

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Eric Ross Komitee

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

United States District Judge for the Eastern District of New York

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: Viking Global Investors LP (until June 30, 2018)  
280 Park Avenue  
New York, New York 10017

Residence: Brooklyn, New York

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

1970; Freeport, New York

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.

1992 – 1995, New York University School of Law; J.D. (*cum laude*), 1995

1988 – 1992, Emory University; B.A. (with high honors), 1992

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.

2008 – June 2018  
Viking Global Investors LP  
280 Park Avenue

New York, New York 10017  
General Counsel

2000 – 2008

United States Attorney's Office for the Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201  
Assistant U.S. Attorney  
Chief, Business and Securities Fraud Section (2006 – 2008)  
Deputy Chief, Business and Securities Fraud Section (2005 – 2006)  
Computer Crimes Coordinator (2003 – 2004)

1998 – 2000

Skadden, Arps, Slate, Meagher & Flom LLP  
4 Times Square  
New York, New York 10036  
Associate

1996 – 1998

Cravath, Swaine & Moore  
825 Eighth Avenue  
New York, New York 10019  
Associate

1995 – 1996

United States Court of Appeals for the Eleventh Circuit  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303  
Law Clerk to the Honorable J.L. Edmondson

Summer 1995

Sutherland, Asbill & Brennan  
*Now Eversheds Sutherland*  
999 Peachtree Street, N.W.  
Atlanta, Georgia 30309  
Summer Associate

Summer 1994

Fried, Frank, Harris, Shriver & Jacobsen  
One New York Plaza  
New York, New York 10004  
Summer Associate

Summer 1992

Camp Wah-Nee  
Wah-Nee Road

Torrington, Connecticut 06790  
Tennis Instructor

Other Affiliations (Uncompensated):

2018 – present  
Sanctuary for Families  
P.O. Box 1406  
Wall Street Station  
New York, New York  
Member, Pro Bono Council

2016 – present  
Montague Terrace Corporation  
Brooklyn, New York 11201  
Member, Co-Op Board

2009 – 2018  
Viking Global Foundation Inc.  
55 Railroad Avenue  
Greenwich, Connecticut 06830  
President (2009 – 2011)  
Secretary (2009 – 2018)

2014 – 2017  
New York Convention Center Operating Corporation  
655 West 34th Street  
New York, New York 10001  
Member, Board of Directors

2014 – 2016  
Managed Funds Association  
546 Fifth Avenue  
New York, New York 10036  
Member, Board of Directors (as Viking General Counsel)

2012 – 2014  
UJA-Federation of New York – Lawyers Division  
White Collar and Securities Enforcement Group  
130 East 59th Street  
New York, New York 10022  
Member, Executive Committee

1993 – 1994  
Federalist Society – NYU School of Law Chapter  
40 Washington Square South

New York, New York 10012  
Vice President

Summer 1993  
Legal Services for the Elderly in Queens  
99-77 Queens Boulevard  
Rego Park, New York 11374  
Summer 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 did not serve in the U.S. Military. I registered for the 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.

Federal Bar Association's Younger Federal Lawyer Award (2005)

Pro Bono Service Award, Skadden, Arps, Slate Meagher & Flom (1999)

Degree from New York University School of Law conferred *cum laude*

Rubin Prize for Best *NYU Law Review* Note in Public Law (1995)

*NYU Law Review*, member of Senior Editorial Board (1994 – 1995)

Degree from Emory University conferred with High Honors

Phi Beta Kappa, Emory University

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

American Bar Association (2013 – present)

New York State Bar Association (2009 – 2010)

Sanctuary for Families (2018 – present)  
Member, Pro Bono Council

UJA-Federation of New York – Lawyers Division (2012 (approx.) – 2014)  
White Collar and Securities Enforcement Group  
Member, Executive Committee

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.

New York, 1996

There has been no lapse in membership.

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

United States Court of Appeals for the Second Circuit (2002)  
United States District Court for the Eastern District of New York (2000)

These admissions have become inactive since I moved to in-house legal practice, as I do not often appear in federal court in my current capacity.

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.

Brooklyn Bridge Park Conservancy (2013 (approx.) – present)

Brooklyn Heights Association (2005 (approx.) – present)

Brooklyn Heights Synagogue (2007 (approx.) – present)

The Heights Casino (2008 (approx.) – present)

Managed Funds Association (2014 – 2016)  
Director (as Viking General Counsel)

Montague Terrace Corporation (2016 – present)  
Board Member

New York Convention Center Operating Corporation (2014 – 2017)  
Director

Viking Global Foundation Inc. (2009 – 2018)  
President (2009 – 2011)  
Secretary (2009 – 2018)

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

To the best of my knowledge, none of the organizations listed above currently invidiously discriminates, or formerly did so, 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.

