

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Dawn Noelle Ison

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

United States Attorney for the Eastern District of Michigan

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

Office:

United States Attorney's Office
211 West Fort Street, Suite 2001
Detroit, Michigan 48226

Residence:

Farmington Hills, Michigan

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

1963; Detroit, Michigan

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.

Wayne State University Law School, 1986-1989
J.D. - May 1989

Spelman College, 1982-1986
B.A. - May 1986

Wayne State University, January 1982-May 1982
No degree conferred.

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.

September 2002 - Present
Assistant United States Attorney
Chief of Drug Task Force Unit (May 2010 - January 2014)
United States Attorney's Office
Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226

May 2007 - May 2020
Protocol Chair, 2017-2018
Jack and Jill of America, Inc.
Detroit Chapter
P.O. Box 21383
Detroit, Michigan 48221
(no physical address available)

September 1990 - September 2002
Sole Practitioner
Dawn N. Ison, Attorney at Law
645 Griswold, Suite 1750
Detroit, Michigan 48226

April 1999 - October 1999
Real Estate Agent
Century 21 Today
28544 Orchard Lake
Farmington Hills, Michigan 48334

Vernon Chapel A.M.E. Church
Trustee, (approx. 1996 – 2005)
Thomas and Amy Jackson Scholarship Committee, Co-chair, (approx. 2015 - Present)
18500 Norwood Street
Detroit, Michigan 48234

June 1993 - July 1998
President (June 1995 - July 1996)
Detroit North Central Lions Club
18500 Norwood Street
Detroit, Michigan 48234

August 1989 - May 1990
Prehearing Attorney

Michigan Court of Appeals
Cadillac Place
3020 West Grand Boulevard, Suite 14-300
Detroit, Michigan 48202

August 1988 - May 1989
Research Assistant
Wayne State University Law School
471 West Palmer Avenue
Detroit, Michigan 48202

May 1998 - August 1998
Law Clerk
Wallace K. Sagendorph, P.C.
(disbarred)

January 1988 - May 1988
Student Attorney
Misdemeanor Defender Office for Indigents, Inc.
(No longer in existence)

September 1987 - January 1988
Law Clerk
Gregory J. Reed & Associates
1201 Bagley Street
Detroit, Michigan 48226

May 1987 - May 1988
Student Attorney
Litigation Supervisor
Free Legal Aid Clinic, Inc.
5425 Woodward Avenue
Detroit, Michigan 48202

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

I have not served in the U.S. military. I am not subject to selective service registration requirements.

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.

U.S. Attorney Outstanding Service Award, U.S. Attorney's Office, Eastern District of Michigan, 2019
 Outstanding Lead Teen Advisor, Jack and Jill of America, Inc., Mid-western region, 2019
 Outstanding Mother, Jack and Jill of America, Inc. Mid-western region, 2019
 Inspector General Award, U.S. Department of Homeland Security, 2018
 U.S. Attorney Superior Performance Award by a Litigation Team, U.S. Attorney's Office, Eastern District of Michigan, 2016
 Letter of Appreciation, U.S. Ambassador to Uzbekistan, December 18, 2012
 U.S. Attorney Outstanding Service Award, U.S. Attorney's Office, Eastern District of Michigan, 2010
 National Organized Crime Drug Enforcement Task Force Outstanding Investigation Award, Department of Justice, 2009
 National Organized Crime and Drug Enforcement Task Force Asset Forfeiture Case Award, Department of Justice, 2007
 Award of Appreciation for Friendship and Service, Internal Revenue Service, 2005
 Certificate of Appreciation for Outstanding Service and Assistance, United States Postal Service, 2004
 Award of Appreciation for Outstanding Service to Church, Community and the City of Detroit, Vernon Chapel A. M. E. Church, 1998
 Award of Appreciation and Service, Recorder's Court Bar Association, 1996
 Moot Court, Top 20 Brief Writer, Wayne State Law School, 1989
 Graduated *magna cum laude*, Spelman College, 1986
 Honors Program President, Spelman College Honors Program, 1985
 Fellow, National Endowment of the Humanities, 1985
 Honorary award recognition, *The National Dean' List*, 8th Edition, 1984-85
 Sigma Tau Delta, English Honor Society, 1984
 Alpha Chi, National College Honor Society, 1984
 Received partial academic scholarship, Spelman College, 1983-1985

