

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Joseph A. Laroski, Jr.

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

Judge, United States Court of International Trade

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: Schagrin Associates  
900 Seventh Street, Northwest, Suite 500  
Washington, DC 20001

Residence: Bethesda, Maryland

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

1971; Red Bank, New Jersey

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

1997 – 1998, Georgetown University Law Center; LL.M. (with distinction), 1998

1994 – 1997, Fordham University School of Law; J.D., 1997

1990 – 1993, Georgetown University School of Foreign Service; B.S.F.S., 1993

1993, Pontificia Universidad Católica del Ecuador, no degree conferred (study abroad)

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.

2021 – present  
Schagrin Associates  
900 Seventh Street, Northwest, Suite 500  
Washington, DC 20001  
Partner

2017 – 2021  
U.S. Department of Commerce, International Trade Administration  
1401 Constitution Avenue, Northwest  
Washington, DC 20230  
Deputy Assistant Secretary for Policy and Negotiations (2020 – 2021)  
Director of Policy (2017 – 2020)

2016 – 2017  
U.S. International Trade Commission, Office of General Counsel  
500 E Street, Southwest  
Washington, DC, 20436  
Attorney-Advisor

2012 – 2016  
King & Spalding LLP  
1700 Pennsylvania Avenue, Northwest, Suite 900  
Washington, DC 20006  
Counsel

2008 – 2012  
Office of the United States Trade Representative  
Executive Office of the President  
600 Seventeenth Street, Northwest  
Washington, DC 20508  
Associate General Counsel

2006 – 2008  
Vinson & Elkins  
2200 Pennsylvania Avenue, Northwest, Suite 500 West  
Washington, DC 20037  
Associate

2004 – 2006  
Willkie, Farr & Gallagher LLP  
1875 K Street, Northwest  
Washington, DC 20006  
Associate

1999 – 2004

Skadden, Arps, Slate, Meagher & Flom LLP  
1440 New York Avenue, Northwest  
Washington, DC 20005  
Associate

1998 – 1999  
Hon. Dominick L. DiCarlo  
U.S. Court of International Trade  
1 Federal Plaza  
New York, New York 10278  
Law Clerk

1997 – 1998  
U.S. Department of Justice, Civil Division, Commercial Litigation Branch, National  
Courts Section  
1100 L Street, Northwest  
Washington, DC 20005  
Intern (Unpaid)

1997  
U.S. International Trade Commission, Office of Unfair Import Investigations  
500 E Street, Southwest  
Washington, DC, 20436  
Intern (Unpaid)

1996 – 1997  
Graham, Miller, Neandross, Mullin, & Roonan (defunct)  
New York, New York  
Law Clerk

1996 – 1997  
Lloyd's of London Press (now Lloyd's List Intelligence)  
240 Blackfriars Road  
London SE1 8NW  
United Kingdom  
Editorial Associate, Lloyd's Maritime Law

Summer 1996  
Evans, Osborne, Kreizman & Bonney (defunct)  
Red Bank, New Jersey  
Law Clerk

Summer 1995  
Professor Martin Flaherty  
Fordham University School of Law  
150 West 62nd Street

New York, New York 10023  
Research Assistant

Summer 1995  
Hon. E. Benn Micheletti (retired)  
Superior Court of New Jersey  
71 Monument Street  
Freehold, New Jersey 07728  
Intern (Unpaid)

Summer 1994  
Wilentz, Goldman & Spitzer  
90 Woodbridge Center Drive, Suite 900 Box 10  
Woodbridge, New Jersey 07095  
Summer Intern

1994  
The Running Store (store no longer exists)  
Shrewsbury, New Jersey  
Sales Clerk

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

I did not serve in the military. I timely registered 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.

Bronze Medal of Award for Superior Service, U.S. Department of Commerce (2020)

Pro Bono Service Award, King & Spalding (2014)

Recommended Lawyer, Legal 500, US Edition, 2013, Litigation-International Trade.

LL.M., awarded with distinction (1998)

Associate Editor, Fordham Intellectual Property, Media & Entertainment Law Journal (1996-1997)

The Emmet J. McCormack Foundation Prize in Admiralty Law (1995)

Team Captain, Georgetown University, Varsity Cross Country Team (1993)

Partial Athletic Scholarship, Georgetown University Cross Country/Track and Field (1991 – 1993)

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, International Trade Committee, Vice Chair (approximately 2010 – 2012)

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, 1999  
New Jersey, 1998  
New York, 1998

There have been no lapses in membership.

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

Supreme Court of the United States, 2006  
United States Court of Appeals for the Federal Circuit, 2001  
United States District Court for the District of New Jersey, 1998  
United States Court of International Trade, 1999 (approximately), 2014, 2022

During periods of government service and when not practicing before the U.S. Court of International Trade, I did not renew my membership. There have been no other 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.

