UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Eric James Hamilton

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

United States District Judge for the District of Nebraska

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.

United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

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

1988; Omaha, Nebraska

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.

2011 – 2013, Stanford Law School; J.D., 2013

2010 – 2011, University of Nebraska College of Law; no degree

2006 – 2010, University of Nebraska-Lincoln; B.A. (with high distinction), 2010

2005, University of Nebraska-Omaha; no degree (earned credit during high school)

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.

2025 – present
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Deputy Assistant Attorney General

2023 – 2025
Nebraska Attorney General's Office
1445 K Street
Lincoln, Nebraska 68508
Solicitor General

2021 – 2023
Texas Attorney General's Office
209 West 14th Street
Austin, Texas 78701
Assistant Solicitor General

Spring 2021
The Honorable William P. Barr
Washington, D.C. [remote]
Sporadic Freelance Work

2019 – 2021
Office of the White House Counsel
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500
Associate Counsel to the President (2019 – 2021)
Deputy Associate Counsel to the President (2019)

2018
CoStar Group, Inc.
Former address: 1331 L Street, N.W.
Washington, D.C. 20005
Current address: 1201 Wilson Boulevard
Arlington, Virginia 22209
Secondee

2015 – 2019
Williams & Connolly LLP
Former address: 725 12th Street, N.W.
Washington, D.C. 20005
Current address: 680 Maine Avenue, S.W.
Washington, D.C. 20024
Associate

2013 – 2014
The Honorable Thomas M. Hardiman
United States Court of Appeals for the Third Circuit
700 Grant Street
Pittsburgh, Pennsylvania 15219
Law Clerk

Winter 2013
Stanford Law School Religious Liberty Clinic
559 Nathan Abbott Way
Stanford, California 94305
Student Attorney

Summer 2012
Hogan Lovells US LLP
[now Hogan Lovells Cadwalader US LLP]
555 13th Street, N.W.
Washington, D.C. 20004
Summer Associate

Summer 2011
Nebraska Attorney General's Office
1221 N Street
Lincoln, Nebraska 68508
Criminal Appeals Law Clerk

2009 – 2010
Gale for Secretary of State [defunct]
1320 Lincoln Mall, Suite 9
Lincoln, Nebraska 68508
Campaign Manager

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

I did not serve in the military. I 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.

The Great Navy of the Great State of Nebraska, Admiral (2010, 2014)

Stanford Law School
Pro Bono Distinction (2013)

Stanford Law Review (2011 – 2013)
Note Selected for Publication (published 2013)
Online Article Selected for Publication (published 2012)
Notes Editor (2012 – 2013)
Member (2011 – 2012)
Gerald Gunther Prize for Outstanding Performance in Evidence (Winter Term 2012)
John Hart Ely Prize for Outstanding Performance in Civil Jury (Winter Term 2012)

University of Nebraska College of Law
Regents Law Scholarship (2010 – 2011)
Merle & Frances Jones Scholar (2010 – 2011)
CALI Excellence for the Future Awards for Civil Procedure (Spring 2011) and Torts (Fall 2010)
McGrath North Mullin & Kratz Legal Writing Award (2011)
Outstanding Academic Achievement Award (2011)
Nebraska Law Review, Candidate Member (2011)

University of Nebraska-Lincoln
Degree conferred with high distinction (2010)
Phi Beta Kappa (2010)
Mortar Board National Senior Honor Society (2009)
Pi Sigma Alpha National Political Science Honor Society (date unknown)
College of Arts & Sciences Dean's List (seven of eight semesters)

ConAgra Foods, Inc., Mike Harper Leadership Scholarship (2006, 2007, 2008, 2009)

The Phillips Foundation, Washington, D.C., Ronald Reagan College Leaders Scholarship (2008, 2009)

Douglas County Republican Party, Ally Milder Future Leader Award (2006)

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.

Nebraska State Bar Association (2015 – present)

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, 2014
District of Columbia, 2015
Nebraska, 2015
Texas, 2021

I went inactive in California in 2020 because I was working in the federal government and did not need active status for my practice. I returned to active status in 2023, and I remain on active status.

I am inactive for the District of Columbia, as I have not needed active status for my practice. I have not been able to locate the year in which I moved to inactive status.

Other than as noted, there have been no lapses in membership.