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

American Bar Association

Wolverine Bar Association

Co-Chair Criminal Law Section (September 1994 - September 1995)

National Conference of Black Lawyers

Vice Chair (October 1993 - October 1994)

Recorder's Court Bar Association

President (September 1995 - May 1996)

Wayne County Criminal Trial Advocacy Program Board (September 1995 - May 1996)

State Bar of Michigan Assigned Counsel Standards Committee

Women Lawyers Association of Michigan/Wayne Region

Vice President (September 1998 - May 1999)

Federal Bar Association, Eastern District of Michigan

Co-Chair of Diversity Committee (September 2015 - Present)

Member of Executive Board (September 2020 - Present)
National Bar Association
Black Women Lawyers Association of Michigan

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.

Michigan, November 1989

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.

Sixth Circuit Court of Appeals (approx. 2004 at time of first federal appeal)

United States District Court for the Eastern District of Michigan (September 2002)

All Michigan Courts (May 1990)

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.

Jack and Jill of America, Inc. Detroit Chapter (2007 - 2020)

Protocol Chair (September 2017 - May 2018)

Vernon Chapel A.M.E. Church, (approx. birth - Present)

Trustee (October 1996 - October 2005)

Thomas and Amy Jackson Scholarship Committee (2010 - Present)

Co-chair (April 2015 - Present)

Detroit North Central Lions Club (1993 - 1998)

President (July 1995 - June 1996)

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

Jack and Jill of America, Inc. is a non-profit organization that was founded in 1938 by twenty mothers who came together to discuss creating an organization to provide, social, cultural and educational opportunities for youth between the ages of 2 and 9. Jack and Jill of America, Inc. has 252 chapters nationwide and limits its membership to mothers. However, fathers are permitted to join the fathers' auxiliary and participate in children's activities.

None of the other organizations I have or currently belong to 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 four (4) copies of all published material to the Committee.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have not located any responsive items.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

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

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

behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. I have not located any responsive items.

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

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including a review of my personal files and searches of publicly available electronic databases. I frequently speak without notes or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have attached all that I could find. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

State Bar of Michigan
State Bar of Michigan Mid-Winter Conference
306 Townsend Street, Lansing, Michigan 48933
February 13, 2021

I discussed DOJ's *Giglio* policy. I have no notes, transcript or recording.

Wayne State University Law School
Wayne State Law School's Public Service Fair
471 West Palmer Avenue, Detroit, Michigan 48202
January 16, 2020 and January 22, 2021

I spoke to law students and shared information about the Department of Justice and discussed career opportunities within DOJ and as well as internship opportunities within the United States Attorney's Office. I have no notes, transcripts or recording.

Wayne State University Law School
Panelist, Public Interest Law Forum
471 West Palmer Avenue, Detroit, Michigan 48202
January 24, 2019

Along with two other AUSAs from my office, I spoke to law students about potential careers with the Department of Justice. I have no notes, transcript or

recording.

United States District Court for the Eastern District of Michigan
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan 48226

Federal Bar Association, Eastern District of Michigan
Annual Day at the Courthouse, Just the Beginnings Foundation
Multiple occasions between 2016 and 2020.

I have participated as a panelist during the Federal Bar Association's Annual Day at the Courthouse event for the Just the Beginnings Foundation (JTBF) at the federal courthouse in the Eastern District of Michigan. JTBF is a pipeline organization that is designed to expose high school students of color and those from low-income backgrounds to the justice system. The panel typically consists of prosecutors, defense attorneys, and judges. We share our career paths and discuss our respective roles in the criminal justice system. I have also participated on similar panels during FBA's, *Classroom to Courtroom*, an annual event designed to expose law students to the federal justice system and federal practice opportunities. I have no notes, transcript or recording.

