901 New York Avenue, Northwest
Washington, District of Columbia 20001
Associate

2008 – 2017

United States Attorney's Office for the Southern District of California
880 Front Street
San Diego, California 92101
Deputy Chief, Criminal Enterprise Section (2014 – 2017)
Assistant United States Attorney (2008 – 2017)

2017 – 2019

United States Attorney's Office for the Southern District of California
880 Front Street
San Diego, California 92101
United States Attorney

2019 – Present

Office of the Deputy Attorney General
United States Department of Justice
950 Pennsylvania Avenue, Northwest
Washington, District of Columbia 20001
Associate Deputy Attorney General

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

I have never served as a mediator or arbitrator in an alternative dispute resolution proceeding.

b. Describe:

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

I worked for almost four years as an associate at two law firms, Goodwin Procter LLP (2004 to 2007) and William Artz, P.C. (2001 to 2002). At Goodwin, I worked on commercial litigation and white-collar criminal matters. I also devoted substantial time to *pro bono* work in aid of indigent criminal defendants. At William Artz, P.C., I worked as a litigation associate representing individual plaintiffs in torts and medical malpractice cases.

I joined the United States Attorney's Office for the Southern District of California in 2008. For approximately nine years, I worked as an Assistant United States Attorney in the Criminal Division. I began in the General Crimes Section and served there from 2008 to 2010. In 2010, I joined the Criminal Enterprises Section as a line attorney and became Deputy Chief of that Section in 2014. While in the Criminal Enterprises Section, my practice primarily consisted of combatting international drug trafficking organizations – focused almost exclusively on the Sinaloa Cartel. I was also the liaison to the FBI's Cross-Border Violence Task Force.

In 2017, I was appointed United States Attorney for the Southern District of California. The office is one of the largest and busiest districts in the nation, in part, because we share a 141-mile border with Mexico and are responsible for all of the criminal cases generated at the border, as well as the civil suits arising from the activities of the various agencies at or around the border. The district is also home to the largest concentration of Navy and Marine Corps installations in the world. Apart from overseeing the litigation handled by the office, I was also responsible for maintaining relationships with our federal, state and local law enforcement partners, and spent a substantial amount of time engaged in outreach to the community.

Since February 2019, I have served as an Associate Deputy Attorney General and advise the Deputy Attorney General on litigation and policy matters involving organizational units within the Department of Justice.

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

My client while with the Department of Justice is the United States of America.

While in private practice, my clients were typically corporations, companies and professionals, but also included individual plaintiffs and indigent defendants as part of my *pro bono* work.

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

i. 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% |

As an Assistant United States Attorney, I appeared solely in federal court. While in private practice, my cases were a mixture of federal and state cases.

ii. Indicate the percentage of your practice in:

- | | | |
|----|-----------------------|-----|
| 1. | civil proceedings: | 20% |
| 2. | criminal proceedings: | 80% |

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

I have tried 8 cases to verdict, judgment or final decision (other than settlement). I was chief counsel in half my cases and I participated as associate counsel in the other half.

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.

As a Junior Associate at Goodwin Procter, I assisted in the drafting of an Opposition to Petition for Writ of Certiorari, *Bradshaw v. Richey*, 546 U.S. 74 (2005) (No. 05-101). Copy supplied.

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. Walthall*, 14-CR-0192 (C.D. Cal.), before United States District Judge Cormac Carney; 2016.

The defendant had previously been convicted of fraud charges in the Central District of California. Disgruntled with his conviction, the defendant solicited the murders of the participants at his trial, including the federal judge who presided over his case, two federal prosecutors, and two FBI agents. When the defendant was housed at a federal penitentiary (FCI Lompoc), two inmates reported to authorities that the defendant solicited their assistance in murdering and assaulting the targeted victims. The FBI inserted an undercover agent into the prison to meet with the defendant and record his solicitations. The United States Attorney's Office for the Central District of California was recused from the case because two of their prosecutors were targeted victims. I and another AUSA tried the defendant twice. The first trial ended in a hung jury and the second trial resulted in a conviction. During both trials I questioned witnesses and gave the closing arguments. I also handled the sentencing hearing, where the judge imposed a statutory maximum 20-year term, to be served consecutive to the prison term the defendant sustained on his fraud conviction. The Ninth Circuit recently reversed the conviction, finding that the district court failed to conduct a *Faretta* inquiry into whether the defendant wanted to represent himself. He faces retrial.

