

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Richard Eugene DiZinno

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

Board Member, Privacy and Civil Liberties Oversight Board

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.

Residence:
Washington, D.C.

Firm/Employer Name:
**National Insurance Crime Bureau
1111 E. Touhy Ave., Suite 400
Des Plaines, IL 60018**

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

**1974
Dorchester, MA**

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.

**George Washington University Law School, 2000-2004
J.D. – December 2004**

**College of the Holy Cross, 1992-1996
B.A. – June 1996**

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.

**February 2021-Present
Vice President
National Insurance Crime Bureau
1111 E. Touhy Ave., Suite 400**

Des Plaines, IL 60018
Paid

October 2020-January 2021
Associate Deputy Attorney General
U.S. Department of Justice
Office of the Deputy Attorney General
950 Pennsylvania Avenue NW
Washington, D.C. 20530
Paid

September 2017-October 2020
Chief Counsel for National Security and Crime
United States Senate
Committee on the Judiciary
226 Dirksen Senate Office Building
Washington, D.C. 20002
Paid

June 2009-August 2017
Assistant U.S. Attorney
U.S. Department of Justice
U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
Paid

April 2005-June 2009
Associate
Howrey LLP
1299 Pennsylvania Ave NW
Washington, D.C. 20004
Paid

October 2003-December 2004
Law Clerk
diGenova & Toensing
1775 Eye Street NW Suite 1150
Washington, D.C. 20006
Paid

September 2002-April 2003
June 2003-October 2003
Judicial Assistant
U.S. District Court for the District of Columbia
Chief Judge Thomas Hogan
333 Constitution Ave NW
Washington, D.C. 20001
Paid

May-June 2003
Judicial Intern
U.S. District Court for the District of Columbia
Magistrate Judge John Facciola
333 Constitution Ave NW
Washington, D.C. 20001
Unpaid

May-September 2002

Legal Intern
U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
Unpaid

June 1997-April 2002
Account Executive
Travelers
Chantilly VA
Paid

Approx. 1998-2000
Waiter
Clyde's Restaurant
5441 Wisconsin Ave
Chevy Chase, MD 20815
Paid

July 1996-June 1997
Underwriting Intern
CIGNA Insurance
Quincy, MA
Paid

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 have registered for 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.

Director's Recognition Award, U.S. Secret Service, April 2018

Special Achievement Awards for Outstanding Performance, U.S. Department of Justice, 2012-2017

Award in Recognition of Prosecution of Public Corruption at D.C. Corrections Facilities, Federal Bureau of Investigation, 2017

Director's Award, Extraterritorial Criminal Task Force, Department of Homeland Security Immigration and Customs Enforcement, 2017

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.

District of Columbia Bar Association

Massachusetts Bar Association

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.

District of Columbia, April 2006

Massachusetts, June 2005

Member 2005-2011

Reason for lapse: No practice in Massachusetts and cancellation of dues payments.

Except as noted, there have been no lapses in membership.

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

List in order of deference, with admission dates in parenthesis:

U.S. District Court for the District of Columbia (2009-2017)

U.S. District Court for the Middle District of Florida (2005-2006)

U.S. District Court for the Southern District of Florida (2008-2009)

All state courts in Massachusetts (June 2006-2011)

All state courts in D.C. (April 2006-Present)

Except as noted, there have been no lapses in membership.

11. Memberships:

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

Federalist Society (2017 – Present)

b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminate 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 my knowledge, the Federalist Society does not 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.

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 located the following:

**Global Competition Review
Recent Enforcement Activities of the US Antitrust Agencies
September 2008**

A copy of the article can be found here

<https://globalcompetitionreview.com/review/the-antitrust-review-of-the-americas/the-antitrust-review-of-the-americas-2009/article/recent-enforcement-activities-of-the-us-antitrust-agencies>.

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. To the best of my recollection, I have not created anything that would be responsive to this question, and have not located anything based on my review. Despite my searches, there may be materials that I have been unable to identify, find, or remember.

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.