United States District Court for the Eastern District of Michigan
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan 48226

April 14, 2016

Speaker at investiture ceremony of Stephanie Dawkins Davis as U.S. Magistrate Judge, United States District Court for the Eastern District of Michigan, Detroit, Michigan. Outline supplied.

United States District Court for the Eastern District of Michigan
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan 48226

March 19, 2015

Speaker at investiture ceremony of Elizabeth Stafford as U.S. Magistrate Judge, United States District Court for the Eastern District of Michigan, Detroit, Michigan. Outline supplied.

Vernon Chapel A.M.E. Church
18500 Norwood, Detroit, Michigan 48234
June 2010 (exact date unknown)

Speaker at Scholarship Sunday church program. I served as the speaker for the annual scholarship Sunday at my church. I addressed the entire congregation but delivered a message to the high school graduates in which I shared my educational and career paths as well as provided words of encouragement to the graduates. I have no notes, transcript or recording.

In addition to the speaking engagements above, between approximately 2003 and 2011, I spoke to students on several occasions at area middle schools and high schools as part of the U. S. Attorney's Office Project Sentry gun violence prevention program. I do not have records of the various dates on which I spoke, but I estimate the number of appearances to be between five to seven occasions. The topic was always preventing violent crime and the ramifications for engaging in violent or illegal conduct.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all interviews given, including a through a review of my personal files, and searches of publicly available databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

Detroit Judge Dalton Roberson, Sr., known to 'require excellence,' dies at 83, Detroit News, November 12, 2020.

American Gangster: Trap Queens, CCCD PRODUCTIONS AND JUDGE MATHIS PRODUCTIONS, February 26, 2019. I was interviewed about the BMF case by this production company, but I did not authorize the release of my interview. I have no transcript or recording.

BMF, The Rise and Fall of a Hip-Hop Drug Empire, FLOW STATE FILMS, January 2012. I was interviewed about the BMF case by this production company, but I did not authorize the release of my interview. I have no transcript or recording.

Gangsters: America's Most Evil, Demetrius and Terry Flenory (BMF), ASYLUM ENTERTAINMENT, June 23, 2015. I have no transcript or recording, but this production aired on RELZ TV on February 16, 2016.

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

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

I have not run for public office.

- b. List all memberships and offices held in and services rendered, whether

compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I served as a volunteer lawyer for election protection for the Obama campaign in 2008. I also volunteered with the Oakland County, Michigan Democrats' phone bank for the Biden campaign in 2020.

14. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not clerked for a judge.

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

During the period of September of 1990 to September of 2002, I practiced alone and rented and shared space with attorneys at the addresses, as set forth below:

65 Cadillac Square, Suite 3815, Detroit, MI 48226(1990 – 1993)

719 Griswold, Suite 2305, Detroit, MI 48226 (1993 –1995)

645 Griswold, Suite 1750, Detroit, MI 48226, (1995 – 2002)

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.

May 1987 - May 1988

Student Attorney

Litigation Supervisor

Student Attorney

Free Legal Aid, Clinic, Inc.

5425 Woodward Avenue

Detroit, Michigan 48202

September 1987 - January 1988

Law Clerk

Gregory J. Reed & Associates

1201 Bagley Street

Detroit, Michigan 48226

May 1988 - August 1988
Law Clerk
Wallace K. Sagendorph, P.C.
(No longer in business.)

January 1988 - May 1988
Student Attorney
Misdemeanor Defender Office for Indigents, Inc.
(No longer in existence.)

August 1988 - May 1989
Research Assistant
Wayne State University Law School
471 West Palmer Avenue
Detroit, Michigan 48202

August 1989 - May 1990
Prehearing Attorney
Michigan Court of Appeals
Cadillac Place
3020 West Grand Boulevard, Suite 14-300
Detroit, Michigan 48202

September 1990 - September 2002
Sole Practitioner
Dawn N. Ison, Attorney at Law
645 Griswold Street, Suite 1750
Detroit, Michigan 48226

September 2002 - Present
Assistant United States Attorney
Chief of Drug Task Force Unit (May 2010 - January 2014)
United States Attorney's Office, Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226

- 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.