With Michael Asaro, *The Evolving Landscape of 'Corporate Access,'* N.Y. L.J., August 29, 2013. Copy supplied.

*Corporate Response to Computer Intrusions,* N.Y. L.J. E-commerce Law and Strategy Newsletter, Vol. 19, No. 8 (December 2002). Copy supplied.

With David Zornow, *Regulating Gaming on the Internet,* N.Y. L.J., February 22, 2000. Copy supplied.

*US Listing: Fact and Fiction,* 1999 Survey of US Investor Attitudes to European Equities (Brunswick Group, October 29, 1999). Despite a diligent search, I cannot locate a copy of my chapter of this work in my records or in publicly available records.

*Bargains Without Benefits: Do the Sentencing Guidelines Permit Upward Departures to Account for Dismissed Charges?,* 70 N.Y.U. L. REV. 166 (1995). 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 not prepared or contributed in the preparation of any reports, memoranda, or policy statements of a bar association, conference, or organization of which I have been a member.

- 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 not provided any testimony, official statement, or other communications to public bodies or public officials on such matters.

- 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.

February 23, 2018: Guest Lecturer, "White Collar Criminal Defense: Critical Issues and Strategies," Yale Law School, New Haven, Connecticut. I guest-taught Professor Kate Stith's class on the Computer Associates accounting fraud, focusing on the investigation, motion practice, contested sentencing proceedings and appeal. I have no notes, transcript, or recording. The address of Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

March 10, 2017: Guest Lecturer, "White Collar Criminal Defense: Critical Issues and Strategies," Yale Law School, New Haven, Connecticut. I guest-taught Professor Kate Stith's class on the Computer Associates accounting fraud, focusing on the investigation, motion practice, contested sentencing proceedings and appeal. I have no notes, transcript, or recording. The address of Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

July 14, 2016: Panelist, "Compliance Panel," United States Securities and Exchange Commission, New York, New York. I spoke at the annual summer

retreat of the Asset Management Unit of the SEC's Enforcement Division, about best practices in compliance policies and procedures. I have no notes, transcript, or recording. The SEC's New York Regional Office is located at 200 Vesey Street, New York, New York 10281.

April 20, 2016: Panelist, "Managing Anti-Corruption Risks," ACA Compliance Group's Foreign Corrupt Practices Act Compliance Roundtable, sponsored by Wells Fargo Securities, New York, New York. I spoke about managing risk under the Foreign Corrupt Practices Act. I have no notes, transcript, or recording. The address of Wells Fargo's New York Office is 375 Park Avenue – Third Floor, New York, New York 10152.

March 7, 2016: Panelist, "General Counsel Perspectives on the State of the Industry," International Bar Association's 17<sup>th</sup> Annual International Conference on Private Investment Funds, London, United Kingdom. I spoke about recent SEC enforcement actions involving investment advisors. Copy of notes supplied.

May 5, 2015: Moderator, "Enforcement Issues and Investigations," Managed Funds Association Compliance Conference, New York, New York. I spoke about recent enforcement actions involving insider trading, theft of confidential business information, and conflicts of interest. Copy of PowerPoint presentation supplied.

April 3, 2015: Guest Lecturer, "White Collar Criminal Defense: Critical Issues and Strategies," Yale Law School, New Haven, Connecticut. I guest-taught Professor Kate Stith's class on the Computer Associates accounting fraud, focusing on the investigation, motion practice, contested sentencing proceedings and appeal. I have no notes, transcript, or recording. The address of Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

March 2, 2015: Guest Lecturer, "Business Crime," NYU School of Law, New York, New York. I guest-taught Professor Jennifer Arlen's class, which focused on recent developments in insider-trading law. I have no notes, transcript, or recording. The address of New York University School of Law is 40 Washington Square South, New York, New York 10012.

December 5, 2013: Panelist, "Proxy Advisory Firms Roundtable," United States Securities and Exchange Commission, Washington, D.C. Transcript available at <https://www.sec.gov/spotlight/proxy-advisory-services/proxy-advisory-services-transcript.txt>.

October 18, 2013: Moderator, "Cyber Security: Arming Your Firm Against the Rising Risks of Cyber Threats," Managed Funds Association Outlook Conference, Managed Funds Association, New York, New York. I moderated a panel on cybersecurity risk (best practices for avoiding and responding to network intrusions). Copy of notes and audio excerpt supplied.



April 24, 2013: Panelist, “Is Your Organization Prepared – Top Legal Challenges Facing the Hedge Fund Industry,” 8th Annual GAIM Ops Cayman Conference, Grand Cayman. I spoke about best practices in fund governance, including in relation to communications with a board of directors. Copy of notes supplied, along with an article reporting on my panel discussion.

