

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Edmund Gerard LaCour Jr.

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

United States District Judge for the Northern District of Alabama

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 of the Alabama Attorney General
501 Washington Avenue
Montgomery, Alabama 36104

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

1985; Phoenix, Arizona

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.

2008 – 2011, Yale Law School; J.D., 2011

2007 – 2008, Trinity College Dublin; M. Phil, 2008

2003 – 2007, Birmingham-Southern College; B.A. (*summa cum laude*), 2007

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.

2018 – present
Office of the Alabama Attorney General
501 Washington Avenue

Montgomery, Alabama 36104
Solicitor General (2019 – present)
Deputy Solicitor General (2018 – 2019)

2016 – 2018
Kirkland & Ellis LLP
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Partner (2017 – 2018)
Associate (2016 – 2017)

2015 – 2016
Bancroft PLLC
500 New Jersey Avenue, N.W., 7th Floor
Washington, D.C. 20001
Associate

2014 – 2015
Baker Botts LLP
700 K Street, N.W.
Washington, D.C. 20001
Associate

2012 – 2014
Baker Botts LLP
910 Louisiana Street
Houston, Texas 77002
Associate

Fall 2012
Romney for President, Inc.
500 Cummings Center, Suite 4400
Beverly, Massachusetts 01915
Attorney Volunteer (Uncompensated)

Fall 2012
Office of the Texas Attorney General, Solicitor General's Division
300 West 15th Street
Austin, Texas 78701
Law Clerk (Uncompensated)

2011 – 2012
Honorable William H. Pryor Jr.
United States Court of Appeals for the Eleventh Circuit
Hugo Black Courthouse
1729 5th Avenue North

Birmingham, Alabama 35203
Law Clerk

Spring 2011
United States Attorney's Office for the District of Connecticut
157 Church Street
New Haven, Connecticut 06510
Law Clerk

Summer 2010
Martha Roby for Congress
2876 Zelda Road
Montgomery, Alabama 36106
Campaign Volunteer (Uncompensated)

Summer 2010
Bradley Arant Boult Cummings
1819 5th Avenue North
Birmingham, Alabama 35203
Summer Associate

Summer 2009
United States Attorney's Office for the Northern District of Alabama
1800 5th Avenue North, Suite 200
Birmingham, Alabama 35203
Law Clerk

Summer 2009
Bradley Arant Boult Cummings
1819 5th Avenue North
Birmingham, Alabama 35203
Summer Associate

Summer 2007
Bradley Arant Rose & White
[Now Bradley Arant Boult Cummings]
1819 5th Avenue North
Birmingham, Alabama 35203
Project Assistant

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

I have never served 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.

Leonine Forum, Leonine Fellow (2015 – 2016)

Bradley Arant Boult Cummings, 2009 Douglas Arant Public Interest Fellowship (2009)

Rotary Ambassadorial Scholar (2007 – 2008)

Degree from Birmingham-Southern College, *summa cum laude* (2007)

Birmingham-Southern College, Phi Beta Kappa (2007)

Birmingham-Southern College, Alpha Lambda Delta Book Award (highest GPA in the honor society) (2007)

Birmingham-Southern College, Phi Eta Sigma Senior Award (highest GPA in the honor society) (2007)

Birmingham-Southern College, Pi Sigma Alpha National Political Science Honor Society (2007)

Birmingham-Southern College, Mortar Board National College Senior Honor Society (2007)

Birmingham-Southern College, Order of Omega Greek Honor Society (2007)

Birmingham-Southern College, Hess Fellowship (2006)

Birmingham-Southern College, Honor Council (2004 – 2007)

Birmingham-Southern College, National Merit Scholar Scholarship (2003 – 2007)

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.

Alabama Supreme Court, Standing Committee on Alabama Rules of Appellate Procedure (2019 – present)

Federalist Society for Law and Public Policy Studies (2008 – present)

DC Young Lawyers Chapter, Steering Committee (2015 – 2018)

Houston Lawyers Chapter, Board Member (2012 – 2014)

Hugh Maddox Inn of Court (2021 – 2022)

U.S. Court of Appeals for the 11th Circuit, Lawyers Advisory Committee (2024 – 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.

Alabama (2011)

Texas (2013)

District of Columbia (2016)

My Alabama Bar license was in inactive status or special membership status from 2013 until 2018 because I did not live or practice law in Alabama. My Texas Bar license has been in inactive status since January 2019 because I moved to Alabama and no longer practice law in Texas. I resigned my D.C. Bar license in June 2019 because I moved to Alabama and no longer practice law in Washington, D.C. Otherwise, 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, 2015

United States Court of Appeals for the First Circuit, 2025

United States Court of Appeals for the Second Circuit, 2015

United States Court of Appeals for the Third Circuit, 2017

United States Court of Appeals for the Fourth Circuit, 2021

United States Court of Appeals for the Fifth Circuit, 2017

United States Court of Appeals for the Sixth Circuit, 2013

United States Court of Appeals for the Seventh Circuit, 2022

United States Court of Appeals for the Eighth Circuit, 2024

United States Court of Appeals for the Ninth Circuit, 2015

United States Court of Appeals for the Tenth Circuit, 2023

United States Court of Appeals for the Eleventh Circuit, 2016

United States Court of Appeals for the D.C. Circuit, 2015

United States Court of Appeals for the Federal Circuit, 2015

United States District Court for the Middle District of Alabama, 2018

United States District Court for the Northern District of Alabama, 2019

United States District Court for the Southern District of Alabama, 2018

United States District Court for the District of North Dakota, 2023

United States District Court for the Eastern District of Texas, 2025

United States District Court for the Northern District of Texas, 2014

Supreme Court of Alabama, 2011

My admission to the U.S. Court of Appeals for the Second Circuit remained active from 2015 until 2020, but then was not renewed until I practiced before that court again in

2024. Otherwise, I am aware of no lapses in memberships.

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.

American Enterprise Institute Enterprise Club (2017 – 2021)

Birmingham-Southern College Alumni Board (2019 – 2023)

Holy Spirit Catholic Church

Building Committee Member (2023 – present)

Parish Council Member (2023 – present)

Parish Council President (2023 – 2024)

Teneo Network

Member (2014 – present)

Regional Chair (2016 – 2018)

Wynlakes Golf & Country Club (2021 – present)

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

I was a member of the Birmingham-Southern College Alumni Board. The College closed in 2024. The college dates back to 1856, when the Methodist Church founded Southern University in Greensboro, Alabama. In 1898, the Methodist Church founded what would become Birmingham College, and the two schools merged in 1918. Women were allowed to attend classes at Southern College as early as 1867. But Birmingham-Southern College did not admit African-American students until 1965. At no time during my service on the Alumni Board did Birmingham-Southern College discriminate in admissions or in the hiring of employees on the basis of race, sex, religion or national origin, either through formal admission or hiring requirements or the practical implementation of admission or hiring policies.

Except as set forth above, 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.

Steve Marshall & Edmund LaCour, *Attorney General William H. Pryor Jr.*, 75 Ala. L. Rev. 1099 (2024). Copy supplied.

Symposium: The Supreme Court turns against novel or late-breaking execution challenges, SCOTUSBlog (July 29, 2019). Copy supplied.

Yale Law & Policy Review, Volumes 27 – 29, Fall 2008 – Spring 2011. I served as an editor on volume 27 and as a senior editor on volumes 28 and 29 of the journal. I do not recall any specific articles on which I worked.

Euthanasia: An Ethical and Pragmatic Public Policy Approach, Southern Academic Review (2006). Copy supplied.

Youth hopes, acts for better future, Voice of Alabama, Sept. 4, 2006. Copy supplied.

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.

None.

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 the Senate Judiciary Committee supporting the nomination of Chad Meredith, July 20, 2025. Copy supplied.