My law practice began in 1989 as a prehearing attorney for the Michigan Court of Appeals, where I performed legal research and writing. Between September 1990 and September 2002, the general nature of my law practice as a sole practitioner was approximately 75% criminal defense, 15% probate law, and 10% domestic relations. Since September 2002, when I became an Assistant United States Attorney, my practice has been exclusively federal criminal prosecutions.

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

As a sole practitioner, my clients were primarily indigent individuals charged with criminal offenses, but also included a large number of clients requiring representation in domestic relations and probate matters. Since joining the U.S. Attorney's Office in September 2002, my clients have been the citizens of the United States of America.

- 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 been 100% litigation. Since nearly the beginning of my law practice in 1990, I have appeared in court frequently. The only period during which I appeared in court somewhat less frequently was when I served as the Chief of the Drug Task Force Unit between May 2010 and January 2014.

- i. Indicate the percentage of your practice in:

1. federal courts; 100% between 2002 to present
2. state courts of record; 100 % between 1989 to 2002
3. other courts; 0%
4. administrative agencies. 0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings; 5% between 2002 to present; 25% between 1990 to 2002
2. criminal proceedings. 95% between 2002 to present, 75% between 1990 to 2002

- 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. What percentage of these trials were:

1. jury; 90%

2. non-jury. 10%

As a criminal defense attorney, I tried a minimum of fifty cases to conclusion as sole counsel.

As a federal prosecutor, I have tried seven cases to conclusion, and I was sole counsel on all but two.

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

I have not argued orally before the Supreme Court.

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

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

1. United States v. Clarence Brown and Holly Hollis

Case No. 2:05-cr-80101

United States District Court for the Eastern District of Michigan

The Honorable Arthur J. Tarnow

2005-2006

Two defendants were charged with the kidnapping, rape, and transporting across state lines for purposes of prostitution a 14-year-old girl. The defendants, Clarence Brown and Holly Hollis, transported the child from Ypsilanti, Michigan to a truck stop in Fort Wayne, Indiana where Brown forcibly raped and beat the child before forcing her to prostitute herself at that truck stop. While Hollis trained the child each day for nearly a week, Brown forced the child to perform sexual acts on the truckers. Only after the child met a benevolent female truck driver who helped her escape and reunite with her family did the abuse and exploitation end. Hollis pleaded guilty to sex trafficking of children and was

sentenced to 46 months' imprisonment. Brown was convicted at trial. I served as sole counsel at trial, handled the sentencing and the motion to vacate under 28 U.S.C. Section 2255. Brown was sentenced to 25 years' imprisonment. The conviction was affirmed on appeal.

Citations:

United States v. Brown, 498 F.3d 523 (6th Cir. 2007); *Brown v. United States*, No. 05-80101, 2010 WL 4942830 (E.D. Mich. Nov. 30, 2010); *Brown v. United States*, No. 05-80101, 2011 WL 1445190 (E.D. Mich. April 14, 2011).

Opposing Counsel:

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30150 Telegraph Road, Suite 444
Bingham Farms, Michigan 48025
(248) 723-5110

Robert F. Kinney, III
615 Griswold Street, Suite 1300
Detroit, Michigan 48226
(313) 963-5310

