

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Claria Horn Boom
Claria Denise Horn
Claria Horn Shadwick

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

Commissioner, United States Sentencing Commission

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: U.S. Courthouse
101 Barr Street
Lexington, Kentucky 40507

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

1969; Ashland, Kentucky

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.

1991 – 1994, Vanderbilt Law School; J.D. (Order of the Coif), 1994

1987 – 1991, Transylvania University; B.A. (*summa cum laude*), 1991

Summer 1989, University of Kentucky; no degree

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.

Affiliations (Compensated):

2018 – present
United States District Court, ED Ky and WD Ky
101 Barr Street
Lexington, Kentucky 40507
District Judge

2006 – 2018
Frost Brown Todd LLC
250 West Main Street, Suite 2800
Lexington, Kentucky 40507
Member

2004 – 2008
Equine Express, LLC and Horn Family Enterprises, Inc.
100 Springdale Drive
Nicholasville, Kentucky 40356
Member/Lawyer/Clerk/Bookkeeping

2004 – 2005
Kentucky Equine Education Project
4037 Iron Works Parkway, Suite 130
Lexington, Kentucky 40511
Director of Strategy and Research (2005)
Executive Director (2004 –2005)

2004 – 2005
Strother and Handel PSC
1025 Dove Run Road
Lexington, Kentucky 40502
Attorney

2002 – 2004
Strother and Shadwick PSC
1025 Dove Run Road
Lexington, Kentucky 40502
Attorney

2002 – 2002
United States Attorney's Office for the Eastern District of Kentucky
260 West Vine Street
Lexington, Kentucky 40507
Assistant United States Attorney

1998 – 2001
United States Attorney's Office for the Western District of Kentucky

717 West Broadway
Louisville, Kentucky 40202
Assistant United States Attorney

1995 – 1998
King & Spalding
1180 Peachtree Street Northeast
Atlanta, Georgia 30309
Associate

1994 –1995
Hon. Pierce Lively, United States Court of Appeals for the Sixth Circuit (deceased)
Main Street Federal Building
Danville, Kentucky 40422
Law Clerk

Summer 1994
King & Spalding
1180 Peachtree Street Northeast
Atlanta, Georgia 30309
Summer Associate

Summer 1994
Greenebaum Doll & McDonald
300 West Vine Street, Suite 1200
Lexington, Kentucky 40507
Summer Associate

Summer 1993
Sidley Austin
One South Dearborn
Chicago, IL 60603
Summer Associate

Summer 1992
Brown Todd & Heyburn LLC (predecessor to Frost Brown Todd LLC)
250 West Main Street, Suite 2800
Lexington, Kentucky 40507
Summer Associate

Summer 1991
J. Montjoy Trimble, Law Office
163 West Short Street
Lexington, Kentucky 40507
Runner

Other Affiliations (Uncompensated):

2021 – present
NJC Property, LLC
4051 Gulf Shore Boulevard, North
Naples, Florida 34103
Member

2019 – present
Jasper H Properties, LLC
401 McCauley Road
Wilmore, Kentucky 40390
Member

2016 – 2019
Henry Clay High School Volleyball Team, Booster Club
2100 Fontaine Road
Lexington, Kentucky 40502
Co-President

1999 – Present
Transylvania University
300 North Broadway
Lexington, Kentucky 40508
Board of Regents (2017 – present)
Co-Chair, Class of 1991, 25th Reunion (2016)
Women's Impact Council (2016 – 2019)
Board of Trustees (2008 – 2014)
Board of Visitors (2005 – 2008)
Executive Alumni Board (1999 – 2002)

1992
Vanderbilt University Law School
2201 West End Avenue
Nashville, Tennessee 37235
Research Assistant to Professor James F. Blumstein

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 military. I was not required to register for the selective service.

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.

Mentor of the Year, Frost Brown Todd LLC, 2012

Leadership Lexington Class, 2007 – 2008

Special Recognition Award, Internal Revenue Service, Criminal Investigations Division, 2001

Order of the Coif, Vanderbilt Law School, 1994

Executive Administrative Board, Vanderbilt Journal of Transnational Law, 1993 – 1994

Best Oralist (runner-up), King & Spalding Moot Court Competition, 1993

American Jurisprudence Award, Bankruptcy, Vanderbilt Law School, 1993

First Year Legal Writing Advisor, Vanderbilt Law School, 1992

American Jurisprudence Award, Contracts I, Vanderbilt Law School, 1992

Thomas D. Clark Award, Transylvania University, 1991

Vice-President, Phi Alpha Theta, Transylvania University, 1991

Omicron Delta Kappa, Transylvania University, 1991

W.T. Young Selection Committee, Transylvania University, 1991

W.T. Young Scholar, Transylvania University, 1987 – 1991

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, 2007 – 2018

Fayette County Bar Association, 1999 – 2019

Fayette County Bar Foundation, 2007 – present

Georgia Bar Association, 1996 – 2001

Joint Local Rules Committee for ED Ky and WD Ky, 2019 – present

Kentucky Bar Association, 1998 – 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.

Georgia, 1996
Kentucky, 1998

After I returned to Kentucky and passed the Kentucky Bar Exam, I allowed my Georgia Bar admission to lapse in 2001. There have been no other 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.

United States Court of Appeals for the Sixth Circuit, 1998 – 2002
United States Court of Appeals for the Eleventh Circuit, 1997
Northern District of Georgia, 1997
Southern District of Georgia, 1998
Eastern District, Kentucky, 2002; 2006 – present
Western District of Kentucky, 1998 – 2002; 2006 – present

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.