Letter of State Solicitors General to the Senate Judiciary Committee supporting the nomination of Joshua Divine, May 29, 2025. Copy supplied.

Letter of former law clerks for Chief Judge Pryor to the Senate Judiciary Committee supporting the nomination of Joshua Divine, May 29, 2025. Copy supplied.

Letter to the Senate Judiciary Committee supporting the nomination of Whitney Hermandorfer, May 21, 2025. Copy supplied.

Letter to the Senate Judiciary Committee supporting the nomination of D. John Sauer, Jan. 3, 2025. Copy supplied.

Testimony of Edmund G. LaCour Jr., Hearing before the United States Senate Committee on the Judiciary: "Texas's Unconstitutional Abortion Ban and the Role of the Shadow Docket," Sep. 29, 2021. Copy supplied.

Letter to the Senate Judiciary Committee supporting the nomination of Stephen Vaden, Nov. 12, 2019. Copy supplied.

Letter to the Senate Judiciary Committee supporting the nomination of Lawrence VanDyke, Oct. 28, 2019. 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.

July 9, 2025, Speaker, "The Politicization of Science," Federal Trade Commission, Washington, DC. Video of the event is available here:
<https://www.ftc.gov/media/dangers-gender-affirming-care-minors>.

March 7, 2025: Speaker, "Maintaining Your Faith Life," Montgomery Catholic Preparatory School Senior Success Seminar, Montgomery, AL. I spoke with seniors from Montgomery Catholic Preparatory School about ways to maintain their religious faith as they graduate high school and go on to new environments and challenges. I have no notes, transcript, or recording. Montgomery Catholic Preparatory School is located at 5350 Vaughn Rd, Montgomery, AL 36116.

March 3, 2025, Speaker, "Arguing Before the Supreme Court," University of Alabama School of Law's Chapter of the Federalist Society, Tuscaloosa, AL. Notes provided.

March 3, 2025, Speaker, "The Role of State Solicitors General," Guest speaker for a class focused on the Role of the State Attorney General at the University of Alabama Law School, Tuscaloosa, AL. Notes provided.

December 2, 2024, "The *Skrmetti* Case: SCOTUS to Hear Challenge to Tennessee's Ban on 'Gender Affirming' Treatments," Fair For All,
<https://www.youtube.com/watch?v=mp1AQv1OgyY>.

October 7, 2024: Speaker, "Role of the State Solicitor General," Guest speaker at Auburn University pre-law class, Auburn, AL. I have no notes, transcript, or recording. The Auburn University Pre-Law Scholars Program is located at the Haley Center, 351 W Thach Concourse Suite 7002, Auburn, AL 36849.

October 3, 2024: Speaker, "Voting Rights Litigation," Heritage Foundation and Harvard Journal of Law and Public Policy, Washington, DC. Audio of the event is available here: https://open.spotify.com/episode/7jYpOCoxpeXCrlUkSYSbvl?go=1&sp_cid=a3090bf5520a031128bf72dfaa8839c&utm_source=embed_player_p&utm_medium=desktop&nd=1&dlsi=713126a95ce8471c.

August 9, 2024: Speaker, "Racial Gerrymandering Claims and Federal Redistricting Litigation," Republican National Lawyers Association, Palm Beach, FL. I discussed current issues in redistricting litigation. I have no notes, transcript, or recording. The Republican National Lawyers Association's address is P.O. Box 18965, Washington, D.C. 20036.

June 13, 2024: Speaker, "Appellate Litigation Update" & Introduction of Chief Judge William H. Pryor Jr., Alabama Attorney General's Continuing Legal Education Seminar, Montgomery, AL. Notes provided.

May 2, 2024: Speaker, "Hot Topics in State Litigation," Birmingham Lawyers Chapter of the Federalist Society, Birmingham, AL. I discussed certain cases the State was either engaged in or had recently resolved. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

April 29, 2024: Speaker, "Federal Preemption and Environmental Regulation Webinar," C. Boyden Gray Center at George Mason University. Video available at: <https://www.youtube.com/watch?v=4K33QiNUZwU>.

November 17, 2023: Speaker, Civil Procedure Discussion Regarding *Culley v. Marshall*, No. 22-585 (U.S.), Yale Law School, New Haven, CT. Notes provided.

November 17, 2023: Speaker, "Luncheon with Eddie LaCour," Yale Law School Chapter of the Federalist Society, New Haven, CT. I spoke with students at the law school about the role of a state solicitor general and some of the State's recent litigation. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

November 2, 2023: Speaker, "Luncheon with Eddie LaCour," DC Young Lawyers Chapter of the Federalist Society, Washington, DC. I spoke generally about the role of a state solicitor general and cases in which states have been involved. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

September 8, 2023: Speaker, "Modern Strategies for the Offices of State Attorneys General," The Federalist Society's Alabama Chapters Conference, Birmingham, AL. Video available at <https://youtu.be/tTzTPmIxW84>.

May 25, 2023: Speaker, "Role of the State Solicitor General," Dothan Rotary Club, Dothan, AL. Notes provided.

May 10, 2023: Speaker, "Supreme Court and Appellate Court Review," Alabama Attorney General's Continuing Legal Education Seminar, Montgomery, AL. Notes provided.

April 28, 2023: Speaker, "The Advocates: Arguing the Constitution and Achieving Results," The Federalist Society's Third Circuit Chapters Conference, Philadelphia, PA. Notes provided.

April 25, 2023: Speaker, Thomas Goode Jones School of Law Board of Advocates Awards Banquet, Montgomery, AL. Notes provided.

February 20, 2023, Speaker, "The Solicitor General & States at SCOTUS," Guest speaker for a class focused on the Role of the State Attorney General at the University of Alabama Law School, Tuscaloosa, AL. I have no notes, transcript, or recording. The University of Alabama Law School is located at 101 Paul W Bryant Dr, Tuscaloosa, AL 35401.

November 28, 2022: Speaker, "The New Supreme Court: Stories from the Front Lines," Alaska Lawyers Chapter of the Federalist Society, Anchorage, AK. I spoke on a panel about my recent experiences litigating before the Supreme Court. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

November 3, 2022: Speaker, "A Conversation About Election Law," Yale Law School Federalist Society, New Haven, CT 06511. I spoke about my recent experiences litigating before the Supreme Court. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

October 28, 2022: Speaker, "A Breakfast Chat with Alabama Solicitor General Edmund LaCour," Georgetown University Law School Chapter of the Federalist Society, Washington, DC. I spoke generally about the role of a state solicitor general and cases in which states have been involved. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

July 21, 2022: Speaker, "*Smith*, Strict Scrutiny, and the Supreme Court: What Does the Future Hold?" Alliance Defending Freedom, Greensboro, GA. I was part of a panel that discussed recent developments in free exercise jurisprudence. I have no notes, transcript, or recording. Alliance Defending Freedom's address is 15100 N. 90th Street, Scottsdale, AZ 85260.

July 18, 2022: Speaker, "2022 Supreme Court Review," Nashville Lawyers Chapter of the Federalist Society, Nashville, TN. Notes provided.

June 23, 2022: Speaker, "Role of the State Solicitor General," Houston County Republican Women, Dothan, AL. I discussed the role the solicitor general plays in the Alabama Attorney General's office and some litigation in which the State was involved. I have no notes, transcript, or recording. The event was covered here: https://dothaneagle.com/news/local/houston-county-republican-women-organization-donates-to-food-bank-hears-from-solicitor-general/article_191f1dbc-00a4-11ed-a886-b3b83894dff3.html. Copy supplied.