2. United States v. Terry Flenory, et al. and United States v. Derrick Armstrong, et al.
(companion cases)

Case Nos. 2:05-cr-80955 and 2:06-20663
The Honorable Avern Cohn
2005-2010

Sixty-six defendants were charged with drug trafficking and money laundering offenses in the investigation and prosecution of the Black Mafia Family ("BMF") drug trafficking organization. This was the largest drug trafficking case in the district's history at the time. Over the course of the investigation, the government seized 12 kilograms of cocaine, 30 kilogram of heroin, 1000 pounds of marijuana, over \$21 million in cash, and other assets. I served as lead counsel, along with two co-counsel, and supervised and directed the investigation and prosecution, which involved use of wiretaps, search warrants, witness interviews, confidential informants and other methods. I presented the case to grand jury, handled pre-trial motions, participated in multi-jurisdiction coordination on BMF prosecutions with other jurisdictions, negotiated 62 plea agreements and handled all but one sentencing. All but three of the defendants pleaded guilty. The case against one defendant was dismissed. I handled all trial preparation, served as lead counsel for the first trial of two defendants and sole counsel on a separate trial of a third defendant. The sentences ranged from probation to 30 years' imprisonment. The government also obtained a \$270 million dollar judgment against the two BMF leaders, who pleaded guilty to

continuing criminal enterprise and money laundering. In addition, I also the abundant motion practice post-judgment, and handled two of the appeals. All convictions were affirmed on appeal.

Citations:

United States v. Smith and Garrett, 601 F.3d 530 (6th Cir. 2010)
United States v. Terry Flenory, 559 U.S. 1024 (2010)
United States v. Benjamin Johnson, 371 Fed.App'x. 631 (6th Cir. 2010)
United States v. Roberts Sills, 692 F. Sup.2d 792 (6th Cir. 2010)
United States v. Robert Sills, 662 F.3d 415 (6th Cir. 2011)
United States v. Vincent Wynn, 663 F.3d 847 (6th Cir. 2011)
United States v. Demetrius Flenory, 132 S.Ct. 1592 (2012)
Corral v. United States, 562 Fed.App'x. 399 (6th Cir. 2014)
United States v. Demetrius Flenory, 458 F.Supp.3d 602 (6th Cir. 2020)

Co-Counsel:

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Assistant United States Attorney
(retired)

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Opposing Counsel:

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Wright Blake, Jr.

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Gerald K. Evelyn,
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Robert M. Morgan
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Southgate, Michigan 48195
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William Otis Culpepper
615 Griswold Street, Suite 1300

Detroit, Michigan 48226
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Jeffrey L. Edison
500 Griswold Street, Suite 2410
Detroit, Michigan 48226
(313) 964-0400

Sanford Plotkin
30455 Northwestern Highway, Suite 225
Farmington Hills, Michigan 48334
(248) 798-5756

Douglas Mullkoff
402 West Liberty Street
Ann Arbor, Michigan 48103
(734) 761-8585

Andrea L. Zellan
767 Third Avenue, Suite 26
New York, New York 10017
(212) 750-7800

Michael J. McCarthy
26001 Five Mile Road
Redford, Michigan 48239
(313) 535-1300

Michael J. Kemnitz
645 Griswold Street, Suite 1717
Detroit, Michigan 48226
(313) 967-0100

Rodney H. Holmes
111 South 10th Street
St. Louis, Missouri 63102
(314)249-8713

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Detroit, Michigan 48226
(313) 962-0000

Christopher Andreoff
Jaffe, Raitt, Huer & Weiss
27777 Franklin Road, Suite 2500

Southfield, MI 48034
(248) 351-3000

Mark H. Magidson
One Park Avenue, Suite 1207
The Whitney Building
Detroit, Michigan 48226
(313) 963-4311

Don W. Ferris, Jr.
4158 Washtenaw Avenue
Ann Arbor, Michigan 48108
(734) 677-2020

Ronald Kaplovitz
2057 Orchard Lake Road
Sylvan Lake, Michigan 48320
(248) 333-3666

S. Allen Early
607 Shelby Street, Suite 425
Detroit, Michigan 48226
(313), 962-2320

Harold Z. Gurewitz
333 West Fort Street, Suite 1400
Detroit, MI 48226
(313) 628- 4733

Martin Crandall
500 Woodward Avenue, Suite 3500
Detroit, Michigan 48226
(313) 965-8413