March 29, 2013: Guest Lecturer, “White Collar Criminal Defense: Critical Issues and Strategies,” Yale Law School, New Haven, Connecticut. I guest-taught Professor Kate Stith’s class on the Computer Associates accounting fraud, focusing on the investigation, motion practice, contested sentencing proceedings and appeal. I have no notes, transcript, or recording. The address of Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

November 27, 2012: Moderator, “Best Practices to Prevent Insider Trading and Emerging Law Enforcement Issues for Hedge Funds,” Managed Funds Association Compliance Conference, New York, New York. I moderated a panel of prosecutors and SEC staff attorneys. Copy of notes supplied.

October 1, 2012: Panelist, “Insider Trading Issues in Today’s Enforcement Environment,” American Lawyer Media Insider Trading Seminar, New York, New York. I spoke about recent developments in insider-trading law. I have no notes, transcript, or recording. American Lawyer Media is located at 4 MetroTech Center, Brooklyn, New York 11201.

September 11, 2012: Guest Lecturer, “Alternative Investment Funds: Law and Policy,” Yale Law School, New Haven, Connecticut. I guest-taught Professor Josh Abramowitz’s class on alternative investment funds, focusing on the Investment Advisors Act of 1940 and the rules promulgated thereunder by the SEC. I have no notes, transcript, or recording. The address of Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

June 26, 2012: Panelist, “Managing Your Prime Broker Relationship and Counter-Party Risk,” HFM Legal Summit, White Plains, New York. I spoke about best practices in managing counterparty risk – the risk of insolvency of a custodian or trading counterparty. I have no notes, transcript or recording. HFM’s United States Office is located at 200 Park Avenue South – 16th Floor, New York, New York 10003.

January 31, 2012: Panelist, “Dodd-Frank Wall Street Reform and Consumer Protection Act,” United States Securities and Exchange Commission, Compliance Outreach Program for Investment Advisers and Investment Companies, Securities and Exchange Commission, Washington, D.C. A video excerpt is available at: [https://www.sec.gov/video/webcast-archive-player.shtml?document\\_id=complianceoutreachns013112-3](https://www.sec.gov/video/webcast-archive-player.shtml?document_id=complianceoutreachns013112-3).

November 30, 2011: Moderator, “SEC Registration, Reporting and Examinations,” Managed Funds Association Regulatory Compliance Best Practices Conference, New York, New York. Audio excerpt supplied.

September 22, 2011: Panelist, “A Look at Legal, Regulatory and Legislative Issues Currently Facing Hedge Funds,” Morgan Stanley COO & CFO Conference, Miami, Florida. I spoke about compliance policies, including best practices for the use of paid consultants in investment research. I have no notes, transcript, or recording. Morgan Stanley is located at 750 7th Avenue, New York, New York 10019.

September 21, 2011: Panelist, “Building a Successful Legal Office,” Argyle 2011 Hedge Fund General Counsel Leadership Forum, New York, New York. I spoke about legal department operations management. I have no notes, transcript, or recording. Argyle Executive Forum is located at 50 Broad Street, New York, New York 10004.

September 13, 2011: Panelist, “Dealing with Government Examinations and Investigations,” American Lawyer Media Hedge Fund General Summit, New York, New York. Audio is available for streaming at:  
<https://www.clecenter.com/program/programdescription.aspx?pgmid=2812>.

January 20, 2011: Panelist, “Global Oversight of Fund Managers: How AIFMD and Dodd-Frank Converge and Diverge,” Managed Funds Association EU Regulatory Reform Seminar, New York, New York. I spoke about complying with new global regulatory obligations being promulgated in the US and EU. I have no notes, transcript, or recording. Managed Funds Association is located at 546 5th Avenue, New York, New York 10036.

October 4, 2010: Panelist, “Changing Supervisory and Regulatory Landscape,” American Lawyer Media Hedge Fund General Counsel Summit, New York, New York. I spoke about supervisory responsibility in an investment advisor’s compliance program. I have no notes, transcript, or recording. American Lawyer Media is located at 4 MetroTech Center, Brooklyn, New York 11201.

September 23, 2010: Panelist, “Insider Trading,” ACA Compliance Group Conference, San Diego, California. I spoke about recent trends in insider trading enforcement, and the policies and procedures investment advisors should maintain. I have no notes, transcript, or recording. ACA Compliance Group is located at 1370 Broadway – 12th Floor, New York, New York 10018.

November 23, 2009: Panelist, “Non-Traditional Hedge Fund Enforcement in the New Regulatory Environment,” Practising Law Institute Seminar on Hedge Fund Enforcement and Regulatory Developments, New York, New York. I spoke about compliance best practices. I have no notes, transcript, or recording. The

Practicing Law Institute is located at 1177 6th Avenue, New York, New York 10036.

September 25, 2008: Panelist, American Lawyer Media Hedge Fund General Counsel Summit. Stamford, Connecticut. I spoke about compliance best practices. I have no notes, transcript, or recording. American Lawyer Media is located at 4 MetroTech Center, Brooklyn, New York 11201.