April 29, 2022: Speaker, "The Voting Rights Act and Alabama Congressional Districts Case," Birmingham Lawyers Chapter of the Federalist Society, Birmingham, AL. I discussed litigation related to Alabama's congressional districts. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

December 2, 2021: Speaker, "SCOTUS Preview," Huntsville-Madison County Bar Association, Huntsville, AL. I reviewed several cases that were pending before the Supreme Court. I have no notes, transcript, or recording. The address for the Huntsville-Madison County Bar Association, Inc. is 228 Holmes Avenue, 8th Floor, Huntsville, AL 35801.

October 21, 2021: Speaker, "A View from the States: AL, TN, LA, and TX Solicitors General Panel Discussion," Birmingham Lawyers Chapter of the Federalist Society, Birmingham, AL. I discussed several recent or ongoing cases in which states had been involved. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

September 29, 2021: Speaker, United States Senate Committee on the Judiciary Hearing on "Texas's Unconstitutional Abortion Ban and the Role of the Shadow Docket," Washington, DC. Remarks included.

September 21, 2021: Speaker, "Supreme Court Round-Up," Tampa Bay Lawyers Chapter of the Federalist Society, Tampa, FL. Notes provided.

August 31, 2021: Speaker, "The Role of the State Attorney General in Preserving Our Federalism," University of Alabama School of Law's Chapter of the Federalist Society, Tuscaloosa, AL. I participated in a panel with the Alabama Attorney General to discuss constitutional challenges initiated by the States. I have no notes, transcript, or recording. The Federalist Society's address is 1776 I Street, NW Suite 300, Washington, DC 20006.

August 5, 2021: Speaker, Law School Prep Academy, Alliance Defending Freedom, webinar. I participated in an online discussion with incoming first-year law students about my background, path to law school, and legal career. I have no notes, transcript, or

recording. Alliance Defending Freedom's address is 15100 N. 90th Street, Scottsdale, AZ 85260.

July 21, 2021: Speaker, "Supreme Court Round-up," Montgomery Lawyers Chapter of the Federalist Society, Montgomery, AL. Notes provided.

March 30, 2021: Speaker, "Role of the State Solicitor General," Guest speaker at Auburn University pre-law class, Auburn, AL. Notes provided.

December 4, 2019: Speaker, "Lunch remarks," Meeting of Southern Forestry Association Executives, Montgomery, Alabama. I briefly summarized some recent legal cases involving Alabama. I have no notes, transcript, or recording. The Alabama Forestry Association hosted the lunch at their office, which is at 555 Alabama Street, Montgomery, Alabama 36104.

October 24, 2019: Speaker, "A View From The States," Restaurant Law Center Legal Summit, Dallas, Texas. I spoke on a panel about the role of a state solicitor general and the role that amicus briefs play in appellate litigation. I have no notes, transcript, or recording. The Restaurant Law Center's address is 2055 L Street, N.W., Suite 700, Washington, D.C. 20036.

October 10, 2019: Speaker, "Supreme Court OT 2019 Preview," Hugh Maddox Inn of Court, Montgomery, Alabama. Notes provided.

September 24, 2019: Speaker, "Supreme Court OT 2019 Preview," Cumberland School of Law Chapter of the Federalist Society, Birmingham, Alabama. Notes supplied as notes from October 10, 2019 event.

September 23, 2019: Speaker, "Supreme Court OT 2019 Preview," University of Alabama Student Chapter of the Federalist Society, Tuscaloosa, Alabama. Notes supplied as notes from October 10, 2019 event.

September 11, 2019: Speaker, "Canons of Statutory Interpretation," Legislative Services Agency, Montgomery, Alabama. Notes provided.

July 24, 2019: Speaker, "Supreme Court Term in Review," Birmingham Lawyers Chapter of the Federalist Society, Birmingham, Alabama. Notes provided.

April 25, 2019: Panelist, "Professional Panthers Law Professions," Birmingham-Southern College, Birmingham, Alabama. I joined other alumni to speak to a group of college students interested about careers in law. I have no notes, transcript, or recording. The address of Birmingham-Southern College is 900 Arkadelphia Road, Birmingham, Alabama 35254. The College's description of the event supplied.

October 21, 2018: Judge/Panelist, Van Vleck Constitutional Law Moot Court Competition, George Washington University Law School. I was a judge for the Round of

16 of this moot court competition. I have no notes, transcript, or recording. The address for George Washington University Law School is 2000 H Street, N.W., Washington, D.C. 20052.

July 11, 2018, Moderator, "Reception with Judge William H. Pryor Jr." D.C. Young Lawyers Chapter of the Federalist Society, Washington, D.C. I have no notes, transcript, or recording. I moderated a discussion with Judge Pryor about his work on the U.S. Sentencing Commission. The Federalist Society's address is 1776 I Street, N.W., Suite 300, Washington, D.C. 20006.

June 16, 2018, Speaker/Facilitator, Supreme Court Summer Institute, Street Law, Washington, D.C. The program was for high school social studies teachers and focused on the U.S. Supreme Court. I summarized the arguments presented that Term in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*. I have no notes, transcript, or recording. The event was held at Georgetown Law School. Street Law's address is 1010 Wayne Avenue, Suite 870, Silver Spring, Maryland 20910.

October 26, 2017: Speaker, "Tribute to Fr. Arne Panula" and "The Witness of Fr. Arne," Catholic Information Center's Saint John Paul II Award for the New Evangelization Dinner, Washington, D.C.

Video available at <https://www.youtube.com/watch?v=dFuTHJnBSAE&t=2s> and <https://www.youtube.com/watch?v=UpdmQyT0f9Y>.

While studying at Trinity College Dublin from 2007 through 2008 on a Rotary Ambassadorial Scholarship, I spoke to a few different Rotary Clubs in Ireland about the history of Birmingham, Alabama. Upon returning to Alabama, I spoke to the Shades Valley Rotary Club in Birmingham, on July 14, 2008, about my year in Ireland. I have no notes, transcripts, or recordings of these talks.

The address for the Rotary Club of Dun Laoghaire, Ireland, is C/O National Yacht Club East Pier, Dun Laoghaire Pier, Dun Laoghaire A96 AX98, Ireland. I spoke at the Rotary Club Dublin-Fingal on March 31, 2008, and that club currently meets at Maldron Hotel, Dublin Airport K67, Ireland.

I spoke at the Rotary Club Dublin Viking on April 25, 2008, but that club no longer meets, and I have no record of where it met in 2008.

The Dublin Central Rotary Club, where I spoke on April 30, 2008, meets at St. Stephens Green Hibernian Club, 9 St. Stephens Green, Dublin 2, Ireland. The address for the Rotary Club of Shades Valley is Post Office Box 530342, Birmingham, Alabama 35253.

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.

Vicki McKenna Show, June 19, 2025. Audio available:
<https://newstalk1130.iheart.com/featured/vicki-mckenna/content/2025-06-19-426-the-vicki-mckenna-show-vicki-mckenna-show-josh-kaul-continues-his-lawfa/>.

Nick Mordowanec and Barney Henderson, "Supreme Court Delivers Major Setback for Transgender Community," Newsweek, June 18, 2025,
<https://www.newsweek.com/supreme-court-delivers-major-setback-transgender-rights-2087407>.

Ryan Hall, "Alabama judge hears arguments in lawsuit filed by NAACP against state," CBS 42, July 31, 2024, <https://www.cbs42.com/alabama-news/alabama-judge-hears-arguments-in-lawsuit-filed-by-naacp-against-state/>.

Debbie Elliott, "Panel hears oral arguments over Alabama's law banning gender-affirming care," NPR, Nov. 18, 2022,
<https://www.npr.org/2022/11/18/1137817671/panel-hears-oral-arguments-over-alabama-s-law-banning-gender-affirming-care>.

Alexandra Limon, "SCOTUS considers decision in Alabama voter map case," News Channel 6, Oct. 4, 2022, <https://www.wjbf.com/news/washington-dc/scotus-considers-decision-in-alabama-voter-map-case/>.