Commerce Lexington, 2006 – 2018

Equine Express, LLC and Horn Family Enterprises, Inc., 2004 – 2008
Member/Lawyer/Clerk/Bookkeeper

Henry Clay High School Volleyball Team, Booster Club, 2015 – 2021
Co-President, 2016 – 2019

Jasper H Properties LLC, 2019 – present
Member

Leadership Lexington, 2007 – 2008

NJC Property, LLC, April 2021 – present
Member

Transylvania University

Board of Regents (2017 – present)

Co-Chair, Class of 1991, 25th Reunion (2016)

Women's Impact Council (2016 – 2019)

Board of Trustees (2008 – 2014)

Board of Visitors (2005 – 2008)

Executive Alumni Board (1999 – 2002)

- 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.

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Education professionals discuss state of public and private schools, Business Focus, Commerce Lexington, January 2008. Copy supplied.

A deal, not a 'dole,' Courier-Journal, February 14, 2005. Copy supplied.

Horses work for Kentucky, Viewpoints page, Winchester Sun, November 11, 2004. Copy supplied (likely reprinted in multiple outlets).

Taxing times for Kentucky horse industry, Cincinnati-Kentucky Post, November 8, 2004. Copy supplied.

Reduce taxes on horse sales, Lexington Herald Leader, October 11, 2004. Copy supplied.

Appealing Punitive Damage Awards: Getting the Most Mileage Out of BMW v. Gore and Other Recent Developments in the Law (with Chilton Davis Varner), ABA Products Liability Publication, November 1997. Copy supplied.

The Turncoat Employee: The Problem of Locking the Barn Door (with Chilton Davis Varner and J. Kevin Buster), Chemical Manufacturer's Association, July 1996. Copy supplied.

Central Kentucky Women and the Rebirth of Feminism, Perspectives in History, Spring 1991. Copy supplied.

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

Diversity in Action, Frost Brown Todd LLC Diversity Report (2009). Copy supplied.

Diversity in Action, Frost Brown Todd LLC Diversity Report (2008). Copy supplied.

Horses work for Kentucky, A Year in Review, Kentucky Equine Education Project (2004 – 2005). Copy supplied.

- 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.

Testimony before the Senate Judiciary Committee, Nomination Hearing to be United States District Judge for Eastern and Western Districts of Kentucky, Washington, D.C., November 15, 2017. The testimony is available at <https://www.judiciary.senate.gov/meetings/11/15/2017/nominations>. Testimony begins in the embedded video at approximately 2:40:30.

Questions for the Record, Senate Judiciary Committee, November 22, 2017. Copy supplied.

“Horses Work for Kentucky,” presentation to the Kentucky Interim Joint Committee on Agriculture and Natural Resources, Horse Farming Subcommittee, Frankfort, Kentucky, July 14, 2004. I do not have a copy of any testimony, official statement, or other communication from this presentation. I do have a copy of the outline for my presentation, a copy of which is supplied.

“Horses Work for Kentucky,” presentation to the Kentucky Interim Joint Committee on Agriculture and Natural Resources, Lexington, Kentucky, September 2004. I do not have a copy of any testimony, official statement, or other communication from this presentation, nor do I have a copy of my notes. The presentation would have been substantially similar to the one given to the Horse Farming Subcommittee on July 14, 2004 (referenced in the previous entry), a copy of which is supplied.

“Horses Work for Kentucky,” presentation to the Kentucky Interim Joint Committee on Economic Development and Tourism, Task Force on Economic Development, Frankfort, Kentucky, Fall 2004 (estimated). I do not have a copy of any testimony, official statement, or other communication from this presentation, nor do I have a copy of my notes. The presentation would have been substantially similar to the one given to the Horse Farming Subcommittee on July 14, 2004, a copy of which is supplied.

Co-Author, Wiretap and Electronic Surveillance Act of 1994, 1994 Tennessee Laws Pub. Ch. 964, *codified as*, TENN. CODE § 39-13-601 (approved May 10, 1994) (during law school worked with a colleague, local law enforcement and legislators to draft legislation, H.B. 2153 and S.B. 2708, that was ultimately passed into law). Copy supplied.

- 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 not kept a comprehensive list of all speeches, talks, and presentations I have given. Below is my best effort to recreate my history of speaking engagements, drawing on my files, internet searches, and my memory.

April 14, 2022: Co-Panelist, Transylvania University, pre-law society, Lexington, Kentucky. I have no notes, transcript or recording. The address for Transylvania University is 300 North Broadway, Lexington, Kentucky 40508.

February 16, 2022: Presenter, “Federal Sentencing, Perspectives from the Swing Judge,” Vanderbilt Law School, Nashville Tennessee. Outline supplied.

December 7, 2021: Co-Presenter, “Meet the Judges,” Tennessee Tech University, pre-law class, Cookeville, Tennessee (via video presentation). I have no notes,

transcript, or recording. The address for Tennessee Tech University is 1 William L. Jones Drive, Cookeville, Tennessee 38505.

March 5, 2020: Presenter, "Meet the Judge," University of Kentucky College of Law, civil litigation class, Lexington, Kentucky. I have no notes, transcript, or recording. The address for the University of Kentucky School of Law is 620 S. Limestone, Lexington, Kentucky 40506.

November 19, 2019: Co-Presenter, "Meet the Judges," Tennessee Tech University, pre-law class, Cookeville, Tennessee (via video presentation). I have no notes, transcript, or recording. The address for Tennessee Tech University is 1 William L. Jones Drive, Cookeville, Tennessee 38505.

January 26, 2017: Moderator, "Energy Infrastructure: Pipeline Needs and Obstacles," Annual Kentucky Energy Management Conference, Kentucky Chamber, Lexington, Kentucky. I have no notes, transcript, or recording. The address for the Kentucky Chamber is 464 Chenault Road, Frankfort, Kentucky 40601.