Along with another colleague, I presented information on the National Insurance Crime Bureau to the Virginia Consumer Data Protection Act Work Group of the Joint Commission on Technology and Science in August 2021. The Work Group was authorized under the Virginia Consumer Data Protection Act which was initially signed into law in March 2021. The Work Group convened a series of meetings over the summer of 2021 to hear from various stakeholders as the Work Group considered potential recommendations for amendments to the Virginia Consumer Data Protection Act. NICB hired counsel in May 2021 to lobby on the organization's behalf on consumer data privacy issues in Virginia. The information was presented in conjunction with that lobbying effort and in response to the Work Group's request to hear directly from NICB.

No formal written statements were submitted in connection with the presentation. I am unaware whether there exists a public recording of this meeting.

To the best of my recollection, I did not create any additional material responsive to this question, and have not located anything based on my review. Despite my searches, there may be other materials that I have been unable to identify, find, or remember.

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 through a review of my personal files and searches of publicly available electronic databases. I often prepare brief notes for reference but did not save those notes as indicated below. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

**American Bar Association
Standing Committee on Law and National Security
29th Annual Review of the Field of National Security Law Conference
The Capital Hilton, 1001 16th Street NW, Washington, D.C.
November 7, 2019**

I participated in a panel discussion on legal and policy responses to the weaponization of social media. I prepared brief notes in preparation for the discussion but did not save those notes. Based on my review of the ABA's website, I found an audio transcript of the discussion available at https://players.brightcove.net/1866680404001/default_default/index.html?videoId=6111127117001.

**Georgetown University Law Center
600 New Jersey Ave NW, Washington, DC 20001
Georgetown University Law Center and U.S. Department of Justice Criminal Division
Cybercrime 2020: Revisiting the Future of Online Crime and Investigations
November 29, 2018**

I participated in a panel discussion on legislating future cybercrimes and whether new prosecutorial tools would be necessary. I prepared brief notes in preparation for the discussion but did not save those notes. There is no transcript of the panel discussion of which I am aware.

**Virtual Panel
Virtual Cybersecurity Days 2020
Austrian Embassy and Advantage Austria
October 20, 2020**

I participated in an online panel discussion on a congressional update on cybersecurity issues. I prepared brief notes in preparation for the discussion but did not save those notes. There is no transcript of the panel discussion of which I am aware.

**Virtual Panel
Parliamentary Intelligence-Security Forum
December 8, 2020**

I participated in an online Doha Forum panel discussion on cybersecurity issues. I spoke without notes. Video footage of the discussion can be found here: <https://www.youtube.com/watch?v=tKicc9C1Qvw>

C. 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.

To the best of my recollection, I have not had any interviews responsive to this question. I have done my best to identify all interviews given, 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.

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.

I have held the following appointed position at the United States Department of Justice:

Associate Deputy Attorney General, Office of the Deputy Attorney General, 2020-2021. I was appointed by President Donald Trump.

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 am a member of the Republican Party but have not held a position or played a formal role in a political campaign.

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;

List clerkships or state:

I have not held a formal clerkship position for a judge. However, I worked as a Judicial Assistant for Chief Judge Thomas Hogan at the U.S. District Court for the District of Columbia, as indicated below; and as a Judicial Intern for Magistrate Judge John Facciola, as indicated below.

**September 2002-April 2003
June 2003-October 2003
Judicial Assistant
U.S. District Court for the District of Columbia
Chief Judge Thomas Hogan
333 Constitution Ave NW
Washington, D.C. 20001
Paid**

**May-June 2003
Judicial Intern
U.S. District Court for the District of Columbia
Magistrate Judge John Facciola
333 Constitution Ave NW
Washington, D.C. 20001
Unpaid**

**May-September 2002
Legal Intern**

U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
Unpaid

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

I have not practiced alone.

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

February 2021-Present
Vice President
National Insurance Crime Bureau
1111 E. Touhy Ave., Suite 400
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Paid

October 2020-January 2021
Associate Deputy Attorney General
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U.S. Attorney's Office for the District of Columbia
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Washington, D.C. 20004
Paid

October 2003-December 2004
Law Clerk
diGenova & Toensing
1775 Eye Street NW Suite 1150
Washington, D.C. 20006
Paid

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.