Georgetown Alumni Admissions Program, Interviewer (2019 – present)

Shrewsbury River Yacht Club, Fair Haven, New Jersey, Non-Resident Member  
(2018 – present)

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

To the best of my knowledge, none of the organizations listed above currently discriminates on the basis of race, sex, religion, or national origin, either through formal membership requirements or the practical implementation of membership policies. The Shrewsbury River Yacht Club opened its membership to women in 1995.

**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.

*Commerce Finds Dumping Of Hot-Rolled And Cold-Rolled Steel Imports*, King & Spalding Trade and Manufacturing Alert, Apr. 5, 2016. Copy supplied.

*Trade Facilitation And Trade Enforcement Act: A Primer On Issues Of Interest To USIBC*, U.S. Chamber of Commerce, U.S.-India Business Council, Feb. 25, 2016. Copy supplied.

*Combating Dumped and Subsidized Paper and Paperboard Imports: A U.S. Domestic Producer's Guide*, King & Spalding, (2015). Copy supplied.

*Trans-Pacific Partnership IP Provisions Remain At Forefront As Scrutiny Of Text*, Lexology, Dec. 30, 2015. Copy supplied.

*With Trans-Pacific Partnership Negotiations Concluded, Administration Turns to Clearing Domestic Hurdles*, King & Spalding Trade and Manufacturing Alert, Dec. 2015. Copy supplied.

*ITC Initiates Investigation Into Likely Impact Of Trans-Pacific Partnership Agreement*, King & Spalding Trade & Manufacturing Alert, Dec. 2015. Copy supplied.

*Privacy Law, Cross-Border Data Flows, and the Trans-Pacific Partnership Agreement: What Counsel Need to Know*, King & Spalding Client Alert, Data Privacy & Security Practice Group, Nov. 10, 2015. Copy supplied.

*Trans-Pacific Partnership Agreement Negotiations Conclude After Marathon Session*, King & Spalding Trade & Manufacturing Alert, Nov. 2015. Copy supplied.

*Trans-Pacific Partnership Agreement Features Key Developments in Intellectual Property and Information Technology*, King & Spalding Client Alert, International Trade & Litigation Practice Group, Oct. 8, 2015. Copy supplied.

*Chapter 9: United States in The International Trade Law Review* (Folkert Graafsma, Joris Cornelis & Konstantinos Adamantopoulos, eds., Oct. 2015). Copy supplied.

*United States Prevails In Enforcement Dispute With China Over Grain Oriented Electrical Steel*, King & Spalding Trade & Manufacturing Alert, Sept. 2015. Copy supplied.

*WTO Agreement Reached on Tariff-Cutting Deal for Information Technology Products*, King & Spalding Client Alert, International Trade & Litigation Practice Group, Aug. 4, 2015. Copy supplied.

*Trade In Services: Good For Goods And Services*, Law360, July 15, 2015. Copy supplied.

*New Legislation Extends Trade Adjustment Assistance*, King & Spalding Client Alert, International Trade & Litigation Practice Group, July 15, 2015. Copy supplied.

*USTR Receives Its Marching Orders*, King & Spalding Client Alert, International Trade & Litigation Practice Group, July 6, 2015. Copy supplied.

*New Trade Legislation Extends Key Duty-Free Tariff Programs, Provides Opportunity for Businesses to Recoup Over \$1 Billion In Duties*, King & Spalding Client Alert, International Trade & Litigation Practice Group, July 2, 2015. Copy supplied.

*Comprehensive U.S. Trade Legislation Finally Arrives—An Overview of its Key Components*, King & Spalding Client Alert, International Trade & Litigation Practice Group, Jun. 26, 2015. Copy supplied.

*Congress, WTO Turn Up the Heat on COOL*, King & Spalding Client Alert, Government Advocacy & Public Policy Group, Jun. 26, 2015. Copy supplied.

*Congressional Debate Begins Over Trade Promotion Authority Bill*, King & Spalding Trade & Manufacturing Alert, May 2015. Copy supplied.

*China Appears To Delay Implementation Of New IT Security Measures In Banking Sector In Response To US, Canadian, EU, Japanese Concerns*, JDSupra.com, Apr. 27, 2015. Copy supplied.

*Is Congress Ready To Act On Trade Legislation? Bill To Renew Trade Promotion Authority About To Be Considered*, King & Spalding Client Alert, Government Advocacy & Public Policy Group, Apr. 21, 2015. Copy supplied.