January 2016: Presenter, Commerce Lexington Award, Commerce Lexington Annual Dinner, Lexington, Kentucky. I have no notes, transcript, or recording. The address for Commerce Lexington is 330 East Main Street, Suite 100, Lexington, Kentucky 40507.

March 7, 2005: Co-Panelist, "Growing Kentucky: New Directions for Our Culture of Land and Food," University of Kentucky, Gaines Center for the Humanities, Lafayette Seminar in Public Issues, Lexington, Kentucky. I have no notes, transcript, or recording. The address for the Gaines Center for the Humanities is University of Kentucky, Gaines Center for the Humanities, 232 East Maxwell Street, Lexington, Kentucky 40506.

Fall 2004 – Spring 2005 (estimated): Presenter, Commerce Lexington Meeting, Lexington, Kentucky. I have no notes, transcript, or recording. The address for Commerce Lexington is 330 East Main Street, Suite 100, Lexington, Kentucky 40507.

Fall 2004 – Spring 2005 (estimated): Presenter, Rotary Club of Lexington Meeting, Lexington, Kentucky. I have no notes, transcript, or recording. The address for Rotary Club of Lexington is 401 West Main Street, Suite 305, Lexington, Kentucky 40507.

Fall 2004 – Spring 2005 (estimated): Presenter, Sunrise Rotary Club Meeting, Lexington, Kentucky. I have no notes, transcript, or recording. The address for Sunrise Rotary Club is 1900 Richmond Road, Lexington, Kentucky 40502.

1995: Speaker, Retirement Dinner for Dr. Paul E. Fuller, Transylvania University, Lexington, Kentucky. I have no notes, transcript, or recording. The address for Transylvania University is 300 North Broadway, Lexington, Kentucky 40508.

From the Summer of 2004 through the Spring of 2005, in my capacity as the Executive Director of the Kentucky Equine Education Project (KEEP), I gave numerous speeches and presentations generally on the topic of "Horses Work for Kentucky." I do not recall the names of all the groups I addressed, nor can I remember the exact dates. The speeches would have been similar to the presentation I made to the Horse Farming Subcommittee (referenced in Question 12.c), a copy of which is attached. Additionally, from 1996 through the Spring of 1998, as an associate at King & Spalding, I may have participated in the presentation of the articles "Appealing Punitive Damage Awards: Getting the Most Mileage Out of *BMW v. Gore* and Other Recent Developments in the Law," and "The Turncoat Employee: The Problem of Locking the Barn Door," copies of which are supplied in Question 12.a. I do not recall the groups I may have addressed, nor can I remember the exact dates. The presentations would have been similar to the articles referenced in Question 12.a, copies of which are supplied.

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

David Wescott, *Giving back in the global community*, Smiley Pete Publishing, March 2, 2012. Copy supplied.

Heritage of horses on display, in peril, Cincinnati Enquirer, May 7, 2005. Copy supplied.

Tom LaMarra, *KEEP works on gaming strategy; could shift staff*, BloodHorse, May 5, 2005. Copy supplied.

Local engineer selected for equine education project, Harlan Daily Enterprise, April 29, 2005. Copy supplied.

KEEP sets membership goal of 10,000 this year, BloodHorse, April 25, 2005. Copy supplied.

KEEP to co-sponsor horse industry appreciation day, BloodHorse, April 21, 2005. Copy supplied.

Fletcher signs Kentucky breeder incentive bill, BloodHorse, March 18, 2005. Copy supplied.

Approval of slots in Florida could hurt state horse industry, Associated Press,

March 14, 2005. Copy supplied (reprinted in multiple outlets).

Marcus Green, *Breeders' incentives approved*, Courier-Journal, March 9, 2005. Copy supplied.

Lawmakers to promote KY horse industry, Saddle Horse Report Online, March 9, 2005. Copy supplied.

Boyle horseman named to new equine group, Advocate-Messenger, March 3, 2005. Copy supplied.

William A. Bowden, *A career of many colors*, Transylvania University Magazine, Spring 2005. Copy supplied.

KEEP rolls out statewide campaign, BloodHorse, February 27, 2005. Copy supplied.

Gambling backers try again, Cincinnati Enquirer, February 4, 2005. Copy supplied.

Marcus Green, *Funds would give breeders incentives*, Courier-Journal, February 2, 2005. Copy supplied.

KEEP announces contest for students, BloodHorse, January 21, 2005. Copy supplied.

Amanda York, *Fletcher may propose horse industry incentives*, Cincinnati-Kentucky Post, January 12, 2005. Copy supplied.

Horse group's billboards pursue freedom from tax, eye-opening message, Lexington Herald-Leader, January 6, 2005. Copy supplied.

Marcus Green, *Group 'bluntly' stresses horse industry's value*, Courier-Journal, January 5, 2005. Copy supplied (reprinted in multiple outlets).

Marcus Green, *Equine group hits early goals*, Courier-Journal, December 19, 2004. Copy supplied.

New board members join KEEP, Thoroughbred Daily News, November 30, 2004. Copy supplied.

Horses work for Kentucky, Earl Rogers selected by statewide organization, Bath County New-Outlook, November 25, 2004. Copy supplied.

NTRA Thoroughbred Notebook, Associated Press, November 24, 2004. Copy supplied.

KEEP plans multi-breed stallion season auction, BloodHorse, October 18, 2004. Copy supplied (reprinted in multiple outlets).

Horse industry ailing\breeding and racing are facing tough odds in Kentucky, Cincinnati-Kentucky Post, September 21, 2004. Copy supplied.