Nina Totenberg, "Can Trump Change A Key Census Count? Supreme Court Hears His Claim," NPR, Nov. 30, 2020, <https://www.npr.org/2020/11/30/939655182/can-trump-change-a-key-census-count-supreme-court-hears-his-claim>.

Carly Swanson, "Student Organization Challenges NCSU Policy," Spectrum News, June 3, 2016. Copy of article supplied and video available at
<https://spectrumlocalnews.com/nc/triangle-sandhills/top-stories/2016/06/2/student-organization-challenges-ncsu-policy->.

"Christian group says NCSU policy violates free-speech rights," WRAL.com, June 2, 2016. Copy of article supplied and video available at <https://www.wral.com/christian-group-says-ncsu-policy-violates-free-speech-rights/15748463/>.

Emery Dalesio, "Christian groups challenge NC university's speech permits," Associated Press, June 2, 2016. Copy supplied. Reprinted in multiple outlets.

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, State of Alabama (2019 – present); appointed May 2019 by Alabama Attorney General Steve Marshall.

Deputy Solicitor General, State of Alabama (2018 – 2019); appointed December 2018 by Alabama Attorney General Steve Marshall.

U.S. District Judge for the Middle District of Alabama (2020); nominated by President Trump on May 20, 2020. The nomination was returned to the Senate on January 3, 2021, and President Trump renominated me the same day. President Biden withdrew the nomination on February 4, 2021.

- 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.

Tom Cotton for Senate (2014). I helped raise funds for Senator Cotton's campaign by inviting friends to contribute.

Volunteer, Romney for President (Fall 2012). I helped supervise absentee ballot counts in Florida and assisted with election day planning and operations in Wisconsin.

Volunteer, Martha Roby for Congress (Summer 2010). I made phone calls to tell supporters about scheduled events and otherwise assisted with campaign activities.

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 2011 to 2012, I served as a law clerk to the Honorable William H. Pryor Jr., 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;

Summer 2007
Bradley Arant Rose & White
[Now Bradley Arant Boult Cummings]
1819 5th Avenue North
Birmingham, Alabama 35203
Project Assistant

Summer 2009
United States Attorney's Office for the Northern District of Alabama
1800 5th Avenue North, Suite 200
Birmingham, Alabama 35203
Law Clerk

Summer 2009
Bradley Arant Boult Cummings
1819 5th Avenue North
Birmingham, Alabama 35203
Summer Associate

Summer 2010

Bradley Arant Boult Cummings
1819 5th Avenue North
Birmingham, Alabama 35203
Summer Associate

Spring 2011
United States Attorney's Office for the District of Connecticut
157 Church Street
New Haven, Connecticut 06510
Law Clerk

Fall 2012
Office of the Texas Attorney General, Solicitor General's Division
300 West 15th Street
Austin, Texas 78701
Law Clerk

2012 – 2014
Baker Botts LLP
910 Louisiana Street
Houston, Texas 77002
Associate

2014 – 2015
Baker Botts LLP
700 K Street, N.W.
Washington, D.C. 20001
Associate

2015 – 2016
Bancroft PLLC
500 New Jersey Avenue, N.W., 7th Floor
Washington, D.C. 20001
Associate

2016 – 2018
Kirkland & Ellis LLP
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Associate (2016 – 2017)
Partner (2017 – 2018)

2018 – present
Office of the Alabama Attorney General
501 Washington Avenue
Montgomery, Alabama 36104

Deputy Solicitor General (2018 – 2019)
Solicitor General (2019 – present)

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

I have not served as a mediator or arbitrator.

b. Describe:

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

In Fall 2012, I served briefly as a law clerk to the Texas Solicitor General. I focused mainly on legal research and writing related to appellate matters.

From 2012 to 2015, while at Baker Botts LLP, I handled complex commercial litigation before both state and federal courts and at every stage from trial to final appeal. For trial litigation, I drafted and responded to discovery, reviewed documents, drafted deposition outlines, served as second chair for numerous depositions, defended a deposition, helped select a jury, drafted critical motions, and argued before a state trial court judge. For appellate litigation, I drafted appellate briefs, argued before a federal court of appeals, and helped prepare partners for oral arguments.

From 2015 to 2016, while at Bancroft PLLC, I focused more heavily on appellate litigation, while also working on some state and federal trial court matters. On trial matters, I drafted and argued critical motions and provided strategic advice. On appellate matters, I argued before a federal court of appeals, drafted briefs on a wide array of substantive matters, and helped prepare partners for oral arguments, including two before the Supreme Court of the United States.

From 2016 to 2018, while at Kirkland & Ellis LLP, I continued to work on both trial and appellate matters. I continued to argue cases before federal courts of appeals and draft appellate briefs, but I also worked on bankruptcy and district court litigation.

From 2018 to 2019, as Alabama's Deputy Solicitor General, I worked on constitutional cases in federal court—pre-trial motions practice, discovery, drafting briefs, and arguing appeals. I also worked on state court criminal appeals and federal habeas matters.

From 2019 to the present, as Alabama's Solicitor General, I supervise the state's litigation and also personally litigate many cases. I supervise attorneys in three areas: (1) particularly important or complicated civil litigation in federal district

court or state trial court, (2) civil and criminal appeals in the Supreme Court of the United States, the United States Court of Appeals for the Eleventh Circuit, and the Alabama Supreme Court, and (3) legal opinions issued by the Attorney General. I personally litigate trial-level cases and appeals at the direction of the Attorney General.

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

In private practice, my clients were those of the law firms where I worked, typically large companies or nonprofit organizations. I also represented individuals in white-collar criminal defense matters. While I specialized more heavily in appellate litigation upon moving to Bancroft PLLC in 2015, I have consistently engaged in litigation before trial courts throughout my career. I handled a diverse array of legal issues, including criminal defense matters for both paid and pro bono clients, constitutional litigation, complex tort and contracts disputes, administrative law challenges, and bankruptcy matters.

Since I joined the Alabama Attorney General's Office in 2018, my clients have been the state, its agencies, and its officers. I continue to work on and supervise several cases that are at the trial level, while supervising and litigating appellate matters as well. I continue to handle a diverse array of legal issues in both criminal and civil matters.

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

My practice has always focused on litigation and litigation-related advice. In private practice, I occasionally appeared in trial and appellate courts. I also routinely assisted attorneys before and during their court appearances. Since joining the Alabama Attorney General's Office, I have appeared in court more frequently. In total, I have argued three times in the Supreme Court of the United States, roughly twenty times in federal courts of appeals, four times in the Alabama Supreme Court, and numerous times in federal district courts.

- i. Indicate the percentage of your practice in:

1.	federal courts:	90%
2.	state courts of record:	10%
3.	other courts:	0%
4.	administrative agencies:	0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings: 65%
2. criminal proceedings: 35%

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.

In private practice, I was associate counsel in a case that concluded following a bench trial before a federal district court. I was also associate counsel in a state court jury trial that ran for four weeks before plaintiff agreed to dismiss its claims against my client with prejudice, ending the trial.

Since joining the Attorney General's Office, I have helped oversee cases that have proceeded to final judgment. I was one of the lead lawyers in *West Virginia v. United States Dep't of Treasury*, 571 F. Supp. 3d 1229 (N.D. Ala. 2021).

I was chief counsel in a case in which the State succeeded in having five of plaintiffs' six claims dismissed. See *Alabama State Conf. of the NAACP v. Marshall*, No. 2:24-CV-00420-RDP, 2024 WL 3893426 (N.D. Ala. Aug. 21, 2024).