Co-Counsel

Fred Sheppard

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Counsel for Defendant

Tim Scott

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(619) 794-0451

- (2). *United States v. Jose Rodrigo Arechiga-Gamboa, a.k.a. Chino Antrax*, 13-CR-4517 (S.D. Cal.), before United States District Judge Dana Sabraw; 2013 – 2017.

The defendant was one of the leaders of the Sinaloa Cartel, and the highest-level target that we extradited to the Southern District, as part of a five-year investigation we conducted into the Sinaloa Cartel. He began his rise in the Cartel by arranging to import ton quantities of narcotics into the United States and supervising an armed wing of Sinaloa Cartel enforcers known as “Los Antrax.” Based on wire intercepts, we learned in December 2013 that he planned to travel from Mexico to Europe and quickly moved to indict him. Although the defendant had altered his fingerprints and used a false identification, we were able to prove his identity, coordinate with international authorities to arrest him in December 2013, and extradite him to the United States in July 2014. In May 2015, the defendant pled guilty to drug trafficking charges, admitting that he coordinated the transportation of ton quantity levels of both cocaine and marijuana from Mexico into the United States and that he ordered others to commit, and directly participated himself in, acts of violence.

Counsel for Defendant

Frank Ragen
105 West F Street #215
San Diego, California 92101
(619) 231-4330

- (3). *United States v. Serafin Zambada-Ortiz*, 13-CR-3575 (S.D. Cal.), before United States District Judge Dana Sabraw; 2013 – 2017.

The defendant is the son of Sinaloa Cartel leader Ismael Zambada-Garcia (aka “Mayo”), the partner of Joaquin Guzman-Loera (aka “Chapo”) in running the Cartel. In early 2013, we began intercepting the defendant’s Blackberry, which subsequently led us to intercept many members of the command and control of the Sinaloa Cartel. Anticipating that the defendant may cross the border into the United States, we indicted him in September 2013 and began coordinating with other agencies. In November 2013, the defendant crossed the border at the Nogales, Arizona Port of Entry. I flew to Tucson with federal agents to interview him. This case marked a significant event in the investigation, as it represented the first time that a high-level Sinaloa Cartel member was arrested in the United States without extradition. In September 2014, the defendant pled guilty to drug trafficking charges.

Counsel for Defendant

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Roberto C. Montiel
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571 North Grand Avenue

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Michael R. McDonnell
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(562) 694-3827

- (4). *United States v. Damaso Lopez-Serrano, a.k.a. Mini Lic., et al.* 16-CR-1896 (S.D. Cal.), before United States District Judge Dana Sabraw; 2016 – 2017.

The defendant is the son of Sinaloa Cartel leader Damaso Lopez-Nunez, aka Licenciado, the former right-hand man of Joaquin Guzman-Loera (aka “Chapo”). The defendant led a Sinaloa Cartel drug trafficking and enforcement cell. From 2014 to 2015, we intercepted the defendant’s Blackberry, as well as the devices utilized by the leadership of his drug trafficking cell. Based on our intercepts, Mexican law enforcement was able to seize several tractor-trailer loads of methamphetamine, cocaine, and heroin destined for the United States. In July 2017, the defendant self-surrendered to United States law enforcement at the Calexico, California Port of Entry. He is believed to be the highest-ranking Mexican cartel leader ever to self-surrender in the United States. In January 2018, the defendant pled guilty to drug trafficking charges acknowledging that he organized the transportation and distribution of thousands of kilograms of methamphetamine, cocaine and heroin for importation into the United States.