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

Supreme Court of the United States, 2021
United States Court of Appeals for the Third Circuit, 2014
United States Court of Appeals for the Fifth Circuit, 2021
United States Court of Appeals for the Eighth Circuit, 2023
United States Court of Appeals for the Ninth Circuit, 2017
United States Court of Appeals for the District of Columbia Circuit, 2021
United States District Court for the Central District of California, 2015
United States District Court for the Eastern District of California, 2024
United States District Court for the Northern District of California, 2017
United States District Court for the Southern District of California, 2018
United States District Court for the District of Nebraska, 2023
United States District Court for the District of North Dakota, 2023
United States District Court for the Northern District of Texas, 2023

I am inactive in the United States District Court for the Central District of California. In a recent call, the Clerk's Office was not able to tell me when or how I became inactive, and I have no recollection or records of the same.

Other than as noted, there have been no lapses in membership.

11. **Memberships**:

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

Austin Rowing Club (2022)

The Federalist Society for Law and Public Policy Studies (2010 – 2013, 2017 – present)

Federalism & Separation of Powers Practice Group Executive Committee (2022 – 2025)

The Nebraska Society of Washington, D.C. (2016) (estimated)
Board Member (2016) (estimated)

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

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated 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 copies of all published material to the Committee.

Staff Profile: Deputy Assistant Attorney General Eric Hamilton, U.S. Dep't of Just. (last updated Sep. 16, 2026). Copy supplied.

Mike Hilgers, *Nebraska Will Fight the Radical Campaign for Electric Trucks*, Wall Street J., Jan. 17, 2025. I edited the author's draft. Copy supplied.

Mike Hilgers & Robert Evnen, *Protecting the Constitution*, Lincoln J. Star, Aug. 27, 2024. I edited the authors' draft. Copy supplied.

Mike Hilgers, *Why We're Challenging Biden's Student-Debt Power Grab*, Wall Street J., Feb. 27, 2023. I edited the author's draft. Copy supplied.

Michael Velchik, *The Presidential Avoidance Canon*, 102 Neb. L. Rev. 279 (2023). I am acknowledged by the author for having reviewed and commented on a draft of the article. Copy supplied.

An Introduction to the Law of Obligations of Afghanistan (Afghanistan Legal Education Project ed., 2014). I contributed to this piece along with numerous other authors and editors. My contribution was Chapter 10, "Remedies for Non-Performance." Copy supplied.

Note, *Federalism and the State Civil Jury Rights*, 65 Stan. L. Rev. 851 (2013). Copy supplied.

Note, *Politicizing the Supreme Court*, 65 Stan. L. Rev. Online 35 (2012). Copy supplied.

Independence, Teamwork Tamed Nebraska's 'Desert,' Omaha World-Herald, Mar. 1, 2009, at 8B. Copy supplied.

During my time on the *Stanford Law Review*, I performed standard law review editing on notes, comments, and articles for volumes 64 and 65, which are available here: https://www.stanfordlawreview.org/.

b. Supply 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.

To the best of my knowledge and recollection, I have neither prepared nor contributed to the preparation of any reports, memoranda, or policy statements on behalf of any bar association, committee, conference, or organization of which I was or am a member.

c. Supply 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.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former State Solicitors General in Support of the Confirmation of Benjamin Flowers to be United States Circuit Judge for the Sixth Circuit (May 5, 2026). Copy supplied.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former State Solicitors General in Support of the Confirmation of Katie Lane to be United States District Judge for the District of Montana (Mar. 11, 2026). Copy supplied.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former United States Department of Justice Officials in Support of the Confirmation of Brian Lea to be a Judge on the United States District Court for the Western District of Tennessee (Dec. 12, 2025). Copy supplied.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former State Solicitors General in Support of the Confirmation of Eddie LaCour to be United States

District Judge for the Northern District of Alabama (Aug. 27, 2025). Copy supplied.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former State Solicitors General in Support of the Confirmation of Joshua Divine as United States District Judge for the Eastern and Western Districts of Missouri (May 29, 2025). Copy supplied.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former State Solicitors General in Support of the Confirmation of Whitney Hermandorfer as Circuit Judge for the United States Court of Appeals for the Sixth Circuit (May 21, 2025). Copy supplied.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former State Solicitors General in Support of the Confirmation of T. Elliot Gaiser as Assistant Attorney General for the Office of Legal Counsel (May 12, 2025). Copy supplied.