In or about September 2006, while employed at the U.S. Attorney's Office, I took part in a presentation on the subject of U.S. extradition proceedings in white-collar cases in London, United Kingdom, sponsored by Freshfields Bruckhaus Deringer. I do not recall the exact date of this panel, and I do not have notes, transcript, or recording of the event. The address of Freshfields Bruckhaus Deringer is 65 Fleet Street, London, United Kingdom, EC4Y 1HT.

- 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.

Alex Berenson, *Software Chief Admits to Guilt in Fraud Case*, NEW YORK TIMES, Apr. 25, 2006. Copy supplied (quotation reprinted in multiple outlets).

Dan Margolies, *Area Firm Pleads Guilty in Telephone Bill Scam*, KANSAS CITY STAR, Feb. 18, 2005. Copy supplied.

Corey Kilgannon, *Phone Executive Admits Conspiracy in Mob Fraud*, NEW YORK TIMES, Jan. 9, 2005. Copy supplied.

*CA To Settle Fake Sales Probe*, SHANGHAI DAILY, Sept. 23, 2004. Copy supplied.

Greg B. Smith, *Mob Dials for Dough – Say Millions Swindled Using Tiny Midwest Firm*, NEW YORK DAILY NEWS, Sept. 19, 2004. Copy supplied.

Stephen Taub, *Guilty Pleas by Computer Associates Trio*, CFO.COM, Apr. 9, 2004. Copy supplied (quotation reprinted in multiple outlets).

Jerry Capeci, *Billion-Dollar Rip-Off*, NEW YORK SUN, Mar. 25, 2004. Copy supplied.

Kati Cornell Smith, *Hostage-Holding Movers Guilty*, NEW YORK POST, May 10, 2003. Copy supplied.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed,

and a description of the jurisdiction of each such court.

I have not held judicial office.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_

i. Of these, 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 not held judicial office.

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

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

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

Member, Board of Directors of the New York Convention Center Operating Corporation (2014 – 2017). Appointed by Governor Andrew Cuomo.

I have never run for public office or been nominated unsuccessfully for appointed office.

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

I have never worked for a political party, election committee, or political campaign.

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 1994 to 1995, I served as a law clerk to the Honorable J.L. Edmondson, Circuit Judge of the United States Court of Appeals for the Eleventh 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.

1996 – 1998  
Cravath, Swaine & Moore  
825 Eighth Avenue  
New York, New York 10019  
Associate

1998 – 2000  
Skadden, Arps, Slate, Meagher & Flom LLP  
4 Times Square  
New York, New York 10036  
Associate

2000 – 2008  
United States Attorney's Office  
Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201  
Assistant U.S. Attorney (2000 – 2008)  
Chief, Business and Securities Fraud Section (2006 – 2008)  
Deputy Chief, Business and Securities Fraud Section (2005 – 2006)  
Computer Crimes Coordinator (2003 – 2004)

2008 – 2018  
Viking Global Investors LP  
280 Park Avenue

New York, New York 10017  
General Counsel

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

From 2008 through June 2018, I was the general counsel of Viking Global Investors LP, an investment advisor that managed approximately \$25 billion in assets for institutional investors such as university endowments, charitable foundations and sovereign wealth funds. As general counsel, I oversaw the firm's legal and regulatory affairs and supervise a nine-person Legal and Compliance Department. I managed a broad spectrum of transactional work, contract negotiation, trading and regulatory compliance management, employee-relations issues, and occasional litigation that occurs at Viking. During this time, my only clients were Viking and its affiliates (excepting *pro bono* work).

From 2000 to 2008, I served as an Assistant U.S. Attorney in the Eastern District of New York. Early in my career, I tried cases involving violent crime, illegal gun possession and the international distribution of stolen property. I also served as the office's computer-crimes coordinator, focusing on hacking and internet fraud. During the bulk of my tenure, however, I focused on white-collar criminal enforcement, including securities fraud, insider trading, mail and wire fraud, tax evasion and money laundering cases. I worked closely with attorneys from the Enforcement staff of the Securities and Exchange Commission and with law enforcement officers from the Federal Bureau of Investigation, U.S. Secret Service, and other agencies. I tried a number of cases as lead counsel, briefed and argued appeals in the Second Circuit, and managed large and complex grand-jury investigations. As I became more experienced, I was promoted to Deputy Chief and then Chief of the Office's Business and Securities Fraud Section. In those capacities, I supervised a number of Assistant U.S. Attorneys prosecuting white-collar and corporate crime. I also attended meetings of the President's Corporate

Fraud Task Force on behalf of the United States Attorney for the Eastern District of New York.