Counsel for Defendants

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Counsel for Defendant Lopez-Serrano

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(619) 234-8467

Counsel for Defendant Alvaro Lopez-Nunez

Jason T. Conforti
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San Diego, California 92101
(619) 274-8036
Counsel for Defendant Alvaro Lopez-Nunez

- (5). *United States v. Walker*, 12-CR-909 (S.D. Cal.), before United States District Court Judge Roger Benitez; 2012 – 2013.

In 2011, I was assigned a “reactive” methamphetamine importation case. Working closely with the agent from Homeland Security Investigations, we were able to identify two other cases that appeared to be linked. We approached the two defendants and successfully gained their cooperation. The investigation uncovered a recruiter, Salvador Walker, responsible for hiring couriers to smuggle narcotics into the United States. Walker was arrested as he attempted to cross the border into the United States. In September 2013, I tried and convicted the defendant as lead counsel on the offense of conspiracy to import methamphetamine. I questioned witnesses and gave the closing argument. The case rested primarily on cooperator testimony and corroboration of this testimony through border crossing records.

Co-Counsel

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Michael Ian Garey
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(714) 834-0950

- (6). *United States v. Rabago-Felix*, 09-CR-4083 (S.D. Cal.), before United States District Court Judge Barry Moskowitz; 2009 – 2010.

The defendant was charged with possession of over 50 kilograms of cocaine with the intent to distribute. Based upon a tip by a confidential source, agents surveilled the defendant as he drove throughout Imperial County, seemingly engaged in counter-surveillance techniques to determine whether he was being followed by law enforcement. An El Centro Police Department officer stopped and searched the vehicle, revealing 50 kilograms of cocaine hidden in the rear bed of the truck. In June 2010, after an evidentiary hearing on motions to suppress the stop of the defendant and his statements, I tried the defendant as lead counsel. This case involved a number of pre-trial litigation issues, including discovery related to narcotics detection canines, chain of custody issues, and protection of the identity of the confidential informant. At trial, I questioned witnesses and gave the closing argument.

Co-Counsel

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United States Attorney's Office, District of Utah
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Counsel for Defendant

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- (7). *United States v. Salas Rodriguez, et al.*, 12-CR-1244 (S.D. Cal.), before United States District Court Judge William Q. Hayes; 2012 – 2013.

In February 2012, a Tijuana drug distributor contacted a confidential source to locate and kidnap three drug debtors in San Diego. Given the exigencies, we obtained an expedited wiretap within days and began intercepting the Tijuana drug distributor's telephone. We learned from these intercepts that the drug distributor hired a new kidnapping crew to

locate the drug debtors, because the confidential source was not acting quickly enough. We immediately sought and obtained authority to track telephones used by the new kidnapping crew. Shortly thereafter, the wiretaps revealed that the members of the crew crossed the border and met up at the location of one of the drug debtors. I authorized members of the FBI's Cross Border Violence Task Force to arrest three members of this crew. The case involved significant litigation, including a motion to suppress the wiretap. All three defendants pled guilty on the eve of trial.

Counsel for Defendants

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Kay L. Sunday
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Michael Berg
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James Winston Gleave
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Counsel for Defendant Zermeno Garcia

- (8). *United States v. Dominguez-Moreno, et al.*, 09-CR-2192 (S.D. Cal.), before United States District Judge Roger Benitez; 2009.

During the early morning hours, a witness contacted law enforcement after he spotted a panga boat dropping off approximately twenty individuals on the beach. Customs & Border Protection and Coast Guard air and marine assets responded. Law enforcement subsequently spotted and arrested the defendants traveling in a panga boat attempting to flee to Mexico. In September 2009, we convicted the defendants after a jury trial of alien smuggling offenses. At trial I questioned witnesses, gave the opening statement and the rebuttal closing.