I was one the lead lawyers in *Singleton v. Allen*, No. 2:21-CV-01291-AMM, 2025 WL 1342947 (N.D. Ala. May 8, 2025), which reached a final merits determination.

i. What percentage of these trials were:

1. jury: 20%
2. non-jury: 80%

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 practiced extensively before the Supreme Court of the United States both in private practice and at the Alabama Attorney General's Office. I have argued three times before the Supreme Court of the United States. I have drafted briefs for petitioner or respondent in nine merits cases. I have also drafted numerous cert petitions, briefs in opposition, and amicus briefs at both the cert and merits stages.

I have worked on briefs for a party in the following merits cases:

Halliburton v. Erica P John Fund, 134 S. Ct. 2398 (2014)

FERC v. EPSA, 136 S. Ct. 760 (2016)

Hughes v. Talen Energy Marketing, 136 S. Ct. 1288 (2016)

Jesner v. Arab Bank, 138 S. Ct. 1386 (2018)

Murphy v. National Collegiate Athletic Association, 138 S. Ct. 1461 (2018)

Allen v. Milligan, 599 U.S. 1 (2023) (argued; transcript supplied)
Culley v. Marshall, 601 U.S. 377 (2024) (argued; transcript supplied)
Williams v. Reed, 145 S. Ct. 465 (2025) (argued; transcript supplied)
Hamm v. Smith, No. 24-872 (cert. granted June 6, 2025)

In addition, for the following matters, I worked on briefs either for *amicus curiae* at the merits or nonmerits stage, for parties at the nonmerits stage, or for a non-lead state party in a merits case being led by another state:

Apuzzo v. Securities and Exchange Commission, No. 12-1118 (June 24, 2013)
Mount Soledad Memorial Assoc. v. Trunk, 134 S. Ct. 2658 (June 30, 2014)
Rogers v. United States, 135 S. Ct. 500 (Nov. 10, 2014) [I was unable to locate a copy of this cert. petition]
Perez v. Mortgage Bankers Association, 135 S. Ct. 1199 (2015)
Mylan v. Apotex, No. 15-307 (Nov. 9, 2015)
International Franchise Association v. City of Seattle, No. 15-958 (May 2, 2016) [I was unable to locate a copy of the reply brief.]
BNSF v. Tyrrell, 137 S. Ct. 1549 (2017)
Ming Tung v. China Buddhist Association, No. 16-450 (Jan. 9, 2017)
Mylan Pharmaceuticals Inc. v. AstraZeneca AB, No. 16-360 (Jan. 9, 2017)
Peruta v. State of California, No. 16-894 (June 26, 2017)
Stein v. United States, No. 17-250 (Dec. 11, 2017)
Bauer v. Becerra, No. 17-719 (Feb. 20, 2018)
Holland v. Rosen, No. 18-396 (Oct. 29, 2018)
Kennedy v. Bremerton School District, No. 18-12 (Jan. 22, 2019)
American Legion v. American Humanists Association, 139 S. Ct. 2067 (2019) (merits briefing occurred after I left Kirkland & Ellis LLP)
Acklin v. Alabama, No. 18-640 (Mar. 25, 2019)
Samra v. Alabama, No. 18-9031 (May 14, 2019)
Samra v. Alabama, No. 18-9033 (May 14, 2019)
Price v. Dunn, No. 18A1238 (May 30, 2019)
Davenport v. Estate of Marquette Cummings, No. 18-1191 (June 24, 2019)
Ala. Dept. of Revenue v. CSX Transportation, No. 18-447 (June 24, 2019)
Woodward v. Alabama, No. 18-1298 (Oct. 7, 2019)
Floyd v. Alabama, No. 18-9838 (Oct. 7, 2019)
Hall v. Alabama, No. 18-1362 (Oct. 7, 2019)
Hunt v. Alabama, No. 18-8466 (Oct. 7, 2019)
Woods v. Alabama, No. 18-9438 (Oct. 7, 2019)
Woodward v. Alabama, No. 18-1298 (Oct. 7, 2019)
New York State Rifle & Pistol Association v. City of New York, No. 18-280 (petn. granted after I left Kirkland & Ellis LLP; case decided Apr. 27, 2020)
Dunn v. McWilliams, No. 19A871 (Feb. 11, 2020)
Frazier v. Dunn, No. 19-6531 (Feb. 24, 2020)
Woods v. Stewart, No. 19A984 (Mar. 5, 2020)
Woods v. Dunn, No. 19-7880 (Mar. 5, 2020)
DeBlase v. Alabama, No. 19-7239 (Apr. 20, 2020)
Wilkerson v. Alabama, No. 19-6006 (May 18, 2020)

Carroll v. Alabama, No. 19-7456 (May 26, 2020)
Malpasso v. Pallozzi, No. 19-423
Tomlin v. Patterson, No. 19-7127
Smith v. Dunn, No. 19-7745
Thrasher v. Alabama, No. 19-7751
McMillan v. Alabama, No. 20-193
Donald J. Trump v. State of New York, No. 20-366
James v. State of Alabama, No. 20-708.
State of Alabama v. Alabama State Conference of The N.A.A.C.P., No. 20-1047
Commissioner, Alabama Department of Corrections v. Reeves, No. 20-1084
Peter Capote v. State of Alabama, No. 20-1136
Antonio Devoe Jones v. State of Alabama, No. 20-1125
Eugene Milton Clemons II v. Jefferson S. Dunn, Commissioner, Alabama Department of Corrections, No. 20-1197
Casey A. McWhorter v. Commissioner, Alabama Department of Corrections, No. 20-1302
Seattle's Union Gospel Mission v. Matthew S. Woods, No. 21-144
Kenneth Eugene Smith v. Jefferson S. Dunn, Commissioner, Alabama Department of Corrections, No. 21-579
Ohio v. Department of Labor, Occupational Safety and Health Administration, Nos. 21A244, 21A247
Kyle Ardoin, Secretary of State v. Press Robinson, No. 21A814
Nancy Catherine Powers v. State of Alabama, No. 21-1486
Westley Devone Harris v. State of Alabama, No. 22-44
State of Arizona v. Alejandro Mayorkas, Secretary of Homeland Security, No. 22A544
John Q. Hamm, Commissioner, Alabama Department of Corrections v. Kenneth Eugene Smith, No. 22-580
State of Arizona v. Alejandro Mayorkas, Secretary of Homeland Security, No. 22-592
State of West Virginia v. B.P.J., No. 22A800
Troy University v. Sharell Farmer, No. 22-787
Thomas C. Alexander v. South Carolina State Conference of the NAACP, No. 22-807
Leavell-Keaton v. Alabama, No. 22-6895
Commissioner, Alabama Department of Corrections v. Joseph Clifton Smith, No. 23-167
Wes Allen v. Evan Milligan, No. 23A231
Wes Allen v. Marcus Caster, No. 23A241
American Petroleum Institute v. State of Minnesota, No. 23-168
Casey A. McWhorter v. State of Alabama, No. 23A402
Metropolitan School District of Martinsville v. A.C., A Minor Child By His Next Friend, Mother, And Legal Guardian, M.C., No. 23-392
United States of America v. Donald J. Trump, No. 23-624
State of Alabama v. Marcus Bernard Williams, No. 23-682
Thomas Dale Ferguson v. Commissioner, Alabama Department of Corrections, No. 23-639
Kenneth Eugene Smith v. State of Alabama, No. 23A664