*United States Challenges Chinese Export Subsidies at the WTO*, King & Spalding Trade & Manufacturing Alert, Mar. 2015. Copy supplied.

With Thomas Spulak, *Banning Inverted Companies From Government Contracts Could Backfire*, Roll Call, Oct. 15, 2014. Copy supplied.

*Roadblocks to Bali Package Implementation Remain As Summer Deadline Passes Without A Clear Path Forward*, King & Spalding Trade & Manufacturing Alert, Oct. 2014. Copy supplied.

*United States Claims Victory As WTO Appellate Body Issues Report In Dispute Over China's Rare Earth Export Restraints*, King & Spalding Trade & Manufacturing Alert, Sept. 2014. Copy supplied.

*Keep An Eye On The US-Guatemala Labor Dispute*, Law360, Aug. 26, 2014. Copy supplied.

*WTO Panel Finds China's Export Restraints On Rare Earth Minerals Violate Trade Rules*, King & Spalding Trade & Manufacturing Alert, May 2014. Copy supplied.

*WTO Panel Upholds The Application Of U.S. Countervailing Duty Law To Imports From China*, King & Spalding Client Alert, International Trade & Litigation Practice Group, Mar. 27, 2014. Copy supplied.

*United States And EU Join 11 Other Countries In Launching Negotiations To Liberalize Trade In Green Goods*, King & Spalding Trade & Manufacturing Alert, Mar. 2014. Copy supplied.

*Trade Negotiations: What Was Accomplished This Year*, Law360, Dec. 17, 2013. Copy supplied.

*Update on TPP Negotiations*, King & Spalding Trade & Manufacturing Alert, Sept. 3, 2013. Copy supplied.



*U.S. & China Conclude Fifth Meeting Of Strategic & Economic Dialogue*, King & Spalding Trade & Manufacturing Alert, Sept. 3, 2013. Copy supplied.

*Trans-Pacific Partnership Agreement: Inclusion of Japan in Talks Raises Stakes/Opens Opportunities to Address Trade Barriers*, King & Spalding Client Alert, International Trade & Litigation Practice Group, May 6, 2013. Copy supplied.

*ITC investigates Economic Impact of Proposed Modifications to NAFTA Rules of Origin*, King & Spalding Client Alert, International Trade & Litigation Practice Group, Apr. 1, 2013. Copy supplied.

*Canada Seeks "Buy American" Concessions in Trans-Pacific Partnership Talks*, King & Spalding Client Alert, International Trade & Litigation Practice Group, Mar. 2013. Copy supplied.

*A Modest, But Significant Step On China Compulsory Certificate Mark Testing And Certification*, King & Spalding Trade and Manufacturing Alert, Mar. 2013. Copy supplied.

*International Trade*, 46 Int'l Lawyer 81 (2012). Copy supplied.

*International Trade*, 45 Int'l Lawyer 79 (2011). Copy supplied.

*NMEs: A Love Story, Nonmarket and Market Economy Status under U.S. Antidumping Law*, 30 Law & Policy in International Business 369, Winter 1999. Copy supplied.

During my studies at Fordham University Law School, I served as a part-time editorial associate for Lloyd's of London Press (now Lloyd's List Intelligence) on the *Lloyd's Maritime Law* newsletter through Fordham University Professor Joseph Sweeney. During that time, I prepared several précis of recent U.S. court decisions touching on issues of admiralty law. I am unable to obtain copies of the relevant issues.

- 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.

None.

- 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, Growing Opportunities for Businesses and Small Farmers in Acadiana, Field Hearing Before the Committee on Small Business and Entrepreneurship, United States Senate, 115th Congress, First Session, S. Hrg. 115-147, Aug. 24, 2017. Transcript 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.

November 4, 2021: Speaker, Webinar, The U.S. Trade Toolkit: How to Use the Trade Laws to Compete with (Often Unfair) Foreign Competition, Bryant University, Smithfield, Rhode Island. Presentation supplied.

December 5, 2019: Speaker, The Third U.S.-Colombia Business Summit, The U.S. Chamber of Commerce and the National Business Association of Colombia, Cartagena, Colombia. I gave remarks on the value of commercial dialogues in reducing trade friction and enhancing commercial relationships. I have no notes, transcript, or recording, but press coverage is supplied. The address for the U.S. Chamber of Commerce is International Division, Americas, United States Chamber of Commerce, 1615 H Street, Northwest, Washington, DC 20062.

September 2019 (specific date unknown): Speaker, AmCham Brasil, Brazil. Remarks on the benefits of U.S.-Brazil Commercial Dialogue, the cooperation between the U.S. Patent and Trademark Office and the Brazil's National Institute of Industrial Property ("INPI"), and the Patent Prosecution Highway program. I have no notes, transcript, or recording, but press coverage is supplied. The address for AmCham Brasil is Rua da Paz, 1431, Chácara Santo Antônio, CEP: 04713-001 - São Paulo – SP.