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

From April 2005 through June 2009, I worked as a civil and criminal defense litigator at Howrey on white collar, antitrust, and general civil commercial litigation. I typically represented corporate clients, including a large waste management corporation, a microprocessor corporation, a beer manufacturing and distributing conglomerate, and a maritime union.

In June 2009, I served as a criminal prosecutor at the U.S. Attorney's Office in the District of Columbia. I represented the United States in proceedings against individual and corporate defendants in criminal cases before both local D.C. courts and in federal court.

When I left the U.S. Attorney's Office in August 2017, I assumed a policy role in the Senate Judiciary Committee advising the Chairman and the Committee on criminal and national security policy matters.

When I returned to the Department of Justice as an Associate Deputy Attorney General in October 2020, I advised the Deputy Attorney General on national security matters.

In my current role at NICB starting in February 2021, I provide guidance to the Chief Executive Officer and Senior Leadership on internal and external policy matters, including internal policies relating to the pandemic, other human resources-related policies, and NICB's cybersecurity incident response plan; strategic planning, including helping draft NICB's 5-year Strategic Plan, the corporate data strategy, and enterprise performance plan; and general oversight of the organization's government affairs function, including lobbying state and federal policymakers on insurance crime and fraud issues.

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.

At Howrey and during my time as an Assistant U.S. Attorney, I spent the vast majority of my time litigating cases in criminal and civil proceedings in state and federal courts. As an associate attorney at Howrey, I appeared in court occasionally. As an Assistant U.S. Attorney, I appeared in court on almost a daily basis from approximately 2009 to 2013. My court appearances were less frequent during my time in the Homicide, Fraud and Public Corruption, and National Security sections from approximately 2013 through 2017.

From September, 2017 when I began serving in the Senate up through the present, I have not been directly involved in litigating cases and have not appeared in court.

i. Indicate the percentage of your practice in:

1. federal courts: 50%
2. state courts of record: 50%
3. other courts: %
4. administrative agencies: %

ii. Indicate the percentage of your practice in:

1. civil proceedings: 33%
2. criminal proceedings: 67%

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

I have tried approximately 57 cases to verdict. Of those 57 trials, I served as sole counsel in approximately 50 cases; I served as co-counsel in approximately six cases; and I served as associate counsel in 1 case.

i. What percentage of these trials were:

1. jury: 36%
2. non-jury: 64%

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 filed any amicus briefs or other filings, nor have I appeared 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.

List each out in the following format, in order of significance (in your opinion):

1. United States v. UniCredit Bank, AG

**Case No: 1:19-CR-00128
United States District Court for the District of Columbia
The Honorable Beryl Howell
2015-2017**

I represented the United States as an Assistant U.S. Attorney in a pre-indictment investigation against UniCredit Bank AG. After I had left my position, UniCredit pled guilty in 2019 for conspiring to defraud the United States in violation of the International Emergency Economic Powers Act by engaging in hundreds of millions of dollars in financial transactions with Sanctioned Entities including Specially Designated Nationals. As part of the plea, UniCredit also agreed to pay over \$1.3 billion in fines, penalties, and forfeiture payments. My work largely consisted of leading various segments and phases of the government's factual investigation and leading the interviews of several key witnesses.

Co-Counsel:

**Michelle Zamarin
Assistant U.S. Attorney
U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
(202) 252-7812**

**Margaret Moeser
Senior Trial Attorney
U.S. Department of Justice
Money Laundering and Asset Recovery Section
1400 New York Avenue
Washington, DC 20005
(202) 598-2345**

**Garrett Lynch
Deputy Chief
Major Economics Crime Bureau
Manhattan District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-9000**

Opposing Counsel:

**David D. DiBari
Stephen Nickelsburg
Clifford Chance US, LLP
2001 K St., NW
Washington, DC 20006-1001
(202) 912-5098**

**Jamie L. Boucher, Esq.
Gary DiBianco, Esq.
Skadden, Arps, Slate, Meagher & Flom LLP
1400 New York Ave, NW
Washington, DC 20005**