Tom LaMarra, *KEEP board to ultimately decide gaming position*, BloodHorse, September 8, 2004. Copy supplied.

Kentucky quarter horse industry joins with KEEP, BloodHorse, August 26, 2004. Copy supplied.

Marcus Green, *Lawmakers hear from horse lobby*, Courier-Journal, July 15, 2004. Copy supplied.

Amanda York, *Incentives sought for state's equine farms*, Cincinnati-Kentucky Post, July 15, 2004. Copy supplied.

Tom LaMarra, *Key Kentucky legislative panel to hear horse industry*, BloodHorse, July 14, 2004. Copy supplied.

Equine group quickly raises \$1 million; goal to educate public, lobby for friendly laws, Lexington Herald Leader, July 8, 2004. Copy supplied (reprinted in multiple outlets).

Courtney Kinney, *Horse lobbyists dip into deep pockets\get more than \$1M in donations*, Cincinnati-Kentucky Post, July 7, 2004. Copy supplied.

Kentucky Equine Education Project appoints executive staff Shadwick, Navolio, and Clabes to head up equine grass-roots organization, PR Newswire, June 30, 2004. Copy supplied (reprinted in multiple outlets).

William T. Young, *Transylvania's Guardian Angel*, Transylvania University Magazine, Spring 2004. Copy supplied.

Mike Chambers, *Ex-IRS agent gets prison, fine for tax fraud*, Lexington Herald-Leader, April 24, 2001. Copy supplied (reprinted in multiple outlets).

Ex-IRS worker, tax preparer guilty of fraud, Lexington Herald-Leader, January 19, 2001. Copy supplied.

Deborah Yetter, *Jury convicts 'chronic' tax offender; 60 false filings sought \$560,000*, Courier-Journal, January 19, 2001. Copy supplied (reprinted in multiple outlets).

Mark Schaver, *Man accused of filing fake tax returns; U.S. alleges he sought refunds of \$560,000*, Courier-Journal, February 15, 2000. Copy supplied (reprinted in multiple outlets).

Shannon Tangonan, *Credit-union teller gets one-day term*, Courier-Journal, July 14, 1999. Copy supplied.

Transylvania University Admissions Office Publication, article featuring Claria Horn (student), Spring 1991 (estimated). Copy supplied.

Homer Marcum, *Claria Denise Horn earns a \$40,000 scholarship to Transylvania U.*, The Martin Countian, Spring 1987 (estimated). Copy supplied.

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 held 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.

Volunteer, Carolynn P. Horn, Circuit Clerk, Martin County, Kentucky, 1987 – 2000. My Mother served as Circuit Clerk in Martin County, Kentucky for about 30 years. Throughout this time, I periodically assisted her in her campaigns by attending speeches and events and handing out literature.

Volunteer, Carolynn Horn for State Senate, Martin County, Kentucky, 2000. My Mother ran for the Kentucky State Senate. I did not have a formal role in her campaign, but I attended speeches and events and handed out literature.

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;

From 1994 to 1995, I served as law clerk to the Honorable Pierce Lively, Circuit Judge of the United States Court of Appeals for the Sixth 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.

1995 – 1998
King & Spalding
1180 Peachtree Street Northeast
Atlanta, Georgia 30309
Associate

1998 – 2001
United States Attorney's Office for the Western District of Kentucky
717 West Broadway
Louisville, Kentucky 40202
Assistant United States Attorney

2002 – 2002
United States Attorney's Office for the Eastern District of Kentucky
260 West Vine Street
Lexington, Kentucky 40507
Assistant United States Attorney

2002 – 2004
Strother and Shadwick PSC
1025 Dove Run Road
Lexington, Kentucky 40502
Attorney

2004 – 2005
Kentucky Equine Education Project
4037 Iron Works Parkway, Suite 130
Lexington, Kentucky 40511
Executive Director (2004 – 2005)
Director of Strategy and Research (June 2005 – July/August 2005)

2004 – 2005
Strother and Handel PSC
1025 Dove Run Road
Lexington, Kentucky 40502

Attorney

2006 – 2018
Frost Brown Todd LLC
250 West Main Street, Suite 2800
Lexington, Kentucky 40507
Member

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

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

b. Describe:

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

I served as a law clerk to the Honorable Pierce Lively, Circuit Judge for the United States Court of Appeals for the Sixth Circuit, from fall of 1994 to fall of 1995. In this capacity, I researched legal issues before the Court, drafted pre-hearing memoranda, attended oral arguments in Cincinnati, Ohio, and drafted post hearing legal memoranda. In between oral arguments, we worked in chambers in Danville, Kentucky, preparing for oral arguments and assisting Judge Lively in writing the final opinions.

In the fall of 1995, I joined King & Spalding in Atlanta, Georgia, as a litigation associate in the products liability and toxic tort teams. My work was typical of a litigation associate at a large firm. I spent most of my time researching legal issues, writing memoranda, motions and briefs, and reviewing and preparing documents produced in discovery. I also, on occasion, interviewed and deposed witnesses. I argued at least one motion in state court. I also served on the Recruiting Committee from approximately 1996 to 1998.

My practice changed significantly when I returned to Kentucky and joined the United States Attorney's Office for the Western District of Kentucky in the summer of 1998. I later transferred to the United States Attorney's Office for the Eastern District of Kentucky in January 2002. I primarily prosecuted complex fraud and financial crimes cases including bank fraud, wire fraud, mail fraud, money laundering, and tax fraud. I handled all aspects of these cases from pre-indictment investigation and motion practice through arraignments, trials, plea hearings, sentencing hearings,

and all other aspects of pre-trial and post-trial proceedings. I also conducted grand jury proceedings. When I first joined the United States Attorney's Office, I also prosecuted the federal misdemeanor cases.