September 2019 (specific date unknown): Speaker, AmCham Brasil, Brazil. Read-out of results of U.S.-Brazil Commercial Dialogue to AmCham Brasil's membership. I have no notes, transcript, or recording, but press coverage is supplied. The address for AmCham Brasil is Rua da Paz, 1431, Chácara Santo Antônio, CEP: 04713-001 - São Paulo – SP.

June 28, 2019: Panelist, *Markets of Opportunity*, Arizona-Mexico Commission

60th Anniversary Summit, Phoenix, Arizona. This was a panel discussion of the U.S. Mexico Canada Agreement (“USMCA”), the benefits of USMCA for the region, and the status of the agreement. I have no notes, transcript, or recording, but press coverage is supplied. The address for the Arizona-Mexico Commission is 100 North Seventh Avenue, Suite 400, Phoenix, Arizona 85007.

March 22, 2019: Speaker, CNYIBA Annual Meeting 2019, Central New York, International Business Alliance, Syracuse, New York. Draft remarks supplied.

November 15, 2018: Speaker, Indiana Manufacturers Association, Indianapolis, Indiana. This was a discussion of the Administration's trade priorities and the activities of the International Trade Administration. I have no notes, transcript, or recording, but press coverage is supplied. The address for the Indiana Manufacturers Association is 101 West Washington Street, Suite 1050 East, Indianapolis, Indiana 46204

December 3-5, 2017, Panelist, Florida Customs Brokers & Forwarders Association Conference of the Americas, Orlando, Florida. This was a panel discussion of the U.S. Mexico Canada Agreement (“USMCA”), and other Administration priorities. I have no notes, transcript, or recording. The address for the Florida Customs Brokers & Forwarders Association is P.O. Box 52-2022, Miami, Florida 33152.

October 17, 2017: Panelist, Ethanol Summit of the Americas, Houston, Texas. This was a discussion of the Administration’s trade priorities and the activities of the International Trade Administration as they relate to ethanol and related products. I have no notes, transcript, or recording, but press coverage is supplied. The Address of the U.S. Grains Council is 20 F Street, Northwest, Suite 900, Washington, DC 20001.

October 11, 2017: Speaker, 2nd U.S.-Brazil Defense Industry Dialogue, Washington, DC Closing remarks regarding the purpose and value of the U.S.-Brazil Defense Industry Dialogue and other U.S.-Brazil bilateral commercial fora. I have no notes, transcript, or recording, but press coverage is supplied. The address of the U.S. Department of Commerce International Trade Administration is 1401 Constitution Avenue, Northwest, Washington, DC 20230.

Fall 2017 (specific date unknown): Speaker, Question and Answer Session, Fairport High School (Fairport, New York), Senior Leadership Seminar, Leadership Trip to DC, U.S. Department of Commerce, Washington, DC. I met with students from Fairport High School to discuss international trade policy, leadership, and public service. I have no notes, transcript, or recording, but press coverage is supplied. The address of the U.S. Department of Commerce International Trade Administration is 1401 Constitution Avenue, Northwest, Washington, DC 20230.

March 10, 2016: The Trans-Pacific Partnership (TPP): Analysis Of The Prospects For U.S. Implementation And What TPP Means For Life Sciences Companies, King & Spalding Webinar, Washington, DC. Presentation supplied.

November 12, 2015: Panelist, Washington Insight - New Leadership, Old Issues, King & Spalding, Washington, DC. I discussed the status of Trans-Pacific Partnership. I have no notes, transcript, or recording. The address of King and Spalding is 1700 Pennsylvania Avenue, Northwest, Suite 900, Washington, DC 20006.

October 8, 2015: Panelist, The Trans-Pacific Trade Partnership: Prospects and Challenges, Third Annual Conference on Current Trends in International Trade, Mercer University Law School, Atlanta, Georgia. This was a discussion of Trans-Pacific Trade Partnership negotiations, opportunities presented by TPP provisions, and challenges to concluding agreement. I have no notes, transcript, or recording. The address of Mercer University is 3001 Mercer University Drive, Atlanta, Georgia 30341.

- 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.

*COMBATING A SCOURGE; A law aims to prevent importation of goods produced by forced labor*, Corporate Counsel, May 1, 2016. Copy supplied.

*New Year's To-Do List: Cybersecurity, Trade, Tax*, Bloomberg Law, Nov. 24, 2015. Copy supplied.

*WTO ruling on US' countervailing duties on China may weaken trade practices: lawyers*, Platts, Dec. 12, 2014. Copy supplied.