Letter to Hon. Charles Grassley, Chairman, and Hon. Richard Durbin, Ranking Member, Committee on the Judiciary, United States Senate, from Current and Former State Solicitors General in Support of the Confirmation of D. John Sauer as Solicitor General of the United States (Jan. 3, 2025). Copy supplied.

Interpretation of the Nebraska Heartbeat Act (LB 626), Neb. Att'y Gen. Op. No. 23-005 (2023). Copy supplied.

d. Supply 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.

Although I have used my best efforts to identify specific speaking engagements below, it is possible that, while holding leadership positions in federal or state government, I spoke to other groups and organizations that are not listed here. If so, these remarks would likely have been brief and extemporaneous, and I do not have any notes, transcripts, or recordings.

June 28, 2025: Panelist, "Panel I: Opportunities for Public Service," 2025 Texas Young Lawyers Summit, The Federalist Society, Houston, Texas. I discussed my experience working in the White House, the United States Department of Justice, and two state attorney general offices. I have no notes, transcript, or recording. The address of The

Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

November 13, 2024: Panelist, "Solicitor General Roadshow," George Mason Student Chapter, The Federalist Society, Arlington, Virginia. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

October 18, 2024: Panelist, "State AGs Perspectives: Regulatory and Ethical Issues for Banks Navigating State Regulation, Business, and Enforcement," PNC Conference of Counsel, Washington, D.C. Notes supplied.

October 10, 2024: Panelist, "The Solicitor General Roadshow," Stanford Student Chapter, The Federalist Society, Stanford, California. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

October 9, 2024: Panelist, "The Solicitor General Roadshow," California-Berkeley Student Chapter, The Federalist Society, Berkeley, California. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

September 19, 2024: Panelist, "Solicitor General Roadshow: War Stories from the Legal Trenches," Nebraska Lawyers Chapter, The Federalist Society, Lincoln, Nebraska. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

August 29, 2024: Panelist, "The Solicitors General Roadshow: A Conversation and Happy Hour Event," Montana Lawyers Chapter, The Federalist Society, Helena, Montana. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

August 29, 2024: Panelist, "Solicitor Generals on Campus," Montana Student Chapter, The Federalist Society, Missoula, Montana. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

April 16, 2024: Panelist, "The SG Roadshow," Notre Dame Student Chapter, The Federalist Society, South Bend, Indiana. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C.

20006.

April 2, 2024: Panelist, "The SG Roadshow: A Conversation and Happy Hour with the Country's Youngest Solicitors General," D.C. Young Lawyers Chapter, The Federalist Society, Washington, D.C. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

April 2, 2024: Panelist, "The SG Roadshow," Georgetown Student Chapter, The Federalist Society, Washington, D.C. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

April 2024: I believe I was a moderator or panelist for a panel about energy litigation organized by the Republican Attorneys General Association in Houston, Texas. I have no notes, transcript, or recording. The address of the Republican Attorneys General Association is 1747 Pennsylvania Avenue, N.W., Suite 800, Washington, D.C. 20006.

March 18, 2024: Panelist, "The SG Roadshow: A Conversation and Happy Hour with the Country's Youngest Solicitors General," Dallas Young Lawyers Chapter, The Federalist Society, Dallas, Texas. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

March 18, 2024: Panelist. "A Solicitor General Roadshow," Texas A&M Student Chapter, The Federalist Society, Fort Worth, Texas. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

February 27, 2024: Panelist, "Solicitors General Roadshow," Memphis Student Chapter, The Federalist Society, Memphis, Tennessee. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

February 26, 2024: Panelist, "Solicitors General Roadshow," Vanderbilt Student Chapter, The Federalist Society, Nashville, Tennessee. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

At some point in 2024, I participated in a panel discussion held by the National Association of Attorneys General about brief writing. I believe the panel discussion was held in Washington, D.C. I have no notes, transcript, or recording. The address of the

National Association of Attorneys General is 1850 M Street, N.W., 12th Floor, Washington, D.C. 20036.

November 9, 2023: Panelist, "Do States Enjoy a Special Solicitude?," 2023 National Lawyers Convention, The Federalist Society, Washington, D.C. Video available at http://www.youtube.com/watch?v=ICBsnZWM8DU.