In 2002, my practice changed once again when I returned to private practice as a principal at a small real estate law firm, Strother and Shadwick, PSC. I previously worked for Robert S. Strother, PSC during a couple of summers in college. We represented numerous banks and lending institutions in Central Kentucky, handling consumer and commercial real estate transactions. In 2004, I sold my interest in Strother and Shadwick, PSC, and the firm changed its name to Strother and Handel, PSC. I continued to work part time with Strother and Handel, PSC through December 2005.

From 2004 until approximately June 2005, I also served as the Executive Director of the Kentucky Equine Education Project ("KEEP"). From approximately June 2005 to August 2005 I served as Director of Research and Strategy for KEEP. Both positions were non-legal positions. KEEP's mission was to promote Kentucky's horse industry (all breeds) and educate the public about its importance to our Commonwealth.

I joined Frost Brown Todd LLC ("FBT") in 2006, and I became an equity member in late 2008. My practice included representing various banks in commercial lending transactions, complicated workouts, and other corporate and regulatory matters. I also represented various businesses, pipeline companies, and insurance companies in transactional matters. Because of my background as an AUSA, I also assisted clients regarding criminal issues, internal investigations, and litigation. I served in numerous leadership positions within my former firm. From 2010 to 2011, I served on FBT's Recruiting Committee. From 2010 to 2012, I served on FBT's Women's Initiative Steering Committee. In 2011, I served on the FBT Nominating Committee, which nominated various candidates for firm leadership positions. From 2012 to 2017, I served as one of nine equity members serving on the FBT Compensation Committee, the firm Committee that sets compensation for all equity members of the firm. In 2015, my peers selected me to be the Chairman of the Compensation Committee, and I held that position till the end of 2017. In 2016, I was selected by my peers to be one of the eight members serving on a special two-year Nominating Committee, which nominated equity members to fill significant firm leadership positions including CEO, Executive Committee and Compensation Committee.

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

From 1995 to 1998, while associated with King & Spalding, my typical clients were chemical and products manufacturers, automobile manufacturers, and oil and gas companies. As an Assistant United States Attorney, from 1998 to 2002, my only client was the United States of America. At Strother and Shadwick, PSC and Strother and Handel, PSC, where I worked from 2002 to 2005, my typical clients were lending institutions. While working at Frost Brown Todd LLC 2006 to 2018, my typical clients were financial institutions, companies in the energy sector such as oil and pipeline companies, and insurance companies.

- 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.

From 1994 to 1995, I served as a law clerk to Honorable Pierce Lively of the Sixth Circuit Court of Appeals. Approximately 30% of our cases were civil cases and 70% were criminal cases. From 1995 to May 1998 at King & Spalding, approximately 95% of my practice was civil litigation, approximately 70% in federal court and 30% in state court. I appeared in court only on occasion. From 1998 to 2002, I appeared in court frequently as an Assistant United States Attorney, and all of my cases were criminal cases. From the summer of 2002 to 2005, my practice was 100% transactional, and I also served in a non-legal capacity as the Executive Director of the Kentucky Equine Education Project. While at Frost Brown Todd 2006-2018, my practice was 85% transactional and 15% litigation and internal investigations. About 70% of the litigation matters were in state court (and a few administrative proceedings) and the rest were in federal court. The vast majority were civil litigation, but I handled a couple criminal matters.

- i. Indicate the percentage of your practice in:

1. federal courts:	80%
2. state courts of record:	20%
3. other courts:	0%
4. administrative agencies:	0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings:	30%
2. criminal proceedings:	70%

- 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 tried approximately four criminal cases to verdict, including at least one federal misdemeanor case. I was chief counsel in three, and co-counsel in one.

- i. What percentage of these trials were:
 - 1. jury: 75%
 - 2. non-jury: 25%

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

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

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. Peck*, 3:00-CR-00023-EHJ-1 (W.D. Ky 2000).

I served as lead counsel in a complex tax fraud case. Mr. Peck was a former IRS employee who later ran his own tax preparation business. He devised a scheme to defraud the government by filing dozens of fraudulent tax returns, and obtained hundreds of thousands in fraudulent refunds. Prior to trial and while out on bond, Mr. Peck failed to appear at a hearing and an arrest warrant was issued. He was ultimately located out of state and returned to stand trial. The case involved multiple pre-trial motions and hearings, along with expert handwriting exemplars and testimony. Although Mr. Peck initially retained counsel, his counsel withdrew prior to trial, and Mr. Peck proceeded *pro se*. The Court appointed stand-by counsel for the trial. The trial lasted nearly two weeks and involved dozens of witnesses. A jury ultimately convicted Mr. Peck on multiple counts of tax fraud and sentenced him several years in prison. I was the lead AUSA during the investigation and pre-trial phase of the case, as well as trial.

Dates of representation: 2000-2001

Presiding Judge: U.S. District Court Judge Edward Johnstone

Co-Counsel at Trial: Former Assistant United States Attorney Dean
Furman
2527 Nelson Miller Parkway, Suite 101
Louisville, KY 40223
502-245-8883

Counsel for Defendant: Bruce Peck
Pro Se

Previous Counsel: E. Brian Davis
101 N. Seventh Street
Louisville, Kentucky 40202-2924
502-568-1337

Scott C. Cox
600 W. Main Street, Suite 300
Louisville, Kentucky 40202
502-589-6190

Scott T. Wendelsdorf
629 South Fourth Avenue, Suite 200
Louisville, Kentucky 40202
502-584-0525

2. *United States v. Bryan*, 5:99-CR-7-R (W.D. Ky 1999).