Co-Counsel

Carlos Arguello
Assistant United States Attorney
880 Front Street
San Diego, California 92101
(619) 557-5610

Counsel for Defendants

Matthew Nelson Lees (deceased)
Counsel for Defendant Dominquez-Moreno

John C. Ellis, Jr.
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(619) 234-8467
Counsel for Defendant Herrera-Flores

- (9). *United States v. Figueroa-Rodriguez, et al.*, 10-CR-0258 (S.D. Cal.), before United States District Court Judge Jeffrey Miller; 2010.

In January 2010, I was the maritime alien smuggling liaison for the office and was contacted when a panga boat ferrying undocumented individuals capsized at the Torrey Pines State Beach, resulting in the death of two passengers. Working with Customs &

Border Protection officers and Border Patrol agents, we arrested two individuals piloting the boat. As lead and sole counsel, I charged defendants with the offense of bringing in illegal aliens resulting in death. We interviewed the other undocumented passengers, who identified the two defendants, as well as a Mexico-based organizer as participants in the offense. The organizers exploited the aliens by promising “safe” passage into the United States and seeking thousands of dollars in payment, despite the significant risks inherent in the journey. Despite the seriousness of the offense, I sought and obtained permission from the Attorney General to decline imposition of the death penalty, after speaking to the victims’ families. The defendants ultimately pled guilty to bringing in illegal aliens resulting in death. We also pursued the leaders/organizers of this alien smuggling organization. The organizer was subsequently arrested by Mexican authorities for kidnapping a group of individuals that had not paid their smuggling fee. We assisted Mexican law enforcement in their prosecution and offered access to our material witnesses to provide testimony for use in a Mexican court.

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- (10). *United States v. Flores-Vargas, et al.*, 12-CR-4711 (S.D. Cal.), before United States District Judge Dana Sabraw; 2012 – 2016.

Early in a drug trafficking investigation, we learned that one of the targets had been murdered in a double homicide in another jurisdiction. Following our takedown, we gathered evidence that two defendants were involved in the murder. Based on our investigation, Roberto Ochoa-Cantu subsequently pled guilty to conspiracy to commit a homicide during the course of a drug trafficking conspiracy. His co-conspirator, James Snowden, pled guilty to drug trafficking charges, was sentenced to 15 years in custody, and was referred to the Riverside County District Attorney’s Office for prosecution on the homicide charge.

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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.)

For a majority of my time as an Assistant United States Attorney, I was assigned to the Criminal Enterprise Section and worked on long-term, proactive wiretap investigations of international drug trafficking organizations. I have received recognition for my use of creative investigative techniques in my prosecutions. I specialized in utilizing cutting-edge technology to disrupt and dismantle these organizations, including the innovative use of interceptions of Facebook and Blackberry accounts. These investigations, described below, did not progress to trial due to the wealth of evidence generated in wiretap cases.

From 2010 to 2011, I worked with DEA on an investigation titled "Operation Sole Provider" to indict over twenty Mexico-based heroin distribution cell leaders and organizers. Couriers working for this organization crossed the border, flew to the East Coast to deliver the heroin and then flew back with the proceeds. The investigation included the successful extradition of one of the cell leaders from Sinaloa, who recently pled guilty in the Southern District of California.

In 2011, I worked with DEA on an investigation titled "Operation End Zone" targeting a highly sophisticated heroin and cocaine distribution cell. The cell employed a group of internal body carriers that ingested packages of heroin or cocaine, crossed the border from Mexico into the United States and flew either alone or in groups from San Diego to various destinations in the Midwest and on the East Coast.

From 2012 to 2017, I worked with DEA on an investigation titled “Operation Narco Polo” targeting the Sinaloa Cartel. As part of this investigation, we sought and obtained permission to intercept over 200 Blackberry accounts during our five-year investigation. In total, we indicted over 125 individuals, including the command and control structure of the Cartel. Many of these individuals have either been convicted or have been arrested and pending extradition. The investigation is regarded as one of the most successful investigations into the Sinaloa Cartel.

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.