Kenneth Eugene Smith v. Commissioner, Alabama Department of Corrections, Nos. 23-6562, 23A688
United States of America v. Jonathan Skrmetti, No. 23-466
Donald J. Trump v. United States of America, No. 23A745
Raul Labrador v. Pam Poe, No. 23A763
Donald J. Trump v. United States of America, No. 23-939
Sunoco LP v. City & County of Honolulu, Nos. 23-947, 23-952
Charles Walen v. Doug Burgum, No. 23-969
Alabama v. California, No. 22O158
State of Kansas v. Alejandro Mayorkas, No. 23-1353
Young Israel of Tampa, Inc. v. Hillsborough Area Regional Transit Authority, No. 23-1276
State of Ohio v. U.S. Environmental Protection Agency, No. 24-13
State of West Virginia v. Environmental Protection Agency, No. 24A95
State of Oklahoma v. Environmental Protection Agency, No. 24A213
Bradley Little v. Lindsay Hecox, No. 24-38
State of West Virginia v. B.P.J., No. 24-43
State of Louisiana v. Phillip Callais, Nos. 24-109, 24-110
United States of America v. Jonathan Skrmetti, No. 23-477
Warren Petersen v. Jane Doe, No. 24-449
United States of America v. Steven T. Marshall, Nos. 24-582, 24-612
Patricia Guerrero Chief Justice of California v. Stephen Moreland Redd, No. 24-948
Ulysses Charles Sneed v. Terry Raybon, Warden, No. 24-1034
Corey Schirod Smith v. John Q. Hamm, Commissioner, Alabama Department of Corrections, No. 24-1153
Turtle Mountain Band of Chippewa Indians v. Michael Howe, No. 25A62
 Although not listed on the briefs or docket, I also assisted in the preparation of the briefs in the following cases:

Mt. Soledad Memorial Association v. Trunk, No. 11-998 (June 25, 2012)
Shelby County v. Holder, 133 S. Ct. 2612 (2013)
Long v. Pfister, No. 17-991 (Apr. 23, 2018)
Price v. Dunn, No. 18-1249 (May 13, 2019)
Price v. Dunn, No. 18-8766 (Apr. 12, 2019)
Callen v. Alabama, No. 18-8593 (June 3, 2019)

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. *Boe et al v. Marshall et al*, No. 2:22-cv-00184-LCB-CWB (M.D. Ala.); *Eknes-Tucker v. Governor of Alabama*, No. 22-11707, 80 F.4th 1205 (11th Cir. 2023); *United States v. Marshall*, No. 24-582 (U.S.); *Eknes-Tucker v. Marshall*, No. 24-612 (U.S.)

On April 19, 2022, parents, minors, and healthcare providers brought a § 1983 action against state officials, alleging that Alabama’s Vulnerable Child Compassion and Protection Act—which restricts minors from using puberty blockers, cross-sex hormones, or surgeries for the purpose of gender transition treatment—violated the First, Fifth, and Fourteenth Amendments and was preempted by federal law. The United States intervened as a plaintiff as well, raising an Equal Protection Clause challenge.

I served as one of the lead counsel before the district court and on appeal. Judge Liles Burke, sitting by designation for the United States District Court for the Middle District of Alabama, held a multiday hearing on plaintiffs’ motions for preliminary injunction. I helped draft defendants’ opposition, cross-examined an expert witness at the hearing, and presented the closing statement. The court granted in part plaintiffs’ motion for a preliminary injunction, and the State appealed.

On appeal, I drafted briefs and argued before the Eleventh Circuit panel—Circuit Judges Barbara Lagoa and Andrew Brasher, as well as District Judge J. P. Boulee, United States District Judge for the Northern District of Georgia, sitting by designation. In an opinion drafted by Judge Lagoa, the panel sided unanimously with the State, reversing the district court’s preliminary injunction.

Meanwhile, the district court litigation continued. I helped draft and argue motions to compel discovery from the private plaintiffs, the United States, and third parties. When plaintiffs sought stays of the litigation, I argued in opposition. After more than two years of litigation, the parties submitted cross-motions for summary judgment, as well as numerous motions in limine. The court stayed the proceedings pending the Supreme Court’s decision in *United States v. Skrametti*, No. 23-477, but before the Supreme Court issued its ruling both the United States and the private plaintiffs dismissed their claims with prejudice.

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2. *Singleton et al. v. Allen*, No. 2:21-cv-1291 (N.D. Ala.) (3-judge court)
Milligan et al. v. Allen et al., No. 2:21-cv-1530-AMM (N.D. Ala.) (3-judge court)
Caster et al. v. Allen et al., No. 2:21-cv1536-AMM (N.D. Ala.)
Allen v. Milligan, Nos. 21-1086 & 21-1087, 599 U.S. 1 (2023)

In November 2021, three sets of plaintiffs brought § 1983 actions against the Alabama Secretary of State, alleging that Alabama's 2021 congressional redistricting plan violated § 2 of the Voting Rights Act and/or the Equal Protection Clause. Each sought a preliminary injunction ahead of the 2022 congressional primaries. The court set the hearing for January 2022. I served as one of the lead counsel before the district court and on appeal. Judge Anna Manasco of the United States District Court for the Northern District of Alabama presided in all three cases. Because two of the cases involved

constitutional challenges to a state congressional plan, three-judge courts were convened in those cases, with Eleventh Circuit Judge Stanley Marcus and Southern District of Alabama Judge Terry Moorer joining Judge Manasco to form three-judge courts. At the preliminary injunction stage, I helped draft the State's response and cross-examined two expert witnesses and a fact witness. The district court granted a preliminary injunction in the *Milligan* and *Caster* cases on the ground that the 2021 plan likely violated § 2 of the Voting Rights Act.

The State immediately appealed to the Supreme Court and sought a stay of the preliminary injunctions. On February 7, 2022, the Supreme Court stayed the district court's injunctions. *See Merrill v. Milligan*, 142 S.Ct. 879.

I then drafted briefs and argued the State's appeal before the Supreme Court. On June 8, 2023, the Supreme Court affirmed the district court's orders, concluding that the 2021 plan likely did violate § 2 of the Voting Rights Act. *See Allen v. Milligan*, 599 U.S. 1 (2023). Chief Justice Roberts wrote the majority opinion, joined by Justices Sotomayor, Kagan, Kavanaugh, and Jackson. Justice Kavanaugh wrote a concurrence. Justice Thomas dissented, joined by Justices Alito, Gorsuch, and Barrett. Justice Alito dissented, joined by Justice Gorsuch.

Following remand, the Alabama Legislature adopted a new congressional redistricting plan in light of the Supreme Court's order. That plan was also challenged as violating § 2 of the Voting Rights Act and the Equal Protection Clause. I argued for the State during this preliminary injunction hearing. The district court issued a preliminary injunction. *See Singleton v. Allen*, 690 F. Supp. 3d 1226 (N.D. Ala. 2023).

Discovery then proceeded. The three cases went to trial simultaneously. On May 8, 2025, the district court issued a permanent injunction, concluding that the 2023 plan violated § 2 and was intentionally dilutive in violation of the Equal Protection Clause. *See Singleton v. Allen*, No. 2:21-CV-01291-AMM, 2025 WL 1342947 (N.D. Ala. May 8, 2025). The State has appealed directly to the Supreme Court. The State's jurisdictional statements are due in the *Singleton* and *Milligan* cases on September 4, 2025.

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3. *Alabama v. Dep't of Commerce*, No. 2:18-cv-00772-RDP, 396 F.Supp.3d 1044 (N.D. Ala. 2019)

In May 2018, the State of Alabama sued the U.S. Department of Commerce, Secretary of Commerce, Census Bureau, and Director of the Census Bureau, arguing that the decennial apportionment of Congressional seats and Electoral College votes among the states should be based on only those people lawfully present within each state on the date the census is conducted. Upon joining the Attorney General's Office, I became lead counsel in the litigation. I argued a motion to dismiss and motion to intervene before Judge R. David Proctor of the United States District Court for the Northern District of Alabama. The court denied Defendants' motion to dismiss and granted Defendants-Intervenors motion to intervene. The case proceeded through discovery. After the release of the 2020 Census results showed that Alabama would not lose a seat in Congress, the State of Alabama voluntarily dismissed its case.