October 25, 2023: Panelist, "Solicitors General Roadshow," Chicago Young Lawyers Chapter, The Federalist Society, Chicago, Illinois. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

October 25, 2023: Panelist, "Solicitors General Roadshow," Michigan Student Chapter, The Federalist Society, Ann Arbor, Michigan. I discussed my experience as a state solicitor general and career paths in government. I have no notes, transcript, or recording. The address of The Federalist Society is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

May 25, 2009: Speaker, Memorial Day Ceremony, Ruskin, Nebraska. Prepared remarks supplied.

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and copies of the clips or transcripts of these interviews where they are available to you.

Ethan Bronner, *At Stanford, Clinical Training for Defense of Religious Liberty*, N.Y. Times, Jan. 21, 2013. Copy supplied.

Melissa Lee, *UNL Board OKs Satire Newspaper*, Lincoln J. Star, Dec. 13, 2007, at 1. Copy supplied.

Melissa Lee, *Students Eager to Start Satire Newspaper*, Lincoln J. Star, Dec. 5, 2007, at 1. Copy supplied.

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

I have not held judicial office.

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

i. Of these cases, approximately what percent were:

jury trials: ___%
bench trials: ___%

ii. Of these cases, approximately what percent were:

civil proceedings: ___%
criminal proceedings: ___%

b. Provide citations for all opinions you have written, including concurrences and dissents.

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

e. Provide a list of all cases in which certiorari was requested or granted.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in

which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

b. a brief description of the asserted conflict of interest or other ground for recusal;

c. the procedure you followed in determining whether or not to recuse yourself;

d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

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

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

Solicitor General, Nebraska Attorney General's Office (2023 – 2025), appointed by Nebraska Attorney General Michael T. Hilgers.

Deputy Assistant Attorney General, United States Department of Justice (2025 – present), appointed by United States Attorney General Pamela Bondi.

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.

Nebraska Republican Party State Central Committee, District Committeeman (2005 – 2011) (estimated).

Gale for Secretary of State, Campaign Manager (2006 – 2007, 2009 – 2010). I performed standard campaign manager duties.

Nebraska Republican Party Executive Committee, Secretary of State's Representative (2005 – 2010) (estimated).

Johanns for United States Senate, Press Assistant (2008 – 2009). I performed standard

campaign press assistant duties.

Camp for City Council, Campaign Manager (2007). I performed standard campaign manager duties.

Douglas County Republican Party Central Committee (2006).

I served as a delegate to the Nebraska Republican Party Convention and the Douglas County Republican Party Convention in 2006. I believe I served as a delegate or alternate delegate to the Nebraska Republican Party Convention and/or the Douglas County Republican Party Convention in other years preceding my 2011 move outside the state. I do not recall the specific years.

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 2013 to 2014, I served as a law clerk to the Honorable Thomas M. Hardiman of the United States Court of Appeals for the Third Circuit.

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

I have not practiced alone.

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

2015 – 2019
Williams & Connolly LLP
Former address: 725 12th Street, N.W.
Washington, D.C. 20005
Current address: 680 Maine Avenue, S.W.
Washington, D.C. 20024
Associate

2018
CoStar Group, Inc.
Former address: 1331 L Street, N.W.
Washington, D.C. 20005
Current address: 1201 Wilson Boulevard
Arlington, Virginia 22209

Secondee

2019 – 2021
Office of White House Counsel
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500
Deputy Associate Counsel to the President (2019)
Associate Counsel to the President (2019 – 2021)

2021 – 2023
Texas Attorney General's Office
209 West 14th Street
Austin, Texas 78701
Assistant Solicitor General

2023 – 2025
Nebraska Attorney General's Office
1445 K Street
Lincoln, Nebraska 68508
Solicitor General

2025 – present
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
Deputy Assistant 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 not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

In private practice at Williams & Connolly LLP from 2015 to 2019, I worked on a wide range of civil cases. Subject matters varied but intellectual property litigation probably accounted for the largest share of my work. My work at the firm included drafting briefs, assisting with civil discovery, and counseling clients. I argued one appeal in the United States Court of Appeals for the Third Circuit for a pro bono client. For six months in 2018, I was seconded to CoStar Group where I assisted the company with litigation and strategies to protect the

company's intellectual property rights.