Before joining the U.S. Attorney's Office, I was an associate in the Government Enforcement group at Skadden, Arps, Slate, Meagher & Flom from 1998 to 2000. During this time, I represented companies and individuals in grand jury investigations and regulatory proceedings before agencies like the SEC. I assisted in the conduct of internal investigations and drafted briefs, motions, and one certiorari petition for submission to the federal courts. I also did a significant amount of *pro bono* work while at Skadden.

Before joining Skadden, I served as a corporate associate at Cravath, Swaine & Moore from 1996 to 1998. My clients there were typically public and private corporations, limited partnerships and limited liability companies, and my practice focused on mergers and acquisitions transactions (public and private), securities underwriting and other capital-raising transactions, and commercial banking matters. Much of this work was cross-border in nature.

- 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 did not appear in court during my tenure at Viking, though I supervised Viking's outside counsel on litigation matters and monitored the proceedings as they occurred. As an Assistant U.S. Attorney, my practice consisted almost entirely of conducting or supervising litigation, and I appeared in court frequently. As an associate in Skadden's Government Enforcement group, I did not appear in court on retained matters, but spent a significant amount of time formulating legal arguments and writing briefs in litigated matters. I did appear in court occasionally on behalf of *pro bono* clients during that time. Finally, my work as a corporate associate at Cravath did not involve litigation, although I did interact with regulatory agencies like the SEC and NASD on behalf of clients.

- i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 80% |
| 2. state courts of record:  | 10% |
| 3. other courts:            |     |
| 4. administrative agencies: | 10% |

- ii. Indicate the percentage of your practice in:

- |                          |     |
|--------------------------|-----|
| 1. civil proceedings:    | 15% |
| 2. criminal proceedings: | 85% |

- 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 seven cases to verdict. Five of these were in the U.S. Attorney's Office. I was sole counsel in three of these cases, chief counsel in one, and co-lead counsel in one. In addition, I participated in contested sentencing hearings involving multiple fact and expert witnesses during my time as an Assistant United States Attorney. I also served as co-lead counsel in a *pro bono* civil action while at Skadden, which included a bench trial in federal court. Finally, I served as sole counsel while in law school in at least one proceeding before an administrative law judge of the Department of Labor.

- i. What percentage of these trials were:
  - 1. jury: 70%
  - 2. non-jury: 30%

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

I have never appeared before the Supreme Court of the United States.

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

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

(1) *United States v. Kumar*, No. 1:04-cr-00846-ILG (E.D.N.Y.).

From approximately 2005 through 2007, I served as co-lead counsel in this securities fraud and obstruction-of-justice case against the former CEO and head of worldwide sales of Computer Associates International, Inc., then the world's third-largest software company. Both defendants pleaded guilty to all counts in the Indictment, with no plea agreement, two weeks before jury selection. Post-plea, the court conducted an extended

sentencing hearing concerning economic loss and allegations of data destruction; the government prevailed on all disputed issues. Computer Associates itself entered into a Deferred Prosecution Agreement with the Department of Justice and Securities and Exchange Commission, pursuant to which it agreed to pay \$225 million in restitution. The investigation resulted in the conviction of a total of eight executives on securities fraud and obstruction charges. The case was before United States District Judge I. Leo Glasser.

Co-Counsel:

David Pitofsky

News Corp.

1211 Avenue of the Americas

New York, New York 10036

(212) 416-3400

*Formerly with the United States Attorney's Office for the Eastern District of New York*

Amy Walsh

Morvillo Law

500 Fifth Avenue – 43rd Floor

New York, New York 10110

(212) 796-6330

*Formerly with the United States Attorney's Office for the Eastern District of New York*

Opposing Counsel:

Jack Cooney

*Deceased*

David Zornow

Christopher Gunther

Skadden, Arps, Slate, Meagher & Flom LLP

4 Times Square

New York, New York 10036

(212) 735-3000

(2) *United States v. LoCascio*, No. 1:03-cr-00304-CBA (E.D.N.Y.), *aff'd*, 185 F. App'x 88 (2d Cir. 2006).

I served as lead counsel in this case, which was identified by the Federal Trade Commission as the then-largest consumer fraud case in U.S. history (grossing over \$700 million). The prosecution dismantled a massive internet and telecommunications fraud and related money-laundering scheme perpetrated by a number of high-ranking members and associates of the Gambino organized crime family. The case resulted in the conviction of sixteen individual defendants and one corporation, as well as the recovery of approximately \$45 million in forfeiture proceeds. I worked on the case from the investigative phase through sentencing, from approximately 2003 to 2005. The case was before United States District Judge Carol B. Amon.