*US Cotton Industry Accuses Beijing Of Breaching World Trade Rules*, Cotton Association of India, Oct. 10, 2014. Copy supplied.

*Wikileaks' New Leak Won't Be Enough to Derail a Worrisome New Trade Deal*, The New Republic, Nov. 14, 2013. Copy supplied.

*What the Trans-Pacific Partnership Means for Lawyers*, Corporate Counsel (Online), Oct. 21, 2013. Copy supplied.

*U.S., Indonesia Clash Over Cross-Retaliation In Clove Cigarette Dispute*, Inside US Trade, Sept. 6, 2013. Copy supplied.

*U.S., Indonesia Clove Cigarette Fight Raises Key DSU Issues In WTO*, Inside US Trade, Sept. 6, 2013. Copy supplied.

*FDA Takes On Enhanced, More Proactive Role In Trade Negotiations*, InsideHealthPolicy.com's FDA Week, Vol. 19, No. 34 (Aug. 23, 2013). Copy supplied.

*King & Spalding Brings Seasoned USTR Counsel To DC Office*, Law360, Oct. 16, 2012. Copy supplied.

As part of my duties at USTR from 2008 to 2012, on several occasions I spoke to groups of reporters by teleconference on background. I do not have specific records of such conversations and did not maintain copies of subsequent articles for which I may have provided comments or background.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_
- i. Of these cases, approximately what percent were:
- |               |                     |
|---------------|---------------------|
| jury trials:  | _____%              |
| bench trials: | _____% [total 100%] |
- ii. Of these cases, approximately what percent were:
- |                       |                     |
|-----------------------|---------------------|
| civil proceedings:    | _____%              |
| criminal proceedings: | _____% [total 100%] |
- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

- e. Provide a list of all cases in which certiorari was requested or granted.
  - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
  - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
  - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
  - b. a brief description of the asserted conflict of interest or other ground for recusal;
  - c. the procedure you followed in determining whether or not to recuse yourself;
  - d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.
15. **Public Office, Political Activities and Affiliations:**
- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or

appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

None.

- 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.

None.

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

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

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

From 1998 to 1999, I clerked for the Honorable Dominick L. DiCarlo of the United States Court of International Trade.

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

I have never 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;

1999 – 2004

Skadden, Arps, Slate, Meagher & Flom LLP  
1440 New York Avenue, Northwest  
Washington, DC 20005  
Associate

2004 – 2006

Willkie, Farr & Gallagher LLP  
1875 K Street, Northwest  
Washington, DC 20006  
Associate

2006 – 2008

Vinson & Elkins  
2200 Pennsylvania Avenue, Northwest, Suite 500 West  
Washington, DC 20037  
Associate

2008 – 2012  
Office of the United States Trade Representative  
Executive Office of the President  
600 Seventeenth Street, Northwest  
Washington, DC 20508  
Associate General Counsel

2012 – 2016  
King & Spalding LLP  
1700 Pennsylvania Avenue, Northwest, Suite 900  
Washington, DC 20006  
Counsel

2016 – 2017  
U.S. International Trade Commission, Office of General Counsel  
500 E Street, Southwest  
Washington, DC, 20436  
Attorney-Advisor

2017 – 2021  
U.S. Department of Commerce, International Trade Administration  
1401 Constitution Avenue, Northwest  
Washington, DC 20230  
Deputy Assistant Secretary for Policy and Negotiations (2020 – 2021)  
Director of Policy (2017 – 2020)

2021 – present  
Schagrin Associates  
900 Seventh Street, Northwest, Suite 500  
Washington, DC 20001  
Partner

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

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:



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

After graduation from Fordham University School of Law, I entered the Georgetown University Law Center's LL.M. program to study international and comparative law. While there, I served as an intern for the U.S. International Trade Commission ("ITC"), Office of Unfair Import Investigations ("OUII"), where I consulted research and drafted submissions in support of the OUII's participation as a party representing the public interest in adjudicatory investigations conducted under section 337 of the Tariff Act of 1930 before ITC administrative law judges. I also served as an intern for the U.S. Department of Justice ("DOJ"), Civil Division, Commercial Litigation Branch, where I conducted legal research and prepared submissions for DOJ trial attorneys in support of their litigation before the U.S. Court of Federal Claims, the U.S. Court of International Trade, and the U.S. Court of Appeals for the Federal Circuit.

After completing my LL.M., I served as judicial clerk for the Honorable Dominick L. DiCarlo on the U.S. Court of International Trade where I drafted opinions, orders, and bench memoranda on international trade appeals before the Court. I also assisted Judge DiCarlo in several criminal and civil trials in the U.S. District Court for the Southern District of New York in which he sat by designation.