I then served in the Office of White House Counsel from 2019 to 2021. My work focused on advising policymakers and handling congressional investigations. I drafted executive orders, reviewed and edited briefs filed in court, and coordinated with agency general counsel, among other things.

From 2021 to 2023, I was an Assistant Solicitor General in the Texas Attorney General's Office. My practice focused on litigation in the United States Supreme Court, United States Court of Appeals for the Fifth Circuit, and Texas Supreme Court. In my United States Supreme Court practice, I co-authored briefs and assisted the solicitor general with preparation for oral argument. I drafted many briefs filed in the Fifth Circuit and argued three cases in that court.

I was the Solicitor General for the State of Nebraska from 2023 to 2025. In that role, I was responsible for all the State's civil appeals and handled several criminal appeals as well. I practiced in both federal courts and the Nebraska state court system. I handled affirmative cases on behalf of the State against the federal government and other states. I also handled defensive cases, ranging from constitutional challenges to state statutes to tax disputes. In addition, I assisted with the preparation of legal opinions of the Attorney General, served as one of the Attorney General's principal legal advisers, and advised senior officials across state government.

Since the beginning of President Trump's second term in 2025, I have served as a Deputy Assistant Attorney General within the United States Department of Justice's Civil Division. I supervise the Division's Federal Programs Branch, which handles defensive litigation at the district court level involving programmatic challenges to Executive Branch policies and the implementation of statutes. The Branch's cases are frequently fast-paced, high-profile, and involve novel questions of law. The subject matter of the Branch's litigation is as varied as the Executive Branch. In my current role, I have argued multiple cases that were appealed to the Supreme Court, including district court proceedings for *Trump v. CASA, Inc.*, 606 U.S. 831 (2025).

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

As an associate at Williams & Connolly LLP from 2015 to 2019, I was a generalist civil litigator. Most of my cases were in federal district court. My clients were generally businesses, and I handled multiple matters for CoStar Group, where I was seconded.

Since leaving the private sector in 2019, my clients have been federal and state governmental entities and officials. I have represented the President of the United States, cabinet officials, state governors, state attorneys general, and federal and

state agencies in civil litigation.

While at the Texas and Nebraska Attorney General Offices from 2021 to 2025, I specialized in civil appellate litigation.

Since joining the United States Department of Justice in 2025, I have specialized in federal district court civil litigation. Most of this work has been defense-side but I handled some plaintiff-side litigation until the Civil Division's recent reorganization.

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 estimate that 80 percent of my practice has involved litigation. My work at the United States Department of Justice, Nebraska Attorney General's Office, Texas Attorney General's Office, and Williams & Connolly LLP concentrated on civil litigation. I have frequently appeared in court in my current role and when I worked at the Nebraska Attorney General's Office. I have handled about 30 hearings in federal district courts in my current role. Before joining the United States Department of Justice, I argued 19 appeals (including cases initiated in the Nebraska Supreme Court under that court's original jurisdiction). Most of those arguments occurred while I was Nebraska's Solicitor General. At the Office of White House Counsel, my practice focused on client counseling and congressional investigations, including work on the first impeachment trial. Client counseling also accounted for a large share of my practice at the Nebraska Attorney General's Office.

i. Indicate the percentage of your practice in:

1.	federal courts:	75%
2.	state courts of record:	25%
3.	other courts:	0%
4.	administrative agencies:	0%

ii. Indicate the percentage of your practice in:

1.	civil proceedings:	95%
2.	criminal proceedings:	5%

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

I have tried two cases to final judgment in federal district court as chief counsel. Additionally, I assisted with President Trump's first impeachment trial before the United States Senate as associate counsel.

i. What percentage of these trials were:

1.	jury:	0%
2.	non-jury:	100%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply 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 filed merits briefs, amicus briefs, petitions, and other documents. Briefs and other pleadings filed in the Supreme Court in cases in which I appeared on the brief, or in which I was significantly involved, are identified below. I have not included multistate amicus briefs authored or led by other states that Nebraska or Texas joined while I was in those states' attorney general offices unless I served as lead counsel or significant co-counsel. I also have not included miscellaneous, pro forma documents like motions for extension of time or response waivers.

Certiorari Stage:

Boehringer Ingelheim Pharms., Inc. v. Dep't of Health and Hum. Servs., No. 25-799, Brief for the Respondents in Opposition (Apr. 8, 2026). Copy supplied.