I prosecuted the Executive Vice President of a Western Kentucky bank for embezzlement and misapplication of bank funds involving a nominee loan scheme. Mr. Bryan made fictitious loans under the names of straw borrowers and funneled the money to himself. He disguised the loans by pulling the loan notices that would otherwise be sent to the borrower and paying the loans on a regular basis so they remained current. The case presented unique issues because some of the witnesses/victims were reluctant to testify. The case went to trial in February 2000, and Mr. Bryan pleaded guilty on the second day of trial.

Dates of representation: 1999 – 2000

Presiding Judge: U.S. District Court Judge Thomas B. Russell

Co-Counsel at Trial: Former Assistant United States Attorney, Kent
Wicker
321 West Main Street, Suite 1200
Louisville, Kentucky 40202
502-572-2500

Counsel for Defendant: Len W. Ogden, Jr.
111 South Fourth Street
Paducah, Kentucky 42001
270-444-7575

3. *United States v. Burks, et al.*, No. 3:99-CR-138-R (W.D. Ky. 1999).

This was a complex defense contractor fraud case against several defendants involving charges of conspiracy to defraud the United States, mail fraud, kickbacks, RICO and extortion related to defense contracts between AM-AR International Corp., the United States government and officials at the Jeddah Air Force base in Saudi Arabia. The pre-trial investigation was extensive, involving out of state and international witnesses and evidence. It was also a highly litigated matter, with dozens of pre-trial motions including motions to suppress evidence and a motion to disqualify the United States Attorney's Office. I was associate counsel on the case, assisting more senior prosecutors, Kent Wicker and Jim Lesousky. My pretrial responsibilities included working with the agents on developing and analyzing the evidence, and assisting in the preparation of multiple witnesses. I also assisted in drafting the United States' brief in opposition to recusal of the United States' Attorney's Office. The recusal motion was denied. The defendants pleaded guilty on the second day of trial to some counts, and other counts were dismissed.

Dates of representation: 1999 – 2001

Presiding Judge: U.S. District Court Judge Thomas B. Russell

Co-Counsel at Trial: Former Assistant United States Attorney, Kent Wicker
321 West Main Street, Suite 1200
Louisville, Kentucky 40202
502-572-2500

Former Assistant United States Attorney, Jim Lesousky
(address unknown)
Louisville, Kentucky
502-299-9642

Counsel for Defendants: David A. Lambert (Defendant Gary Douglas Burks)
600 W. Main Street, Suite 300
Louisville, Kentucky 40202
502-589-6190

John Tim McCall (Defendant David A. Klemenz)

600 W. Main Street, Suite 300
Louisville, Kentucky 40202
502-589-6190

Peter L. Ostermiller (Defendant Larry L. May)
1303 Clear Springs Trace, Suite 100
Louisville, Kentucky 40223
502-426-1798

4. *United States v. Simon*, No. 3:99-CR-00118-JGH (W.D. Ky. 1999).

This was an advance fee scheme where Ms. Simon defrauded the Chilean National Airlines of more than \$250,000. The defendant posed as an international airline broker under the alias "Anastasia Alexandra Dubois" and enticed the Chilean National Airlines to send her a deposit on an aircraft she allegedly located for them. When the funds arrived in the United States, Ms. Simon spent the money on unrelated personal items and never produced an aircraft. I served as sole counsel on this case, handling all aspects of the investigation and pre-trial activities. Ms. Simon pleaded guilty in April 2000 and received a 37 month sentence.

Dates of representation: 1999 – 2000

Presiding Judge: U.S. District Court Judge John G. Heyburn

Counsel for Defendant: Former Federal Public Defender, Jamie L. Haworth
(address unknown)

David Kaplan
410 W. Chestnut Street, Suite 632
Louisville, Kentucky 40202
502-584-0143

5. *United States v. Perconti*, No. 3:99-CR-00028-EHJ (W.D. Ky. 1999).

This case involved charges of conspiracy, mail fraud and money laundering against two executives of a family owned gas and convenient store chain. Mr. Perconti, President of Thornton Oil, and Mr. Hobbs, its CFO, were charged with conspiring to embezzle company funds to speculate in commodities markets on their own behalf. I served as associate counsel and assisted with all areas of pre-trial preparation including drafting motions and preparing witnesses. At trial, I handled witnesses, including the Chairman of Thornton Oil, and assisted in the management of the evidence. The trial lasted nearly two weeks and involved voluminous evidence, including computer forensics evidence. Prior to trial, the CFO pleaded guilty to some of the charges. The trial resulted in a hung jury, and the United States Attorney's Office elected not to re-try the case.

Dates of representation: 1998 - 1999

Presiding Judge: U.S. District Court Judge Edward H. Johnstone

Co-Counsel at Trial: Former Assistant United States Attorney, Kent Wicker
321 West Main Street, Suite 1200
Louisville, Kentucky 40202
502-572-2500

Former United States Attorney, Jim Lesousky
(address unknown)
Louisville, Kentucky
502-299-9642

Counsel for Defendant: John Tim McCall (Defendant Perconti)
600 W. Main Street, Suite 300
Louisville, Kentucky 40202
502-589-6190

Scott C. Cox (Defendant Hobbs)
600 W. Main Street, Suite 300
Louisville, Kentucky 40202
502-589-6190

6. *United States v. Keller, et al.*, No. 5:02-CR-00095-JMH (E.D. Ky. 2002).