Co-Counsel:

Thomas Firestone  
Baker & McKenzie  
452 Fifth Avenue  
New York, New York 10018  
(212) 626-4447

*Formerly with the United States Attorney's Office for the Eastern District of New York*

Lead Opposing Counsel:

Richard Greenberg  
Gustave H. Newman (deceased)  
Newman & Greenberg LLP  
950 Third Avenue – 32nd Floor  
New York, New York 10022  
(212) 308-7900

Maurice Sercarz  
Sercarz & Riopelle, LLP  
810 Seventh Avenue, Suite 620  
New York, New York 10019  
(212) 586-4900

Paul Bergman  
950 Third Avenue  
New York, New York 10022  
(212) 355-7711

Gerald Shargel  
Winston & Strawn LLP  
200 Park Avenue  
New York, New York 10166  
(212) 294-2637

Ronald Fischetti  
Fischetti & Malgieri LLP  
747 Third Avenue – 20th Floor  
New York, New York 10017  
(212) 593-7100

(3) *United States v. Damti*, No. 1:02-cr-00471-NGG (E.D.N.Y.), *aff'd*, 109 F. App'x 454 (2d Cir. 2004).

I served as lead counsel in this five-week jury trial against the owners of a series of moving companies engaged in a nationwide fraud scheme. The defendants were accused of extorting inflated payments from customers of the moving companies and refusing to

return the customers' possessions if they did not accede to the higher fees. The two lead defendants were convicted on all counts and sentenced to 151 months' incarceration; a number of other defendants pleaded guilty. The trial was conducted in 2003 before United States District Judge Nicholas G. Garaufis. I also argued the appeal before the United States Court of Appeals for the Second Circuit, in which the judgment of the trial court was affirmed. The Second Circuit panel was comprised of Circuit Judges Winter and Jacobs. District Judge Pollak, who was part of the panel hearing the case, died after argument.

Co-Counsel:

John Buretta

Cravath, Swaine & Moore

825 Eighth Avenue

New York, New York 10019

(212) 474-1000

*Formerly with the United States Attorney's Office for the Eastern District of New York*

Opposing Counsel:

Austin Campriello

Bryan Cave LLP

1290 Avenue of the Americas

New York, New York 10104

(212) 541-2065

Avi Moskowitz

Moskowitz & Book, LLP

345 7th Avenue – 21st Floor

New York, New York 10001

(212) 221-7999

(4) *United States v. Ryan*, 1:04-cr-673 (E.D.N.Y.).

I was brought in approximately six weeks before trial in 2005 to co-lead this case, which asserted seaman's manslaughter and false-statements charges against the Director of the Staten Island Ferry service and his top deputy following the crash of the ferryboat Andrew J. Barberi, which killed eleven passengers. The prosecution culminated in both defendants' guilty pleas to the top counts against them. The case was before United States District Judge Edward R. Korman.

Co-Counsel:

Sarah Coyne

Weil, Gotschal & Manges LLP

767 Fifth Avenue

New York, New York 10153

(212) 310-8920

*Formerly with United States Attorney's Office for the Eastern District of New York*

Opposing Counsel:

Thomas Fitzpatrick  
500 Fifth Avenue  
New York, New York 10110  
(212) 930-1290

Philip C. Patterson  
DeFeis, O'Connell & Rose  
500 Fifth Avenue  
New York, New York 10110

(5) *United States v. Mahaffy*, No. 1:05-cr-00613-ILG (E.D.N.Y.).

This case, which I joined shortly before trial in 2007, involved insider-trading and obstruction-of-justice charges against brokers at major investment banks. The defendants were alleged to have permitted day-traders to eavesdrop on order-flow information disseminated through the banks' internal "squawk-box" communications systems. Following trial, the jury convicted one defendant of conspiring to obstruct justice, hung on one count of conspiracy to commit securities fraud, and acquitted on the remaining substantive counts. At retrial, which occurred after I left the U.S. Attorney's Office, the jury convicted on the remaining count. The convictions in the second trial were later overturned based on evidentiary disclosure and jury instruction issues unrelated to my work on the case. United States District Judge I. Leo Glasser presided over the first trial.

Co-Counsel:

Michael Asaro  
Akin, Gump Strauss Hauer & Feld LLP  
One Bryant Park  
New York, New York 10036  
(212) 872-8100

*Formerly with the United States Attorney's Office for the Eastern District of New York*

Sean Casey  
Walden, Macht & Haran LLP  
One Battery Park Plaza – 34th Floor  
New York, New York 10004  
(212) 335-2030

*Formerly with United States Attorney's Office for the Eastern District of New York*

Opposing Counsel:

Stephen Scaring  
990 Stewart Avenue  
Garden City, New York 11530  
(516) 683-8500

Roland Riopelle  
Sercarz & Riopelle, LLP  
810 Seventh Avenue, Suite 620  
New York, New York 10019  
(212) 586-4900

Bruce Maffeo  
Cozen O'Conner  
45 Broadway – 16th Floor  
New York, New York 10006  
(212) 883-4951

Mildred Whalen  
Federal Defenders of New York (E.D.N.Y)  
225 Cadman Plaza East  
Brooklyn, New York 11201  
(718) 330-1290

Donna Newman  
Law Offices of Donna Newman, PA  
20 Vesey Street, Suite 400  
New York, New York 10007  
(212) 229-1516

Peter Quijano  
Quijano & Ennis, P.C.  
40 Fulton St. – 23rd Floor  
New York, New York 10038  
(212) 686-0666

(6) *United States v. Halak*, No. 1:00-cr-00228-NG (E.D.N.Y.).