Novartis Pharms. Corp. v. Kennedy, No. 25-902, Brief for the Respondents in Opposition (Apr. 3, 2026). Copy supplied.

Novo Nordisk Inc. v. Kennedy, No. 25-761, Brief for the Respondents in Opposition (Mar. 30, 2026). Copy supplied.

Janssen Pharms., Inc. v. Kennedy, Nos. 25-749, 25-751, Brief for the Respondents in Opposition (Mar. 25, 2026). Copy supplied.

AstraZeneca Pharms. LP v. Kennedy, No. 25-348, Brief for the Respondents in Opposition (Jan. 2, 2026). Copy supplied.

Chevron USA Inc. v. Plaquemines Parish, No. 24-813, Brief of the United States as Amicus Curiae Supporting Petitioners (Sep. 11, 2025). Copy supplied.

Ohio v. EPA, No. 24-13, Petition for a Writ of Certiorari (July 5, 2024); Reply in Support of Petition for a Writ of Certiorari (Sep. 23, 2024). Copies supplied.

Texas v. Cook County, No. 22-234, Petition for a Writ of Certiorari (Sept. 9, 2022); Reply in Support of Petition for a Writ of Certiorari (Nov. 28, 2022). Copies supplied.

Bohannon v. United States, No. 16-449, Brief of Amici Curiae the Connecticut Criminal Defense Lawyers Association, the District of Columbia Association of Criminal Defense

Lawyers, the Kentucky Association of Criminal Defense Lawyers, and the Oklahoma Criminal Defense Lawyers Association (Nov. 4, 2016). Copy supplied.

Merits Stage:

Cisco Sys., Inc. v. Doe I, No. 24-856, Brief for the United States as Amicus Curiae Supporting Petitioners (Feb. 25, 2026). Copy supplied.

United States v. Texas, No. 22-58, Brief for Respondents (Oct. 18, 2022). Copy supplied.

Ramirez v. Collier, No. 21-5592, Brief for Respondents (Oct. 15, 2021). Copy supplied.

Biden v. Texas, No. 21-954, Brief for Respondents (Apr. 7, 2022). Copy supplied.

Cummings v. Premier Rehab Keller, P.L.L.C., No. 20-219, Brief of Amici Curiae the States of Texas, Alabama, Arkansas, Indiana, Louisiana, Mississippi, Oklahoma, South Carolina, Utah, and West Virginia (Oct. 6, 2021). Copy supplied.

Stay Stage:

Oklahoma v. EPA, No. 24A213, Application for Stay (Aug. 23, 2024); Reply in Support of Application for Stay (Sep. 24, 2024). Copies supplied.

North Dakota v. EPA, No. 24A180, Reply in Support of Emergency Application for Stay (Sep. 18, 2024). Copy supplied.

Original Jurisdiction:

Alabama v. California, No. 22O158, Motion for Leave to File Bill of Complaint (May 22, 2024); Reply Brief in Support of Motion for Leave to File Bill of Complaint (Sep. 4, 2024); Supplemental Brief of Plaintiffs (Dec. 24, 2024). Copies 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. *Newsom v. Trump*, 797 F. Supp. 3d 1092 (N.D. Cal. 2025) (Breyer, J.); 811 F. Supp. 3d 1086 (N.D. Cal. 2025) (Breyer, J.) (Representation: 2025 – present).

I represent the President, the Department of War, and the Secretary of War in a suit brought by the State of California and its governor challenging the President's federalization of members of the California National Guard and deployment of them within California. The court entered interim relief for the plaintiffs that was stayed by the United States Court of Appeals for the Ninth Circuit. After a bench trial, the court entered final judgment in the plaintiffs' favor on a Posse Comitatus Act claim. The defendants' appeal from that judgment remains ongoing. I first chaired the trial and led the trial team. I supervised case strategy, discovery, and the preparation of motions, pleadings, and briefs in district court.

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2. *United States v. Suirui Grp. Co., Ltd.*, No. 1:26-cv-369 (D.D.C.) (Ali, J.) (Representation: 2026 – present).