From 1999 to 2004, I worked as an associate in the International Trade Group of Skadden, Arps, Slate, Meagher & Flom. There, my work focused primarily on antidumping ("AD") and countervailing duty ("CVD") litigation in administrative proceedings before the U.S. Department of Commerce on behalf of U.S. domestic industry. I was also involved in the research and preparation of submissions in trade remedy matters before the ITC and on appeal before the U.S. Court of International Trade, the U.S. Court of Appeals for the Federal Circuit, and the World Trade Organization.

From 2004 to 2008, I worked as an international trade associate in a practice group that represented foreign producers and exporters, foreign governments and industry associations, and U.S. importers in antidumping and countervailing duty litigation. (The practice group moved from Willkie, Farr and Gallagher to Vinson and Elkins in 2006).

From 2008 to 2012, I served as Associate General Counsel in the Office of the U.S. Trade Representative ("USTR"). There, I represented the United States in dispute settlement proceedings under the World Trade Organization agreements and under regional free trade agreements. I also represented the interests of federal and state government agencies in foreign anti-subsidy litigation. Additionally, I advised senior USTR officials and negotiators regarding matters within the following portfolios: Customs, Labor, Regulatory Coherence, Sanitary and Phytosanitary

Measures, and Technical Barriers to Trade.

From 2012 to 2016, I was in private practice advising firm clients on matters relating to U.S. and international trade law and policy. My practice was split between litigation matters (AD/CVD proceedings and WTO dispute settlement proceedings) and trade policy matters (including matters relating to U.S. preference programs, trade agreement negotiations, customs compliance, and market access).

In 2016, I joined the ITC's Office of General Counsel where I served as agency counsel on all aspects of import injury investigations, including drafting the ITC Commissioners' determinations in AD/CVD and global safeguard investigations and reviews. I also participated in the interagency response to foreign trade remedy investigation including the evaluation of potential appeals.

In 2017, I was appointed Director of Policy to the Undersecretary of Commerce for International Trade. As Director of Policy, I advised senior commerce officials – including the Secretary of Commerce, the Deputy Secretary of Commerce, and the Under Secretary for International Trade – on trade policy matters, in turn providing strategic guidance and conveying directives regarding the President's and the agency's enforcement, promotion, and policy goals to the International Trade Administration's business units.

From 2020 to 2021, I served as Deputy Assistant Secretary for Policy and Negotiations, where I oversaw (i) the policy analysts, economists, and accountants involved in the administration and enforcement of the U.S. AD/CVD laws, (ii) a group tasked with coordinating the negotiation of trade agreements and ensure foreign compliance with existing international trade agreements, and (iii) approximately 50 contract employees conducting the review of Section 232 exclusion requests.

In 2021, I returned to private practice, where I have focused primarily on representing domestic companies in AD/CVD litigation.

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

While in private practice from 1999 to 2004, from 2012 to 2016, and from 2021 to present, my work generally has been on behalf of domestic producers, industry associations, and trade unions, particularly in trade remedies litigation. From 2004 to 2008, I worked for firm clients that were generally on the "respondent" side of U.S. trade remedies law (*i.e.*, foreign producers and exporters, foreign governments, and foreign industry associations).

My work on WTO litigation while in private practice has generally been

on behalf of foreign companies and industry associations seeking to challenge the laws, regulations and practices of third-country governments.

- 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.

In private practice, a significant amount of my work was involved in representing clients before administrative agencies (Commerce and the ITC) in trade disputes, a quasi-judicial type of proceedings.

From 1999 to 2008, approximately 90 percent of my practice involved trade remedy litigation before administrative agencies, with the remainder involving either appeals of administrative proceedings in federal court and the WTO, or non-litigation matters. As an associate during this period, I appeared in hearings before Commerce and the ITC, but did not appear in federal court. I prepared submissions to the U.S. Court of International Trade and the U.S. Court of Appeals for the Federal Circuit, but the partner managing the litigation appeared in court.

From 2008 to 2012, while at USTR, approximately 50 percent of my work involved dispute settlement litigation before the WTO and other international tribunals formed pursuant to international trade agreements. During that time, I appeared at least five times in dispute settlement proceedings at the WTO, including one appearance before the WTO Appellate Body.

From 2012 to 2016, approximately 15 percent of my work involved trade remedy litigation before the U.S. administrative agencies and the U.S. Court of International Trade and 35 percent of my work involved litigation before the WTO. I did not appear in any hearings during this period.

While at the ITC's Office of General Counsel, the majority of my work involved trade remedy litigation. I attended all hearings as part of the investigative staff.