I prosecuted this case against a defendant who participated in an extensive conspiracy to export stolen luxury cars. Following a jury trial, the defendant was convicted on all counts. The case was before United States District Judge Nina Gershon. I also argued the appeal of this case before the Second Circuit; the judgment below was affirmed. The appeal was heard by Judges McLaughlin, Cabranes and Sack.

Opposing Counsel:  
John S. Wallenstein  
1100 Franklin Avenue, Suite 100  
Garden City, New York 11530  
(516) 742-5600

(7) *EEOC v. Local 638*, No. 71 Civ. 2877 (RLC), 117 F. Supp. 2d 386 (S.D.N.Y. 2000).

As an associate at Skadden, I worked *pro bono* for the Civil Rights Bureau of the New York State Attorney General's Office on this long-running action against a local union that had been found liable for racial discrimination. In particular, I served as co-counsel in 2000 in a bench trial focused on the question of whether defendant Sheet Metal Workers' Local Union No. 28 could afford certain back-pay that had been ordered in a previous stage of the case. The court held that the union was indeed able to afford the back-pay award. The trial was conducted before United States District Judge Robert L. Carter, on remand from the Second Circuit.

Co-Counsel:

Carrie L. Cohen  
Morrison & Foerster  
250 West 55th Street  
New York, New York 10019  
(212) 468-8049  
*Formerly with New York State Attorney General's Office*

Opposing Counsel:

John O'B. Clarke, Jr.  
Higsaw, Mahoney & Clarke, P.C.  
4142 Evergreen Drive  
Fairfax, Virginia 22032-1018  
(202) 296-8500

Edmund P. D'Elia  
262 Mott Street  
New York, New York 10012  
(212) 406-9686

(8) *United States v. Khanin*, No. 1:01-cr-00599-ERK (E.D.N.Y.).

I led the investigation and prosecution of this extensive health-care fraud conspiracy. The defendants defrauded the government of hundreds of thousands of dollars by "up-coding" requests for federal reimbursement in connection with the provision of various durable medical equipment devices. Following the defendants' guilty pleas, Judge Edward R. Korman sentenced the lead defendant to fifteen months' incarceration.

Opposing Counsel:

Michael Washor (deceased)

Joseph Sorrentino  
Law Offices of Joseph V. Sorrentino  
404 Manor Road

Staten Island, New York 10314  
(718) 720-2957

Joseph Benfante  
Law Offices of Joseph R. Benfante  
225 Broadway, Suite 2700  
New York, New York 10007  
(212) 227-4700

(9) *United States v. Rocancourt*, No. 1:01-cr-00653-CPS (E.D.N.Y.).

Together with a colleague, I prosecuted this case against a defendant who posed as a scion of the Rockefeller family, defrauding several victims in Manhattan and the Hamptons through advance-fee and other investment-fraud schemes. We successfully sought the defendant's extradition from Canada and obtained his conviction in the Eastern District of New York pursuant to a multi-district, global plea agreement before Judge Charles P. Sifton, who sentenced him to 46 months' incarceration.

Co-Counsel:

Ronald White  
Morrison Foerster  
250 West 55th Street  
New York, New York 10019  
(212) 468-8016

*Formerly with United States Attorney's Office for the Southern District of New York*

Opposing Counsel:

Victor Sherman  
Sherman & Sherman  
11400 West Olympic Boulevard, Suite 1500  
Los Angeles, California 90064  
(424) 371-5930

Bettina Schein  
565 Fifth Avenue – 7th Floor  
New York, New York 10017  
(212) 880-9417

(10) *United States v. Ramos*, No. 1:01-cr-00015-ARR (E.D.N.Y.).

I tried this case alleging possession of a firearm by a convicted felon. Following the jury's verdict of guilty, Judge Allyne Ross sentenced the defendant to 57 months' imprisonment.

Opposing Counsel:

Harry Batchelder



40 Wall Street, Suite 61  
New York, New York 10005  
(212) 602-2800

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.)

As the first general counsel at Viking Global Investors, I built a department responsible for all legal, regulatory and compliance matters on behalf of an investment advisor managing tens of billions of dollars in assets in jurisdictions around the world. I led the development of Viking's compliance policies, built a training regimen for employees in the firm's U.S. and non-U.S. offices, and developed a comprehensive compliance-testing process. I supervised the legal aspects of Viking's counterparty-risk management effort – the effort to ensure that Viking's clients receive maximum protection in the event of a failure of a trading counterparty or custodian of our funds' assets. I also supervised the negotiation and legal drafting for complex corporate and securities transactions in jurisdictions around the world. As discussed below, I also instituted a *pro bono* program and did *pro bono* work myself while at Viking.