I represent the United States in an action against Jupiter Systems, Inc., Suirui Group Co., Ltd., and Suirui International Co., Ltd., to enforce a presidential order directing the divestment of a Chinese company's acquisition of an American company. The court granted the United States's motion for a preliminary injunction, and the United States Court of Appeals for the D.C. Circuit denied a motion to stay the district court's order. The litigation remains ongoing. I handled oral argument in the preliminary injunction hearing. I am supervising case strategy, discovery, and the team in district court. I have edited and drafted district court briefs in the case as well.

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3. *Nebraska v. Su*, 121 F.4th 1 (9th Cir. 2024) (R. Nelson, Forrest & Sanchez, JJ.) (Representation: 2023 – 2025).

I represented the State of Nebraska and led a multistate coalition including the States of Idaho, Indiana, and South Carolina in a case against the President and United States Department of Labor defendants challenging the implementation of an executive order signed by President Biden imposing a minimum wage on federal contractors. The Ninth Circuit reversed the district court, holding that President Biden's minimum wage was unlawful. I handled oral argument in the Ninth Circuit, substantially drafted appellate briefs, managed the team, and coordinated with the multistate coalition.

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4. *Precision Castparts Corp. v. Neb. Dep't of Revenue*, 317 Neb. 481 (2024) (Heavican, C.J., Miller-Lerman, Cassel, Stacy, Funke, Papik & Freudenberg, JJ.) (Representation: 2023 – 2024).

I represented the State of Nebraska and the State's Tax Commissioner in a suit brought by Precision Castparts Corporation. The suit challenged the State's denial of the company's claim of a tax deduction, specifically whether certain income was deductible as "dividends . . . deemed to be received" under Nebraska Revised Statutes § 77-2716(5). The Nebraska Supreme Court agreed with the State's position and affirmed the district court's order. I handled oral argument in the Nebraska Supreme Court and co-drafted our appellate brief.

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5. *E.T. v. Paxton*, 41 F.4th 709 (5th Cir. 2022) (Davis, Willett & Oldham, JJ.) (Representation: 2021 – 2022).

I represented the Attorney General of Texas in a lawsuit brought on behalf of several Texas students challenging an executive order issued by the Governor of Texas banning mask mandates in Texas schools. The district court entered an injunction against the Attorney General. The Fifth Circuit vacated the injunction after accepting our argument that the district court lacked subject-matter jurisdiction. I handled oral argument and drafted the briefs in the Court of Appeals.

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6. *Casa Inc. v. Trump*, No. 8:25-cv-201, 763 F. Supp. 3d 723 (D. Md.) (Boardman, J.) (Representation: 2025 – present).

I represent the President and other federal defendants in a lawsuit brought by organizations and individuals challenging the federal government's policies concerning

birthright citizenship. The district court entered a nationwide injunction enjoining implementation of the President's 2025 Birthright Citizenship Executive Order. On appeal, the Supreme Court accepted the argument that district courts lack authority to issue nationwide injunctions affording relief to non-parties. I handled oral argument in the district court on the preliminary injunction motion and supervised the case team, strategy, and briefing in the district court.

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7. *Planned Parenthood of the Heartland, Inc. v. Hilgers*, 317 Neb. 217 (2024) (Heavican, C.J., Miller-Lerman, Cassel, Stacy, Funke, Papik & Freudenberg, JJ.) (Representation: 2023 – 2024).

I represented the Attorney General of Nebraska in a lawsuit brought by Planned Parenthood of the Heartland and Dr. Sarah Traxler challenging a statute that restricted abortions and gender altering procedures for minors. The Nebraska Supreme Court accepted our arguments that the statute did not violate the State Constitution's single-

subject rule. I handled oral argument in the Nebraska Supreme Court and co-drafted appellate briefing.

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8. *A&R Eng'g v. Scott*, 72 F.4th 685 (5th Cir. 2023) (Stewart, Willett & Oldham, JJ.) (Representation: 2022 – 2023).

I represented the Attorney General of Texas in a lawsuit brought by a municipal contractor called A&R Engineering and Testing. The suit challenged a state law that required municipal contractors to certify that they do not and will not boycott Israel for the duration of their contracts. The district court entered a preliminary injunction against

enforcement of the statute. On appeal, the Fifth Circuit vacated the injunction, holding that the plaintiff lacked standing. I handled the oral argument in the Fifth Circuit and co-drafted the briefs.