This case involved a complex fraudulent scheme to purchase and sell life insurance policies on terminally ill insureds. The policies were obtained by terminally ill individuals who misrepresented their health status on insurance applications. Kelco, Inc. and its representatives, Mr. Keller and others, purchased life insurance policies knowing they had been obtained by fraud and sold them to other investors for profit. Kelco's offices in Lexington, Kentucky were searched and Kelco filed an interlocutory appeal to the United States Sixth Circuit Court of Appeals of two pre-indictment orders relating to the search of Kelco's offices. The United States Attorney's Office filed a motion to dismiss the appeal for lack of jurisdiction and was successful in getting the appeal dismissed. I assisted in the pre-indictment investigation and in drafting the United States' successful motion to dismiss. *In Re: In the Matter of the Search of Floors 3, 4, 5, 6, 7, 8, 9 and the Basement of the Building Located at 269 West Main Street, Lexington, Kentucky 40507, Case No. 01-6593* (6th CCA, 2002). Ultimately, the defendants were convicted and sentenced to prison (after I had departed the U.S. Attorney's Office).

Dates of representation: 2002

Presiding Judge: U. S. District Court Judge Karl S. Forrester (and Joseph M. Hood)

Co-Counsel, Appellate Brief: Charles P. Wisdom, Jr.
Patrick Molloy (retired AUSA; address unknown)
David P. Grise
260 W. Vine Street, Suite 300
Lexington, Kentucky 40507
859-233-2661

Counsel for Defendant: Kenneth Tuggle (I believe he is retired; address unknown)
Robert C. Webb
Robert W. Dibert
Frost Brown Todd LLC
400 West Market Street, Suite 3200
Louisville, Kentucky 40202
502-589-5400

7. *United States v. Brown*, No. 3:00-CR-00051-EHJ (W.D. Ky. 2000).

This was a felony bank fraud matter, where the defendant presented a fraudulent instrument to a local bank, then withdrew the funds before the instrument was returned as fraudulent. I believe I was sole counsel in this matter, which went to trial in August 2000. The jury returned a guilty verdict and the defendant was sentenced to prison.

Dates of Representation: 2000

Presiding Judge: U.S. District Court Judge Edward H. Johnstone

Counsel for Defendant: Robert Mattingly
138 S. Third Street
Louisville, Kentucky 40202
502-589-2822

8. *Marathon Pipe Line LLC v. Scowby, et al.*, Case No. 11-CI-659 (Ky. Cir. Ct., Jessamine Cty., 2007).

I served as lead counsel to Marathon Pipe Line LLC (MPL), now known as MPLX LP, in connection with the replacement of a section of its common carrier pipeline that runs from Patoka, Illinois to Cattlesburg, Kentucky. This matter spanned over two years and spun off several litigation matters. Part of the pipeline MPL operates is a segment that transports crude oil from Owensboro, Kentucky to a refinery in Cattlesburg, Kentucky. In connection with the

replacement of the pipeline, MPL, with our assistance, negotiated new easement agreements with about 100 landowners across Central Kentucky, including large horse farms and other commercial and residential landowners. In several instances, we initiated condemnation actions where we were unable to reach a settlement initially. Ultimately, all of the filed actions were settled, and the pipeline replacement project proceeded.

Dates of Representation: 2011 – 2013

Presiding Judge: Circuit Court Judge Hunter Daugherty

Co-Counsel: Denise McClelland (retired from Frost Brown Todd LLC)
250 West Main Street, Suite 2800
Lexington, Kentucky 40507
859-231-0000

Counsel for Defendants: Thomas J. FitzGerald
P.O. Box 1070
Frankfort, Kentucky 40602
502-875-2428

9. *Coffman v. Central Bank & Trust Co.*, 5:11-CV-00388-KKC (E.D. Ky 2011).

I served as co-counsel representing Central Bank & Trust Co. against claims by Mr. Coffman, the plaintiff, that Central Bank violated the Right to Financial Privacy Act (“RFPA”) by disclosing his financial records to a federal government agency. In connection with a federal criminal investigation, Central Bank made a disclosure related to a possible violation of law involving plaintiff to a government agency. The plaintiff was later convicted after a jury trial in May 2011 of mail fraud, wire fraud, money laundering, and securities fraud, in connection with the activities underlying Central Bank’s disclosure. In our summary judgment motion, we argued that Central Bank was not liable under the RFPA and was afforded absolute immunity under the Annunzio-Wylie Money Laundering Act, 31 U.S.C. § 5318(g)(3), for disclosing Plaintiff’s suspicious activities and cooperating with law-enforcement efforts. The Court granted summary judgment in our favor, and the plaintiff elected not to appeal.

As co-counsel, I assisted in developing the factual and legal arguments supporting our motion for summary judgment and a motion for protective order.

Dates of representation: 2011 – 2012

Presiding Judge: U. S. District Court Judge Karen Caldwell

Co-Counsel: Barry Hunter
Rebekha Ballard (current address unknown)
Frost Brown Todd LLC
250 West Main Street, Suite 2800
Lexington, Kentucky 40507
859-231-0000

Counsel for Plaintiffs: Brian M. Johnson
Dickinson Wright
300 W. Vine Street
Suite 1700
Lexington, KY 40507
859-899-8704

Adam C. Reeves
Stoll Keenon Ogden, PLLC
300 W. Vine Street, Suite 2100
Lexington, Kentucky 40507
859-231-3042

10. *Ventura v. Central Bank & Trust Co.*, No. 14-CI-122 (Ky. Cir. Ct., Powell Cty., 2015), *aff'd* No. 2015-CA-001407-MR (Ky. Ct. App. 2017).