Martha Ellen Dennis
101 South Ann Arbor Street, Suite 203A
Saline, Michigan 48176
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William J. Winters
400 Renaissance Center, Suite 2600
Detroit, Michigan 48243
(313) 510-3316

Hal R. Arenstein
114 East 8th Street

Cincinnati, Ohio 45202
(513) 823-3012

Anthony T. Chambers
(Disbarred)

W. Anthony Willoughby
200 Corporate Pointe, Suite 495
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3. United States v. Carolyn StarkeyDarden

Case No. 2:16-cr-20380
United States District Court for the Eastern District of Michigan
The Honorable Stephen J. Murphy, III
2016-2017

The defendant was charged with theft concerning programs receiving federal funds. I supervised and directed the investigation into a fraud scheme led by the defendant, a former director of grant development at the Detroit Public Schools (“DPS”), who after her retirement, established supplemental educational service companies that she used to contract with DPS to provide tutoring services to eligible DPS students. Through multi-year contracts with DPS, the defendant

falsified invoices to DPS for more than \$1 million for tutoring services that were never provided. I presented the case to the grand jury, negotiated the plea agreement, and handled the plea and sentencing hearings. I also coordinated with our asset forfeiture unit to secure a stipulated order of forfeiture. The defendant pleaded guilty and agreed to forfeit nearly \$1 million in funds that the government had seized from her bank accounts. She was sentenced to 18 months' imprisonment.

Opposing Counsel:

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Southfield, Michigan 48075
(313) 446-9582

4. United States v. Theodore Pride, III, Florence Charavay and Warren Thompson

Case No. 2:16-cr-20533
United States District for the Eastern District of Michigan
The Honorable Bernard A. Friedman
2016-2017

One defendant was charged with federal program fraud. I supervised and directed the investigation and prosecution involving fraud committed by a supplemental educational services provider for Detroit Public Schools (DPS). Pride, the program director for *Priority: My Education* ("PME"), a company owned by Florence Charavay and managed by her husband, Warren Thompson, both residents of Florida, obtained \$684,444 from DPS through a scheme in which Pride submitted fraudulent invoices for payment to DPS for tutorial services that were never rendered to DPS students. Pride, who admitted being the mastermind behind the scheme, pleaded guilty to federal program fraud and was sentenced to 37 months' imprisonment. In addition, although Charavay and Thompson were never charged with any criminal offenses, I coordinated with our civil division to pursue other legal remedies to recover the ill-gotten funds and the unjust windfall *PME* received as the sole beneficiary of the funds. In coordination with the civil division, the government negotiated a non-prosecution agreement and entered into a \$200,000 settlement with *PME* and its owners for the benefit of DPS.

Opposing Counsel:

Jill Price
Community Federal Defender
(retired)

5. United States v. April Jones

Case No. 2:04-cr-80782
United States District Court for the Eastern District of Michigan
The Honorable Robert H. Cleland
2004-2005

The defendant was charged with 38 counts of aiding and assisting in the preparation of false Federal income tax returns. I supervised and directed the investigation and prosecution. I presented the case to the grand jury, served as sole counsel at trial and handled the sentencing. The defendant was convicted at trial and was sentenced to 35 months' imprisonment. The case was affirmed on appeal.

Citations:

United States v. Jones, 218 Fed.App'x. 488 (6th Cir. 2007)

Opposing counsel:

Mitchell Nelson
398 Kent Way
White Lake, Michigan 48383
(248) 461-6777

6. United States v. Lorena Loren

Case No. 2:17-20527
United States District Court for the Eastern District of Michigan
The Honorable Mark A. Goldsmith
2017-2018