From 2017 to 2019, my role at Commerce was focused on policy matters. I would occasionally be involved in discussion regarding litigation strategy and the negotiation of settlements or suspension agreements, but otherwise was not involved in litigation.

As Deputy Assistant Secretary for Policy and Negotiations, in addition to overseeing part of the team administering the AD/CVD laws, I served as the final decision maker in proceedings from which the Assistant Secretary was recused and, where warranted, presided over the hearings.

Since returning from Commerce to private practice, approximately 80 percent of

my work has involved litigation matters before the ITC and Commerce, and an additional 10 to 15 percent has involved the appeal of such matters to the U.S. Court of International Trade and the U.S. Court of Appeals for the Federal Circuit. I have not appeared in court on any of these matters. My post-employment restrictions included restrictions on representing others before my former agency and on representing others before a foreign agency or court in matters on which any of my subordinates worked. These restrictions have only recently expired.

i. Indicate the percentage of your practice in:

- |                             |     |
|-----------------------------|-----|
| 1. federal courts:          | 5%  |
| 2. state courts of record:  | 0%  |
| 3. other courts:            | 40% |
| 4. administrative agencies: | 55% |

ii. Indicate the percentage of your practice in:

- |                          |      |
|--------------------------|------|
| 1. civil proceedings:    | 100% |
| 2. criminal proceedings: | 0%   |

- 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 not tried any cases to verdict. I have litigated one case to final judgment by a WTO dispute settlement panel and the WTO Appellate Body. I was lead counsel in this case.

I have also litigated dozens of AD/CVD proceedings – either as lead counsel or associate counsel – to final determination before Commerce and the ITC.

i. What percentage of these trials were:

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

- 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 practiced before the Supreme Court of the United States.

17. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe

in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
  - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
  - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
1. Anticircumvention inquiries regarding certain circular welded steel pipe and light-walled rectangular pipe and tube imported from Vietnam; 88 Fed. Reg. 21975, 88 Fed. Reg. 21989, 88 Fed. Reg. 21994, 88 Fed. Reg. 22007, 88 Fed. Reg. 21985, 88 Fed. Reg. 22002, 88 Fed. Reg. 21980 (Apr.12, 2023) (Preliminary Determinations).

Since 2021, I have represented firm clients Atlas Tube, Bull Moose Tube, Maruichi American, Searing Industries, Vest Inc., Wheatland Tube, and the United Steelworkers in the U.S. Department of Commerce's anticircumvention inquiries to determine whether imports of certain circular welded pipe ("CWP") and light-walled welded rectangular carbon steel pipe and tubing ("LWRPT") made in Vietnam using hot-rolled steel sheet ("HRS") produced in China, India, Korea, and Taiwan and subsequently imported into the United States were circumventing the existing AD/CVD orders on CWP and LWRPT from China, India, Korea, and Taiwan. As the partner handling the preparation and litigation of these cases, I coordinated the research and drafting of the requests, participated in preparing the submissions and commenting on Commerce's investigations. I supervised the work of four associates and two analysts and coordinated with Co-Counsel on strategy and litigation of the investigations.

At the preliminary determination phase, Commerce found that CWP completed in Vietnam using Chinese-, Indian- and Korean-origin HRS and LWRPT completed in Vietnam using Chinese-, Korean-, and Taiwanese-origin HRS are circumventing the AD and/or CVD orders on CWP and LWRPT imported from these countries.

As a result of these preliminary determinations, importers of CWP and LWRPT into the United States must certify that their merchandise was not produced using HRS from the countries for which there was a circumvention finding. If they cannot certify for a particular country, they will be subject to the applicable cash deposit rate for that country. If no certification is provided, the importer will be required to pay the highest cash deposit rate applicable under the orders that were found to be circumvented.

Final determinations in these inquiries are currently pending at the U.S. Department of Commerce.

Co-Counsel for Domestic Interested Parties:

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2. *Certain Softwood Lumber Products From Canada: Final Results of the Countervailing Duty Administrative Review, 2017–2018*, 85 Fed. Reg. 77164 (Dec. 1, 2020).

As Deputy Undersecretary of Commerce for Policy and Negotiations, I was the final decision-making authority on this administrative review of the countervailing duty order on Softwood Lumber from Canada. This case involved several heavily litigated issues regarding several adjustments made in the calculations of certain benchmarks used to calculate the subsidy rates for certain subsidy programs. I handled all senior-level briefings and meetings on the matter, presided over the hearing of the parties, and

supervised the preparation of the final analysis and decision memoranda.