I served as co-counsel representing Central Bank & Trust Co. against claims by the Venturas, the plaintiffs, that Central Bank made tortious disclosures of information about plaintiffs' account activity at Central Bank to a task force officer with the Internal Revenue Service and other federal law enforcement officials. The account activity consisted of plaintiffs' repeated cash deposits of amounts slightly under the amount, *i.e.*, \$10,000.01, which would have triggered federal CTR (currency transaction reporting) requirements. On behalf of Central Bank, we argued that such disclosures were actually mandated by the provisions of the Bank Secrecy Act, 31 U.S.C. § 5311, *et seq.* ("the BSA"), and regulations promulgated under the BSA, which require banks like Central Bank to report "any suspicious transaction relevant to a possible violation of law or regulation." 31 U.S.C. §5318(g)(1). We argued that to protect banks that comply with these legal obligations from claims by disgruntled bank customers, precisely like those asserted by Plaintiffs in this case, the BSA grants banks absolute immunity from such claims. The Court granted summary judgment, and the Kentucky Court of Appeals upheld the ruling. As co-counsel, I assisted in developing the factual and legal arguments supporting our motion for summary judgment. I also reviewed discovery and interviewed witnesses.

Dates of Representation: 2015 – 2016

Presiding Judge: Hon. Frank A. Fletcher

Co-Counsel: Barry Hunter
Mark Flores (departed FBT; address unknown)
Frost Brown Todd LLC
250 West Main Street, Suite 2800
Lexington, Kentucky 40507
859-231-0000

Patrick E. O'Neill
1029 College Ave., Suite 101
Jackson, Kentucky 41339
606-666-2990

Counsel for Plaintiffs: Caitlin A. Wohlander
Mark A. Wohlander
Danielle Brown, of counsel
Wohlander Law Offices
P.O. Box 910483
Lexington, KY 40591
859-309-1691

Tom K. Hall
Attorney at Law
P.O. Box X
Beattyville, KY 41311

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.)

While I served as an Assistant United States Attorney, most of the matters I investigated and indicted were resolved through a plea agreement. Because I mainly prosecuted fraud and financial crimes cases, these matters often involved lengthy investigations with multiple targets and voluminous records and evidence. These cases did not go to trial as often as some of the other criminal matters.

While working at Frost Brown Todd LLC 2006-2018, a significant part of my practice involved transactional work, primarily commercial transactions, real estate, and assisting lenders in financing transactions, work outs and real estate matters. I was lead counsel to a team of lawyers and legal professionals for one of the firm's bank clients, for whom we functioned as outside general counsel. Examples of my transactional work include assisting a large energy client in the transfer of millions of dollars of assets to a related

company, assisting another energy client in a \$90 million acquisition of coal terminals and coal mines in Kentucky, Virginia and West Virginia, and handling the large pipeline replacement project for Marathon Pipe Line referenced previously.

Given my prosecutor background, I also assisted in internal investigations for firm clients, some of which involved interviewing dozens of witnesses, analyzing vast amounts of documents and e-mails, and counseling clients on potential issues.

I also served in a number of leadership positions at Frost Brown Todd LLC. I served as Chairman of the firm's Compensation Committee, the Committee that sets compensation for all equity members in our firm. The Committee was comprised of the firm's Chairman, CEO and seven other members from across the firm's various offices who were selected by their peers through a Nominating Committee and election process. I also served on a two-year Nominating Committee that was convened in 2016 to fill significant leadership positions within the firm, including CEO and positions on the Executive Committee and Compensation Committee.

I was confirmed in April 2018 as a United States District Court Judge for the Eastern and Western Districts of Kentucky.

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.

I served as a legal writing advisor during law school at Vanderbilt University in 1992. Other than this, I have never held a formal teaching position.

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.

I have not had any income derived from other sources during my tenure as a United States District Court Judge. However, I received a return of my equity capital contribution to Frost Brown Todd LLC in 2018.

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

I recently became a member of NJC Property, LLC. The only other members are my family. We purchased a condominium in Naples, Florida to renovate and use as a personal vacation home for various family members. We have no plans to generate

income from the property. Also, a couple years ago, I became a member of Jasper H Properties, LLC. The only other member is one of my sisters. We purchased our mother's childhood home in Inez, Kentucky, the town where we all grew up. We plan to renovate the property to be used by our family. We have no plans to generate income from the property, though it is possible we could one day use it as a bed and breakfast or rental property.

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).

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.

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, 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.

I am unaware of any categories of parties or litigation that are likely to present potential conflict of interest should I be confirmed to the United States Sentencing Commission. As noted in my response to Question 22b, I will continue to carefully review any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances.

- 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 continue to carefully review any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 Code of Conduct for United States Judges, and any and all other laws, rules, and practices governing such circumstances.

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.

Several years ago I assisted in retaining our firm as pro bono counsel in obtaining a humanitarian parole visa for a young Honduran girl to come to Lexington, Kentucky to have potentially life-saving heart surgery. A few years ago, I assisted one of the estate planning lawyers at Frost Brown Todd LLC in representing a couple who were both local teachers. The wife had end stage cancer, and the couple needed to get all of their estate documents in order before she passed away, including a trust for the teachers' adult child with special needs. I have also provided informal counsel to The Nile, a center for adult women with substance abuse, including women who are pregnant. I and other members of my family have also volunteered for The Nile for a few years, and served as volunteers at Southland Christian Church. More recently, I have volunteered with the Christian Appalachian Project (CAP) which serves the poor and elderly in rural areas of Kentucky and beyond. I, along with my family, have volunteered to build access ramps for homes of the elderly and disabled, to repair houses, and to perform other outreach work. Over the years, I have also volunteered at local public schools in Lexington, Kentucky, including serving most recently as Co-President of the Henry Clay High School Volleyball Team Booster Club, which involved more than 100 hours of volunteer service in 2016-2019.