The defendant was charged with conspiracy to commit federal program fraud after she embezzled funds intended for low-income and elderly citizens, while she was the Executive Director of the St. Clair Housing Commission. For at least 8 years, the defendant stole Commission funds totaling over \$336,000 by defrauding the Commission's Section 8 housing fund, fraudulently using the Commission's credit card for her personal use, and stealing from the Commission's petty cash fund. She fraudulently used Section 8 funds to provide housing for her son while he attended college in Saginaw and in Florida. She also used the Commission's credit cards to purchase personal items, including large items of furniture that she shipped to Georgia to furnish the house that she planned to reside in after retirement. I served as lead counsel, along with a forfeiture AUSA. I supervised and directed the investigation and prosecution,

which resulted in the defendant pleading guilty conspiracy to commit federal program fraud. The defendant was sentenced to 24 months' imprisonment. I coordinated with our asset forfeiture unit to pursue Loren's pension fund benefit from her employment with the St. Clair Housing Commission as a forfeitable substitute asset to satisfy the money judgment in the amount of \$336, 240.62 against her. As a result, Loren's monthly pension benefit is being forfeited and returned to the St. Clair Housing Commission until the judgment is fully satisfied.

Co-Counsel:

Shankar Ramamurthy
Department of Justice Trial Attorney
Health Care Fraud Strike Force
Criminal Division, Fraud Section
211 West Fort Street, Suite 2001
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(202) 924-5368

Opposing Counsel:

Leon J. Weiss
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(248) 568-7453

7. United States v. Robert Davis

Case No. 2:12-cr-20224
United States District Court for the Eastern District of Michigan
The Honorable Arthur J. Tarnow
2014-2016

The defendant was charged with embezzling \$200,000 from the Highland Park School District through schemes of inducing others to submit false invoices for advertising for the District, and then having proceeds paid on those invoices funneled into his own bank accounts while he was President of the High Park Public Schools Board. The defendant used the funds to support himself, his lifestyle, and various athletic and musical events he sponsored, unrelated to Highland Park Schools. I joined the litigation team four months before the case was scheduled for trial because an AUSA on the team was preparing to retire. The rigorous trial preparation included re-interviews of about 23 witnesses. The defendant pleaded guilty to theft of funds from a federally funded program and filing a false tax return and was sentenced to 18 months' imprisonment. Following his conviction, I also responded and orally argued the defendant's

motion requesting that he be exempt from the 13-year statutory ban on union employment after a conviction for prohibited crimes. The Court ruled in the government's favor.

Citations:

United States v. Davis, 12-20224, WL 6163967 (E.D. Mich. Oct. 20, 2015)

Co-Counsel:

Sheldon N. Light
Assistant United States Attorney
(retired)

Opposing Counsel:

Douglas Mullkoff
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(734) 761-8585

8. United States v. John Hamilton, David Hart, and Steven Minella:

Case Nos. 2:15-20804, 2:15-20082, and 2:15-20378
United States District Court for the Eastern District of Michigan
The Honorable Bernard A. Friedman
2015-2018

The defendant John Hamilton, former business manager of Operating Engineers Local 324, International Union of Operating Engineers, abused his position of power by extorting money from the 30-35 business agents of the local, coercing the local's executive board into fraudulently giving him a \$97,000 a year raise, using union and pension fund money to pay for extravagant meals and liquor for himself and his friends, totaling approximately \$60,000 over several years, and engaging in honest services fraud by directing hundreds of thousands of dollars in renovation work on union buildings to a contractor in exchange for the contractor doing work on Hamilton's personal residences. Hamilton, Hart, and Minella also split among themselves and structured several checks, totaling \$145,000, in emptying out a bank account that held the proceeds of Hamilton's extortion after Hamilton lost a re-election bid as boss of the union. I handled this case with a fellow AUSA. The grand jury returned a nine-count indictment against Hamilton. The charges included, among other things, extortion, attempted structuring, money laundering, and embezzlement. Hamilton pleaded guilty and was sentenced to 24 months' imprisonment. Both Hart and Minella provided substantial assistance to the government, pleaded guilty to misprision

od a felony and received probationary sentences. I presented to the grand jury, and handled pre-trial motions and the sentencings of Hart and Minella. All of the defendants have, jointly and severally, fully satisfied the restitution to the union ordered in the amount of \$ 250,000.