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4. *Lewis v. Governor of Ala.*, 944 F.3d 1287 (11th Cir. 2019) (en banc)

I was counsel of record for the State of Alabama, the Governor, and the Attorney General in this challenge to an Alabama law that preempted local laws requiring a minimum wage

higher than mandated by state or federal law. Two African-American minimum wage employees sued the State Defendants arguing that the law violated the Equal Protection Clause. After the Eleventh Circuit granted the state's petition for rehearing en banc, I briefed and argued the appeal. The en banc court held that plaintiffs did not have standing to bring their claim against the Attorney General because he does not enforce the preemption law and a court order against him would not significantly increase the likelihood that their employers would pay them the local minimum wage. Judge Newsom wrote the majority opinion, joined by Chief Judge Carnes and Judges William Pryor, Branch, Grant, Tjoflat, and Marcus. Judges Wilson, Martin, Jordan, Rosenbaum, and Jill Pryor dissented.

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5. *In re Millennium Lab Holdings II, LLC*, 575 B.R. 252 (Bankr. D. Del. 2017), *aff'd*, 591 B.R. 559 (D. Del. 2018)

This bankruptcy case involved the Chapter 11 restructuring plan of Millennium Lab Holdings. I was an associate lawyer on the case representing James Slattery, the founder of Millennium, who helped provide \$325 million needed to facilitate the company's restructuring in return for releases of potential claims against him related to Millennium's bankruptcy. Some creditors objected to the releases, but the plan was confirmed. The case turned primarily on whether the bankruptcy court had constitutional authority to grant releases to third parties. I drafted briefs and helped my colleague prepare for oral argument before Bankruptcy Judge Laurie Silverstein, who agreed with my client that the court had authority to grant the releases. On appeal before District Judge Leonard Stark, I again drafted briefs and helped my colleague prepare for oral argument, and the court again ruled for us. After I left Kirkland & Ellis LLP, the Third Circuit affirmed in *In re Millennium Lab Holdings II, LLC*, 945 F.3d 126 (3d Cir. 2019).

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6. *Culley v. Marshall*, No. 22-585, 601 U.S. 377 (2024)

I represented Attorney General Steve Marshall as lead counsel before the Supreme Court. Two car owners, whose vehicles were seized incident to the arrests for drug offenses of the persons to whom the owners had loaned their cars, brought separate putative class actions under § 1983 against the Attorney General of Alabama, municipalities, and others, alleging the defendants violated the owners' due process rights by retaining their cars during the civil forfeiture process without holding preliminary hearings. In one case, the United States District Court for the Southern District of Alabama, No. 1:19-CV-701-TFM-MU, Terry F. Moorer, 2021 WL 4477900, granted the defendants' motions to dismiss and for judgment on the pleadings. In the second case, the United States District Court for the Northern District of Alabama, No. 4:20-CV-00091-ACA, Annemarie Carney Axon, 2021 WL 1264244, granted in part and denied in part the defendants' motions to dismiss and for judgment on the pleadings, and subsequently, 2021 WL 4149784, granted the defendants' motion for summary judgment.

The owners in both cases appealed, and their appeals were consolidated. The United States Court of Appeals for the Eleventh Circuit, 2022 WL 2663643, affirmed. Certiorari was granted.

I briefed and argued the case before the Supreme Court. Alabama prevailed. Justice Kavanaugh wrote an opinion for the Court, joined by Chief Justice Roberts, and Justices Thomas, Alito, Gorsuch, and Barrett joined. The Court concluded that a timely forfeiture proceeding, without more, satisfies the demands of due process. Justice Gorsuch filed a concurring opinion, in which Justice Thomas joined. Justice Sotomayor filed a dissenting opinion, in which Justice Kagan and Justice Jackson joined.

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7. *Williams v. Reed*, No. 23-191, 145 S. Ct. 465 (2025)

This case involves applicants who sought to compel the Alabama Secretary of Labor to improve the speed and manner in which the Alabama Department of Labor processed their applications for unemployment benefits. On February 3, 2022, they filed a joint complaint in state circuit court asserting under 42 U.S.C. § 1983 that the processing procedures violated the Social Security Act and Due Process Clause. The Alabama

Supreme Court held that the State's statutory scheme for processing unemployment benefits claims and related due process cases required that the applicants first obtain a final determination from the Department of Labor before proceeding to circuit court, and thus that the state courts did not have jurisdiction over the § 1983 claim. The U.S. Supreme Court agreed to review the question whether § 1983 preempts that aspect of Alabama's law, such that circuit courts would be required to entertain claims about unemployment benefits that were not exhausted in accordance with state law. I was lead counsel in the case. I drafted the State's brief and argued before the Supreme Court on October 7, 2024. The U.S. Supreme Court reversed the Alabama Supreme Court. Justice Kavanaugh wrote for the majority, joined by Chief Justice Roberts, and Justices Sotomayor, Kagan, and Jackson. The Court held that the State's administrative-exhaustion requirement effectively immunized state officials from § 1983 claims challenging delays in administrative process, and thus, was preempted. Justice Thomas filed a dissenting opinion, in which Justices Alito, Gorsuch, and Barrett joined in part. On remand to the Alabama Supreme Court, the case has been further briefed, and we are awaiting the court's decision.

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8. *NCAA v. Governor of N.J.*, 832 F.3d 389 (3d Cir. 2016) (en banc), rev'd sub nom.
Murphy v. NCAA, 138 S. Ct. 1461 (2018)

The Professional and Amateur Sports Protection Act (“PASPA”) is a federal law that prohibited most states from authorizing sports gambling. New Jersey authorized sports gambling, and the National Collegiate Athletic Association, National Basketball Association, National Football League, National Hockey League, and the Office of the Commissioner of Baseball (the Leagues) sued to halt New Jersey’s conduct as being preempted by PASPA. Defendants were Christopher J. Christie, Governor of the State of New Jersey; David L. Rebeck, Director of the New Jersey Division of Gaming Enforcement and Assistant Attorney General of the State of New Jersey; Frank Zanzuccki, Executive Director of the New Jersey Racing Commission; the New Jersey Thoroughbred Horsemen’s Association, Inc.; the New Jersey Sports & Exposition Authority; Stephen M. Sweeney, President of the New Jersey Senate; and Vincent Prieto, Speaker of the New Jersey General Assembly. Defendants argued that PASPA unconstitutionally commandeered the states. The Leagues argued that PASPA was standard preemption legislation that only told the states what they could not do, rather than forcing them to take certain actions. I began working on this case for the Leagues after the Third Circuit granted the Governor’s petition for rehearing en banc. I helped my colleague prepare for oral argument, and the court ruled for the Leagues in an opinion by Judge Rendell joined by Judges Ambro, Smith, Fisher, Jordan, Hardiman, Greenaway Jr., Krause, Rendell, and Barry. Judges Fuentes, Restrepo, and Vanaskie dissented.

Defendants filed a petition for a writ of certiorari in the United States Supreme Court, and I helped draft the brief in opposition. The Supreme Court granted the petition, and I then helped draft a merits brief for the Leagues and helped my colleague prepare for oral argument. The Court ruled for Defendants in a 6-3 opinion, holding that PASPA unconstitutionally commandeered New Jersey. Justice Alito wrote the opinion, in which Chief Justice Roberts and Justices Kennedy, Thomas, Kagan, and Gorsuch joined, and in which Justice Breyer joined in part. Justice Thomas filed a concurring opinion. Justice Breyer filed an opinion concurring in part and dissenting in part. Justice Ginsburg filed a dissenting opinion, in which Justice Sotomayor joined, and in which Justice Breyer joined in part.