**Philip Urofsky
Shearman & Sterling
401 9th Street, NW**

Suite 800
Washington, DC 20004-2128
(202) 508-8060

Jonathan Rosen
Polsinelli
1401 Eye Street, N.W., Suite 800
Washington, DC 20005
(202) 783-3300

Barry Sabin
Latham & Watkins
555 Eleventh Street, NW
Suite 1000
Washington, D.C. 20004-1304
202-637-2200

William Stellmach
Willkie Farr & Gallagher LLP
1875 K Street, N.W.
Washington, DC 20006-1238
(202) 303-1130

2. Forrester Construction 2013-2014

As an Assistant U.S. Attorney, I served as co-counsel with my colleague who was the lead prosecutor in a pre-indictment fraud investigation against Forrester Construction. Forrester entered into joint venture agreements with business partners who qualified under the District of Columbia's Certified Business Enterprises program to procure more than \$145 million in D.C. government contracts. Part of the purpose in establishing the joint venture was in order to receive the maximum amount of contracting preferences for which the CBE partner was eligible, which provided Forrester Construction and the respective CBE partner with a competitive advantage during the bidding process. Forrester then improperly entered into written letter agreements and memoranda with its CBE partners that were not disclosed to the District of Columbia during the contract procurement process and that redistributed the work and profit percentages in Forrester's favor. Forrester ultimately admitted to that conduct.

Forrester entered into a non-prosecution agreement with the U.S. Attorney's Office for the District of Columbia, agreed to pay \$2.15 million to the United States and institute internal reforms, and accepted and acknowledged responsibility for its improper conduct.

I assisted the lead prosecutor on all aspects of the investigation; and led the investigative effort on certain aspects of the fraud, which involved hundreds of million dollars of work over the course of several years at many projects. I lead witness various interviews, document collection efforts, and prepared summary memoranda for internal decision-making.

Co-Counsel:

David Last
Assistant U.S. Attorney

Michael Atkinson
Assistant U.S. Attorney
Deputy Chief
Fraud and Public Corruption Section

U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
(202) 252-1900

Opposing Counsel:

Robert Trout
Trout Cacheris
1627 I St NW
Washington, DC 20006
(202) 464-3300

Mary Patrice Brown
O'Melveny & Myers
1625 Eye Street, NW
Washington, DC 20006
(202) 383-5376

William Sullivan
Pillsbury Winthrop Shaw Pittman LLP
1200 Seventeenth Street, NW
Washington, DC 20036
(202) 663-8000

3. United States v. Lenard Fleming

1:14-cr-00217-KBJ

United States v. Darren Malry

1:14-cr-00187-CKK

United States District Court for the District of Columbia

2013-2014

I represented the United States as an Assistant U.S. Attorney in cases involving corrections officers at District of Columbia jail facilities under the authority of D.C.'s Department of Corrections. I helped design and lead a multi-year undercover investigation in coordination with the FBI's public corruption unit. The investigation involved confidential informants and undercover FBI agents who provided bribes to D.C. corrections officers in the form of cash payments in exchange for the officers supplying contraband, including drugs, cell phones, and other items, to inmates inside the facilities. The investigation resulted in the convictions of three corrections officers and other civilians.

Co-counsel:

Christopher Kavanaugh
Assistant U.S. Attorney
U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
(202) 252-1900

Opposing counsel:

Pleasant Sanford Brodnax, III

Law Office of Pleasant S. Broadnax
1701 Pennsylvania Avenue, NW
Suite 200
Washington, DC 20006
202-462-1100

Richard Alan Seligman
Law Offices of Richard Seligman
601 Pennsylvania Avenue NW
Suite 900 South
Washington, DC 20004
202-745-7800

Tony W. Miles
Federal Public Defender Service
625 Indiana Ave. NW
Washington D.C. 20004
202 208-7500

4. United States v. Darrell Lee
2009-CF1-023671
Superior Court for the District of Columbia
2012-2013

Darrell Lee was convicted of first-degree murder for shooting Ashton Hunter on Halloween in 2009 in the 300 block of 37th Street SE. In an earlier trial, the court declared a hung jury after the jury was unable to reach a unanimous verdict.