At the U.S. Attorney's Office, in addition to the case work described in Item 17, above, I supervised a section of approximately thirteen AUSAs and a significant number of support personnel. In that capacity, I set priorities for the office's business and securities enforcement efforts. I also managed relationships with key outside constituencies like the SEC Enforcement Division, NASD enforcement (now FINRA), the FBI, Secret Service and other agencies. I also attended meetings of the President's Corporate Fraud Task Force on behalf of the United States Attorney for the Eastern District of New York. The Task Force was formed in the aftermath of accounting frauds at Enron, Adelphia, WorldCom, Computer Associates and other companies and formed the backbone of the government's response to that wave of scandals.

At Skadden, I served as the lead associate on a number of complex matters including advising a government agency following alleged improprieties in connection with the bidding process for the sale of a large tranche of public land; representing a group of associated companies in a criminal tax investigation; representing a leading securities firm after the arrest of a junior investment banker on insider-trading charges; advising a leading investment bank on the risks associated with capital markets transactions on behalf of internet gambling firms; and other matters.

At Cravath, I served in a more junior capacity on transactions including the \$8 billion sale of various specialty chemical businesses by an international conglomerate; a stock purchase and convertible note issuance by a multinational pharmaceutical company

acquiring a stake in a biotechnology firm; the issuance of certain innovative hybrid debt/equity securities; and other matters.

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.

Approximately once a year for the last several years, I have guest-taught a class in white-collar crime offered at Yale Law School and taught by Professor Kate Stith and David Zornow of Skadden, Arps, Slate, Meagher & Flom. In that class, the students learn about the government's investigation of an accounting fraud case; the company's internal investigation; subsequent motion practice; and contested sentencing proceedings.

I also guest-taught Professor Jennifer Arlen's course on Business Crime at NYU School of Law in March 2015. The unit focused on insider trading.

In September 2011, I guest-taught Professor Josh Abramowitz's class on Alternative Investment Funds at Yale Law School. The unit focused on the Investment Advisors Act of 1940 and the SEC rules promulgated thereunder.

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 am a party to a contract that requires me to maintain a specified minimum investment balance in certain funds managed by Viking Global Investors LP. The contract entitles me to the return of that capital over a three-year period following my departure from the firm, though the firm can elect (at its option) to return the funds on a more accelerated timetable, including immediately. While these balances remain invested at Viking, I am entitled to certain profit-sharing benefits from the firm as well as any return on the invested capital. Viking has informed me that they intend to return this capital in or about July of 2018.

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 have no plans, commitments, or agreements to pursue outside employment in the future.

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 Net Worth Statement.

24. **Potential Conflicts of Interest**:

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

If confirmed, I would evaluate any real or potential conflict, or relationship that could give rise to the appearance of a conflict, on a case-by-case basis and determine appropriate action, including recusal where necessary, with the input of the parties' counsel and consultation with the applicable canons of judicial ethics.

- 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 review 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 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.

Under my leadership, Viking's legal department instituted a *pro bono* effort in the last several years. We established relationships with a number of legal-services organizations that need experienced lawyers to represent indigent defendants in critical matters. I have personally logged a significant number of hours representing a petitioner seeking to extend a protective order in family court. I took this case through Sanctuary for Families, an organization that provides legal services (among other assistance) to victims of domestic abuse. Other members of the legal team have done extensive work for other legal-services organizations.

Viking also has an affiliated charitable foundation. I served as an executive officer and

member of the grants committee. The foundation focuses on early-childhood intervention in areas like children's pre-school educational development and nutrition and other health issues.

At Skadden, I received the firm's Pro Bono Service Award in 2000. This award largely reflected my work on a bench trial (described in response to Question 17) in which I assisted the New York Attorney General's office in seeking back pay for victims of racial discrimination by a local metal workers' union. I also represented victims of domestic abuse *pro bono* while at Skadden.

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.

After learning of the vacancy in the Eastern District of New York, I submitted a resume to the White House in early February 2017. I interviewed with members of the White House Counsel's Office and Department of Justice personnel on March 7, 2017. In early July 2017, the White House Counsel's Office contacted me to say that they had included my name on a list of potential nominees they had shared with the New York senators. I interviewed by telephone with a member of Senator Schumer's judicial screening committee on November 28, 2017. Earlier this year, the White House Counsel's Office informed me that I would be recommended to the President for nomination to the United States District Court for the Eastern District of New York, subject to agreement from the New York senators and completion of the required background investigation. Since that time, I have been in contact with members of the White House Counsel's Office and the Department of Justice regarding my nomination. On May 15, 2018, the President submitted my nomination to the Senate.

- 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.