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9. *United States v. Zarrab*, No. 15 CR 867 (RMB), 2016 WL 6820737 (S.D.N.Y. Oct. 17, 2016)

While at Bancroft PLLC and then Kirkland & Ellis LLP, I helped represent Reza Zarrab, a criminal defendant charged with sanctions violations, money laundering, and bank fraud. I drafted several key pre-trial motions in the case, including a motion to dismiss the indictment, and I argued a motion regarding whether the court should hold a Franks hearing (*see Franks v. Delaware*, 438 U.S. 154 (1978)) to determine whether the affidavit underlying a search warrant was made intentionally or with reckless regard for the truth. District Judge Richard Berman did not dismiss the indictment or grant the suppression motion. In November 2017, Zarrab pleaded guilty.

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10. *Moncrief Oil Int'l Inc. v. OAO Gazprom*, 414 S.W.3d 142 (Tex. 2013); *Moncrief Oil Int'l Inc. v. OAO Gazprom*, No. 4:14-CV-626-O, 2014 WL 12595739 (N.D. Tex. Sept. 22, 2014); *Moncrief Oil Intern., Inc. v OAO Gazprom*, No. 017-229664-08, 2015 WL 9260617 (Tex. Dist. Feb. 02, 2015)

Moncrief Oil alleged that in the late 1990s, Gazprom subsidiaries agreed to give Moncrief a large share of a natural gas field in exchange for development assistance. In 2005, Moncrief brought a contract action in Texas that the District Court and Fifth Circuit dismissed for lack of personal jurisdiction. Moncrief then sued Gazprom in Texas again, alleging that Gazprom stole trade secrets from Moncrief during a settlement discussion in Texas that occurred before the Fifth Circuit dismissed the contract claim. The Texas Supreme Court held in 2013 that Texas courts could exercise personal jurisdiction over this new misappropriation of trade secrets claim and a related tortious interference claim.

I was then assigned to draft a motion for rehearing, which the Texas Supreme Court denied (Justices Nathan L. Hecht, Paul W. Green, Phil Johnson, Don R. Willett, Eva M. Guzman, Debra H. Lehrmann, Jeffrey S. Boyd and John P. Devine).

The case returned to Tarrant County District Court before Judge Melody Wilkinson. I helped in all aspects of preparing for trial, including drafting and responding to discovery requests, reviewing documents, preparing deposition outlines, second-chairing most key depositions, defending a deposition, and drafting pretrial motions. At one point, I drafted a brief in support of removing the case to federal court, but District Judge Reed O'Connor remanded the case. The case then went to trial. I assisted co-counsel with voir dire, assisted co-counsel with direct and redirect examinations of witnesses, and argued before Judge Wilkinson regarding the admissibility of deposition testimony. After four weeks of trial, it was revealed during cross-examination of a Moncrief witness that a key document, which Moncrief had identified as documentation from 2004 regarding its purported trade secret, could not have been created any earlier than 2012. Shortly after that fact came to light, Moncrief dismissed its case with prejudice.

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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.)

As the Solicitor General of Alabama, I have a substantial role in supervising the drafting of Attorney General's Opinions, which resolve questions of state law for the benefit of local and state officials. These opinions are available at <https://www.alabamaag.gov/opinions>.

In private practice, I sometimes provided confidential litigation advice to clients who were considering bringing affirmative litigation or who were gauging litigation risks of potential courses of conduct.

In *Grace Christian Life v. Woodson*, No. 5:16-CV-202-D, 2016 WL 3194365 (E.D.N.C. June 4, 2016), I served as lead counsel for Grace Christian Life, a student group at North Carolina State University whose members had been told by a university employee that they could not invite other students to their group's meetings without first acquiring a permit from the university. I drafted a complaint and motion for preliminary injunction, arguing that this speech permitting regime violated the First Amendment and had been applied in an unconstitutional manner. I then argued the motion before District Judge James Dever, who granted the preliminary injunction two days later. I then negotiated with lawyers for the university regarding changes to the university's policies that addressed Grace's concerns. We then settled the case.

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 never taught a course.

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.

None.

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 hope to be able to teach a law school course on an adjunct basis, but I have no current plan, commitment, or agreement to do so.

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

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

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

Please 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 where I have ever played a role. I intend to recuse from any current or future case that challenges a government law or policy that I have previously defended. I also intend to recuse from any current or future cases in which I was involved in a previous iteration of the case involving a criminal defendant. For a reasonable period of time, I will recuse in cases where the Office of the Alabama Attorney General represents a party. My wife was an Assistant United States Attorney for the Middle District of Alabama, and I will recuse from any case in which she was involved. My wife is now an attorney in private practice with a law firm that practices across the country, and I will recuse from any case in which she is or appears to be involved. I will evaluate any other real or potential conflict, or relationship that could give rise to appearance of conflict, on a case-by-case basis and determine appropriate action with the advice of 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 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.

I maintained a robust pro bono practice while I was in private practice. For example, on two occasions, I represented habeas petitioners as counsel of record before the Sixth Circuit, drafting the briefs and arguing the appeals. *See Thompson v. Rapelje*, 839 F.3d 481 (6th Cir. 2016); *Rogers v. United States*, 561 F. App'x 440 (6th Cir. 2014).

In *Mount Soledad Memorial Assoc. v. Trunk*, 134 S. Ct. 2658 (June 30, 2014), I drafted an amicus brief for the American Legion.

In *Grace Christian Life v. Woodson*, No. 5:16-CV-202-D, 2016 WL 3194365 (E.D.N.C. June 4, 2016), I served as lead counsel for Grace Christian Life, a student group at North Carolina State University whose members had been told by a university employee that they could not invite other students to their group's meetings without first acquiring a permit from the university. I drafted a complaint and motion for preliminary injunction that argued that this speech permitting regime violated the First Amendment and had been applied in a discriminatory manner. I then argued the motion before District Judge James Dever, who granted the preliminary injunction two days later. I then negotiated with lawyers for the university regarding changes to the university's policies that addressed Grace's concerns, and we then settled the case. (My former firm received partial compensation for my work after defendants paid some attorney's fees as part of the settlement.)

In *Calvillo v. Sessions*, 713 F. App'x 682 (9th Cir. 2018), I represented an immigrant who appealed the decision of the Board of Immigration Appeals to deny his application for withholding of removal and protection under the Convention Against Torture.

In *American Legion v. American Humanists Association*, 139 S. Ct. 2067 (2019), I drafted an amicus brief on behalf of Veterans of Foreign Wars of The United States and the National World War I Museum and Memorial.

I represented Joseph Kennedy pro bono before the Supreme Court in *Kennedy v. Bremerton School District*, No. 18-12 (Jan. 22, 2019).

While at Baker Botts LLP, I also volunteered at a legal clinic in Houston, Texas, for veterans who needed legal advice.

My position at the Attorney General's Office prevents me from engaging in pro bono work. *See* Ala. Code § 36-15-9.

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 November 2024, I was informed that if I was interested in being recommended by Senator Tommy Tuberville and Senator Katie Britt for a position as a federal district court judge in Alabama, that I should submit written materials to staff for each senator indicating my interest. Later that month, I emailed counsel for each senator. On December 10, 2024, I met with Mary Blanche Hankey from Senator Tuberville's office, and Drew Robinson from Senator Britt's office. In January 2025, I was asked to submit additional written materials to the Senators, which I provided that month. On March 20, 2025, I again met with Ms. Hankey and Mr. Robinson, and on April 7, we had a virtual interview. On May 7, I interviewed with Senator Tuberville and Ms. Hankey. On June 9, the White House Counsel's Office contacted me to schedule an interview. On June 23, I interviewed with lawyers from the White House Counsel's Office in Washington, DC. Since then, I have been in contact with officials from the White House Counsel's Office and the Justice Department's Office of Legal Policy regarding the nomination

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, Edmund Gerard LaCour Jr., do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

08/04/2025
(DATE)

Edm LC
(NAME)

Rene Whelan
(NOTARY)

My Commission Expires 7/15/2026