Co-counsel:

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9. *Mick v. Gibbons*, 171 F.4th 1097 (8th Cir. 2026) (Loken, Erickson & Kobes, JJ.) (Representation: 2024 – 2025).

I represented the Nebraska State Patrol in challenging a third-party subpoena it received in a lawsuit brought by Bryan S. Mick as personal representative of the Estate of Print Zutavern. We sought to quash the subpoena, arguing that state sovereign immunity protected the Patrol from the subpoena. A magistrate judge and the district court disagreed with our arguments, but the Eighth Circuit reversed and recognized the immunity's applicability. I set case strategy and co-drafted briefs in the Court of Appeals. The case was argued in the Eighth Circuit after I left the Nebraska Attorney General's office.

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10. *HCI Distrib., Inc. v. Hilgers*, 110 F.4th 1062 (8th Cir. 2024) (Benton, Erickson & Kobes, JJ.) (Representation: 2023 – 2025).

I represented the Attorney General of Nebraska and the State's Tax Commissioner in a lawsuit brought by HCI Distribution, Inc., and Rock River Manufacturing, Inc., challenging the application of state tobacco laws based on tribal sovereignty. The district court entered an injunction that the Eighth Circuit reversed and remanded in part. I handled oral argument in the Eighth Circuit and supervised the preparation of appellate briefs.

Co-counsel:

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

Much of my work at the Office of White House Counsel involved non-litigation activities. Among other things, I advised senior administration officials on Executive Branch actions, drafted executive orders, and handled congressional investigations. I also spent a substantial share of my time at the Nebraska Attorney General's Office working on non-litigation activities. This included supervising and assisting with the preparation of legal opinions of the Attorney General of Nebraska. In addition, I handled non-litigation activities during my secondment to CoStar Group. I worked with the company's General Counsel and Deputy General Counsel on strategies to protect the company's intellectual property rights.

I have never acted or registered as a lobbyist.

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

I have not taught any courses.

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 have work-related retirement accounts from my current and previous work for the federal government and my previous work for the States of Nebraska and Texas and Williams & Connolly LLP. The amounts in these accounts are described in the attached Net Worth Statement.

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.

No.

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

When my nomination is formally transmitted to the Senate, I will file my mandated Financial Disclosure Report and supply a copy to this Committee.

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 will recuse in any litigation in which I have been involved. Cases most likely to implicate conflict questions would be those connected to my service at the United States Department of Justice. Such cases are likely to be rare in the District of Nebraska. As my service in the Nebraska Attorney General's Office ended nearly two years ago, I also do not expect significant conflict issues from my past work in that office. I will evaluate any other 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 actions in consultation with 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 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 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.

I provided pro bono legal services while in private practice and as a law student. For example, in private practice, I accepted a pro bono attorney appointment by the United States Court of Appeals for the Third Circuit and represented a former Pennsylvania State Police 911 dispatcher in a successful appeal. I also provided pro bono services to the State of Maryland Public Defender's Office and represented a criminal defendant in Montgomery County Court. In addition, I assisted with the preparation of an amicus brief on behalf of several state associations of criminal defense attorneys. In law school, I provided pro bono services through the Religious Liberty Clinic, and I graduated with Pro Bono Distinction.

Having spent most of my legal career in government, I have generally been precluded from providing pro bono legal services. I have endeavored to contribute to the profession by speaking at law schools and mentoring younger lawyers.

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 2025, I interviewed with individuals from the Office of White House Counsel and the Department of Justice to be considered for a judicial nomination. After Judge Robert F. Rossiter announced in September 2026 that he would take senior status, I discussed the vacancy with the Office of Senator Deb Fischer on October 4 and 5 and with the Office of White House Counsel on October 6 and 9. On October 19, the President informed me that he would nominate me. Throughout this process, I have had contact with members of the White House Counsel's Office and the Justice Department's Office of Legal Policy regarding the nomination and associated paperwork. In addition, I am a current employee

of the Justice Department and discussed the vacancy and my interest in it with several colleagues at the Department.

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.

AFFIDAVIT

I, Eric Hamilton, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

10/16/2026 Eric Hamilton
(DATE) (NAME)

(NOTARY)

District of Columbia
Signed and sworn to (or affirmed) before me
on 10/16/26 by Stephanie Wallace
Date Name(s) of individual(s) making Statement

Signature of Notarial Officer

Title of Office

My commission expires: 4/14/2031