I served as co-counsel on the second trial, handled several government witnesses including experts, and delivered the government's closing arguments.

Co-counsel:

David Gorman
Assistant U.S. Attorney
U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
(202) 252-1900

Opposing Counsel:

Eugene Ohm
Public Defender Service of the District of Columbia
633 Indiana Ave NW
Washington, DC 20004
(202) 628-1200

5. United States v. Brian Gaither
2011-CF1-001426
Superior Court for the District of Columbia
2015-2017

The defendant was involved in the kidnaping, beating, and murder of 18-year old Lathisa Frazier in August 2010. Gaither initially pled guilty to first-degree murder. He successfully withdrew his plea in 2015 and asked for a trial. After two years of

continued investigation and preparation for a trial, Gaither again pled guilty on the eve of trial in 2017.

I served as co-counsel in the case and was responsible for handling a number of government witnesses in preparation for the trial. That responsibility including locating and preparing witnesses who were initially contacted and came forward during the 2013 trial of one of Gaither's co-defendants. I was also responsible for handling several expert witnesses and issues, and wrote some of the pre-trial motions and other court filings including the government's memorandum in aid of sentencing.

Co-counsel:

Laura Bach
Assistant U.S. Attorney
U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
(202) 252-1900

Opposing Counsel:

Archie Nichols
718 7th Street, NW, Suite 300
Washington, DC 20001
(301) 346-4013

6. United States v. Frederick Morton
2009-CF1-025046
Superior Court for the District of Columbia
2013-2015

Sharon Moskowitz was a 25-year-old woman from New York who had come to live in Washington, D.C. in the late 1990's to work as an intern. Moskowitz was murdered in her apartment in the Adams Morgan area in 1997. Although the case was unsolved for years, the government charged the defendant in 2009. After a trial in 2015, the jury found the defendant not guilty.

I served as co-counsel at the trial, delivered the government's opening statement, and handled several government witnesses including experts. I was also responsible for preparing and filing some of the pre-trial motions and other court filings.

Co-Counsel:

Laura Bach
Assistant U.S. Attorney
U.S. Attorney's Office for the District of Columbia
555 4th Street NW
Washington, D.C. 20530
(202) 252-1900

Opposing Counsel:

Judy Pipe
Public Defender Service of the District of Columbia
633 Indiana Ave NW

Washington, DC 20004
(202) 628-1200

7. United States v. Sharafat Khan
1:16-cr-00096-RBW
United States District Court for the District of Columbia
2016-2017

As an Assistant U.S. Attorney, I co-led an investigation into a large international human smuggling operation operated by the defendant who was living in Brazil. Khan and other co-conspirators organized and arranged the unlawful smuggling of large numbers of undocumented migrants to the United States. Khan admitted that he and his co-conspirators used a network of facilitators to transport undocumented migrants from Pakistan and elsewhere through Brazil and Central America and then into the United States by land, air, and sea travel. Khan pled guilty and was sentenced to a prison term in the United States.

I led various aspects of the investigation, interviewed several government witnesses, prepared the indictment and international red notice, coordinated with the Department of Homeland Security and other federal agencies to secure the arrest of Khan in Qatar, and represented the government in pre-trial proceedings.

Co-counsel:

James Michael Sheckels
U.S. Department of Justice
Criminal Division-Human Rights & Special Prosecutions Section
1301 New York Avenue, NW
Suite 200
Washington, DC 20005
(202) 305-9055

Opposing Counsel:

Loui Itoh
Federal Public Defender's Office for the District of Columbia
625 Indiana Avenue, NW
Suite 550
Washington, DC 20004
(202) 208-7500

8. Intel Corp. v. Advanced Micro Devices, Inc.
1:05-cv-00441-JJF
United States District Court for the District of Delaware
2006-2009

AMD sued Intel in 2005 under Section 2 of the Sherman Antitrust Act for monopolization of the microprocessor industry through alleged illegal anticompetitive behavior. The case was resolved in 2009 by way of a \$1.25 billion settlement.