Co-Counsel:

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Opposing Counsel:

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9. United States v. Jimi Ray Drake
Case No. 2:03-cr-80288
United States District Court for the Eastern District of Michigan
The Honorable George Caram Steeh
2003-2004

The defendant was charged with drug trafficking and being a felon in possession of a firearm. I supervised and directed the investigation, presented the case to a grand jury, briefed and argued pre-trial motions, conducted an evidentiary hearing on defendant's motion to suppress evidence, served as sole counsel at trial and handled the sentencing. The defendant was convicted at trial. The conviction was confirmed on appeal.

Citations:

United States v. Drake, 128 Fed.App'x. 2005 (6th Cir. 2005)

Opposing counsel:

Andrew Densemo
Community Public Defender
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Detroit, Michigan 48226
(313) 967-5829

10. United States v. Gary Zack

Case No. 2:04-cr-80531
United States District Court for the Eastern District of Michigan
The Honorable Lawrence P. Zatkoff
2004

The defendant was charged with misbranding of a drug while held for sale with the intent to defraud and mislead. The defendant operated hyperbaric oxygen chambers at his brother's medical facility and dispensed oxygen to patients using the chambers to treat medical conditions. The defendant operated the chambers without a license, as required, at a medical facility owned by his brother who was a licensed practitioner. Unbeknownst to his brother, the defendant forged his brother's signature to prescription documents before administering the oxygen to patients using the chambers for medical treatment. I supervised and directed the investigation and prosecution, negotiated the plea agreement, and handled the plea and sentencing hearings. The defendant pleaded guilty to misbranding a device and received a probationary sentence.

Opposing counsel:

Stephen Rabaut
16931 19 Mile Road, Suite 100
Clinton Township, Michigan 48038
(586) 263-1600

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

In 1995, I served on State Bar of Michigan Assigned Counsel Standards Committee. I assisted with a working group to established standards for assigned counsel representing indigent clients.

In 1995 through 1996, I served on Wayne County Criminal Trial Advocacy Program Board, which is responsible for planning continuing legal education for appointed counsel practicing in Wayne County, Michigan.

Since 2018, I have served as Department of Justice Ambassador, serving as a resource for law students, graduates, and career service advisors to answer questions about DOJ's legal hiring program. The Ambassador program is managed by DOJ Office of Attorney Recruitment and Management.

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

In November 2012, I traveled to Uzbekistan as a guest instructor for the DEA Tashkent Country Office. I led a two-day roundtable discussion with 18 Uzbek prosecutors, two of whom were with the Ministry of Defense and two investigators from the Ministry of Internal Affairs, as part of a Professional Development Program under the Uzbek Office of the Prosecutor General (OPG) at the OPG Training Center in Tashkent, Uzbekistan. We engaged in comparative dialogue on issues of proactive investigation techniques, evidence collection, identifying witnesses, analysis, preparation, and the prosecution of drug-related crimes. Presentation materials attached.

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

None.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

No.

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

Please see my SF-278 as provided by the Office of Government Ethics.

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

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

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

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

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

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

While a defense attorney, I participated in a community service day-long event at my church entitled, *Ask a Lawyer*. I provided pro bono legal advice to members of the community about landlord-tenant matters, probate, and other legal matters.

While in law school, I volunteered as a student-attorney at the Free Legal Aid Clinic, Inc., where I represented clients in a broad range of civil matters including domestic relations, landlord tenant, expungements, real estate matters, contracts, and license restoration. I also volunteered as a student-attorney at the Misdemeanor Defender's Office for Indigents, Inc., where I defended individuals charged with various misdemeanor offenses in the Thirty-Sixth District Court from initial complaint up

through trial.

In 2017, I spearheaded the U.S. Attorney's Office's participation in Retooling Detroit's online tutoring program, and I, along with nine other Assistant United States Attorneys have tutored DPS students once weekly online during our lunch hours since the 2017-2018 school year.

Over the course of my legal career, between 1989 to present, I have also participated in numerous career fairs at local area schools. I speak to students about my educational background and career path.