While at the George Washington University Law School, I taught legal research and writing to first year law school students from 1999 to 2000. I no longer have the syllabus for the class.

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 do not have any anticipated receipts from any sources described above.

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.

I do not have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

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).

See attached Financial Disclosure Report.

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

See attached Statement of Net Worth.

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.

If confirmed, I will recuse in any litigation where I have ever played a role in representing or advising any of the parties. I would also recuse myself in matters involving my family and my own financial interests. My wife was formerly the Chief of the Appellate Section in the United States Attorney's Office for the Southern District of California. She is currently a Deputy Solicitor General with the California Department of Justice. I do not anticipate any conflicts from her prior or current position. Lastly, I will evaluate any other real or potential conflict, or relationship that could give rise to an appearance of conflict, on a case-by-case basis and determine appropriate action, with the advice of the parties and their counsel, including recusal where necessary.

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

If confirmed, I will carefully consult and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and any and all other applicable laws, rules, and practices governing such circumstances.

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

Throughout my professional career, I have endeavored to serve the community and those in need. While at the United States Attorney's Office for the Southern District of California, I worked to serve the public through community outreach. As an Assistant United States Attorney, I participated in Project LEAD, a program designed to educate students in largely low-income schools about the importance of making good decisions and the consequences for making poor choices. The program teaches youth both the legal and social consequences of bad decisions and creates invaluable partnerships with the community. I was assigned to work with Fifth Graders at Balboa Elementary School between 2016 and 2017.

As United States Attorney from 2017 to 2019, I strengthened our office's partnerships with the community through mentoring programs. During this time, Project LEAD continued to be the premiere mentoring program that my office participated in. We also

worked with other community programs, including Game Changer, a program designed to bring community members and police officers together, and Project AWARE, a program that is designed to teach youth emotional literacy skills. I had the pleasure of giving the opening remarks at the First Annual Community Mentor Summit to a gathering of community leaders and law enforcement leaders about the importance of mentoring youth to prevent them from entering the criminal justice system. During this time I was also a Commissioner for the City of San Diego's Commission on Gang Prevention and Intervention. During these meetings, law enforcement and community leaders gathered to discuss gang threats and prevention efforts.

While in private practice at Goodwin Procter, LLP, I devoted substantial time to *pro bono* work. The two most significant cases I worked on were *Bradshaw v. Richey*, 546 U.S. 74 (2005) and *Leaks v. United States*, 96 A.3d 1 (D.C. 2014). Richey was arrested, convicted, and sentenced to be executed. The firm represented Richey before the Sixth Circuit seeking habeas corpus relief, which reversed his conviction. As a junior associate, I assisted the named partners with the briefing on the Opposition to Petition for Writ of Certiorari and the proceedings on remand before the Sixth Circuit. Leaks and four co-defendants were convicted of murder and other various offenses. Prior to leaving Goodwin in 2007, I drafted a brief on behalf of Leaks arguing that his convictions should be reversed.

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.

In June 2018, I formally applied to become a United States District Court Judge for the Southern District of California by submitting my application to the White House Counsel's Office and both Senator Feinstein and Senator Harris's selection committees. On July 17, 2018, I interviewed with Senator Feinstein's judicial selection committee. On February 7, 2019, I received a telephone call from the White House Counsel's Office requesting an interview. On February 19, 2019, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice.

On March 4, 2019, I was notified by the White House Counsel's Office that my name was sent to the Department of Justice to begin formal vetting. On March 21, 2019, Senator Harris' Judicial Selection Committee asked me to confirm that other than writings disclosed in my application, I have not authored or published

any articles, books, opinion pieces, letters to editors or other such writings. On April 4, 2019, I met with the California State Chair of Senator Feinstein's Judicial Selection Committee.

On August 28, 2019, the White House announced its intent to nominate me for the position of United States District Judge for the Southern District of California. I have been in touch with attorneys from the White House Counsel's Office and the Department of Justice since that time.

- 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.