I served as an associate on the case and worked on discovery issues, document review, preparing witnesses for depositions, and assisting with taking and defending depositions.

Co-counsel:

Darren Bernhard
Joseph Ostoyich
James Kress
Peter Moll
Mark Klapow
David Emmanuelson
Eduardo Ferrer
Staci Schweizer
Howrey LLP
1299 Pennsylvania Avenue NW
Washington, D.C. 20004

Daniel Floyd
Joseph Kattan
Kay Kochenderfer
Jay Srinivasan
Robert Cooper
Gibson, Dunn & Crutcher
333 South Grand Avenue
Los Angeles, CA 90071-3197
(213) 229-7000

W. Harding Drane, Jr.
Richard Horwitz
James Holzman
Potter Anderson & Corroon, LLP
1313 N. Market St., Hercules Plaza, 6th Flr.
P.O. Box 951
Wilmington, DE 19899-0951
(302) 984-6000

Opposing counsel:

Jesse A. Finkelstein
Frederick L. Cottrell, III
Chad M. Shandler
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9. Waste Services, Inc. v. Waste Management, Inc.
6:05-cv-320-Orl-22DAB
United States District Court for the Middle District of Florida

As an Associate attorney at Howrey, I represented Waste Management, Inc. in a suit brought by plaintiff Waste Services, Inc. for the attempted monopolization of the landfill market in central Florida. The case was dismissed on summary judgment prior to trial.

I served as an associate counsel on the case and was responsible for managing discovery, drafting and filing various pleadings and motions, defending depositions, and contributing to the defendant's summary judgment filings.

Co-counsel:

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Opposing counsel:

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10. United States v. Delonte Smith
2013-CF3-001558
Superior Court for the District of Columbia

The defendant and a co-conspirator attempted to steal a car from the victim, Christopher Ballard, and threatened Ballard with a gun. When Ballard resisted, Smith's accomplice fired shots in Ballard's direction, hitting Ballard's car several times. The jury found Smith guilty on all charges.

I served as sole counsel on the case, handling the investigation, indictment, and trial.

Opposing Counsel:

Ravi Regunathan
Washington, D.C.

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 my current role at NICB, I have general oversight responsibilities for the government affairs operations for the organization, including direct supervisory authority over four employees who are directly engaged in lobbying efforts across all states on all issues relevant to NICB's mission. As indicated in the response to question 12I, I presented information to the Virginia Consumer Data Protection Act Work Group of the Joint Commission on Technology and Science at a meeting in August 2021. In addition, I have spoken directly with Members and/or legislative staff on consumer data privacy issues in Virginia, Washington state, New York state, Massachusetts, Kentucky, and in both the House and Senate in Congress.

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 have not taught any courses.

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 anticipate a yearly bonus payment from NICB sometime in the first quarter of 2023, the amount of which is discretionary and unknown at this time. I am a minority owner in HockeyHair LLC, a small, start-up hair products company that operates as a going concern. I do not anticipate any compensation as a result of this relationship in the near future.

19. Outside Commitments During Service: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service? 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 PCLOB's Designated Agency Ethics Official 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 PCLOB's General Counsel and Designated Agency Ethics Official. If confirmed, I will continue to consult with the PCLOB's General Counsel 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 work load, 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 at Howrey, I performed pro bono service for the Historical Society of the District of Columbia Circuit. As part of this program, a Howrey colleague and I worked in 2006 and 2007 with high school students in the District of Columbia on a student mock oral argument program. We guided the students through several example cases and held sessions to assist in their preparation of arguments to make for oral presentations. From 2003 through 2009, also while working at Howrey, I provided pro bono service to Catholic Charities. I would periodically volunteer on site at their legal clinic to provide intake screening services for potential clients to determine whether individuals would qualify for relevant free legal programs provided by Catholic Charities for indigent clients.