Counsel for Domestic Industry:

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Assistant Secretary of Commerce for Enforcement and Compliance  
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Counsel for Respondents: 18 Law Firms including the following:

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Jay C. Campbell  
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3. *DS353: United States — Measures Affecting Trade in Large Civil Aircraft — Second Complaint*, WT/DS353/RW (Jun. 7, 2017) (Art. 21.5 Panel Report)

This WTO dispute involved the U.S. challenge to measures by the European Union and certain European Union member States to provide subsidies to Airbus that the United States argued were inconsistent with the SCM Agreement and GATT 1994. Australia, Brazil, Canada, China, Korea, and Japan reserved their third-party rights in the underlying dispute. Australia, Brazil, Canada, China, Japan, Korea, and the Russian Federation reserved their third-party rights in the Article 21.5 compliance proceedings.

As counsel at King & Spalding between 2012 and 2013, I represented firm client Embraer, an aerospace manufacturer with facilities in Brazil and the United States, a non-party with interests in this matter. I prepared draft written submissions and oral statements for use by the Government of Brazil for their third-party participation in the Compliance Proceedings pursuant to Article 21.5 of the Dispute Settlement Understanding. With co-counsel and executives from Embraer, I took part in discussions briefing the Government of Brazil regarding issues to raise in the proceedings. As King & Spalding did not represent the Government of Brazil or any other member state in the dispute, I did not participate in the hearings themselves.

Lead King & Spalding Counsel for Embraer:

Joe Dorn (retired)

Co-Counsel

Christopher Cloutier  
Schagrin Associates  
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202-223-1700

4. *DS294: United States — Laws, Regulations and Methodology for Calculating Dumping Margins (Zeroing).*

This WTO dispute involved the European Union's challenge to a methodology used by the United States in the calculation of dumping margins, known as "zeroing." The "zeroing" methodology, generally speaking, involves treating specific price comparisons which do not show dumping as zero values in the calculation of a weighted average dumping margin. Pursuant to the dispute settlement panel's findings, as modified by the Appellate Body report, that aspects of the U.S. zeroing methodology were inconsistent with the WTO Anti-Dumping Agreement and the GATT 1994, the Dispute Settlement Body ("DSB") requested that the United States bring its measures into conformity with the WTO agreements. After the United States was later found to have failed to fully implement the recommendations and rulings of the DSB in the original dispute, the European Union requested authorization to suspend the application of concessions or other obligations (*i.e.*, retaliate) under the covered agreements pursuant to Article 22.2 of the Dispute Settlement Understanding.

As Associate General Counsel at USTR between 2010 and 2012, I was lead counsel in the arbitration regarding level of retaliation proposed by the European Union for the United States' failure to bring its antidumping Laws into compliance with the WTO Dispute Settlement Body's recommendations in the underlying dispute. This dispute and a related dispute brought by Japan were settled before the Arbitrators' report was issued. I supervised the economic analysis of the European Union's proposed retaliation, prepared the written submissions, made the oral presentation at the hearing, and participated in the preparation of the settlement documents.

The Arbitrators were Felipe Jaramillo (Chairperson), Usha Dwarka-Canabady and Scott Gallacher.

Co-Counsel

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5. *DS414 China — Countervailing and Anti-Dumping Duties on Grain Oriented Flat-Rolled Electrical Steel from the United States*; WT/DS414/R (Jun. 15, 2012) (DSB Panel Report); WT/DS414/AB/R (Oct. 18, 2012) (Appellate Body Report).

This dispute concerned Chinese measures imposing countervailing and anti-dumping duties on grain oriented flat-rolled electrical steel (“GOES”) from the United States. The measures were imposed by China’s Ministry of Commerce (“MOFCOM”) and the United States claimed that they were inconsistent with China’s commitments and obligations under the Anti-Dumping Agreement, the Agreement on Subsidies and Countervailing Measures, and the General Agreement on Tariffs and Trade 1994. This was the first WTO challenge to China’s administration of its AD/CVD laws. The panel found that China’s measures were not consistent with its obligations under the WTO agreements, and the Appellate Body upheld the panel’s findings.

From 2010 to 2012, I was lead counsel for the United States on the dispute. With the assistance of co-counsel and counsel from Commerce and the ITC, I developed the legal arguments and litigation strategy; drafted the consultations request, panel request, panel and Appellate Body submissions; conducted the consultations; lead the presentation at the panel stage; served as lead U.S. counsel at the Appellate Body hearing; and developed the list of possible retaliation measures.

The WTO Dispute Settlement Body panel that presided over this dispute was John Adank (Chairman), Anthony Abad, and Jan Heukelman.

The WTO Appellate Body Members that presided over the appeal were Mr. Unterhalter (Presiding Member), Mr. Van den Bossche, and Ms. Zhang.

Co-Counsel:

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Agency Counsel:

James Lyons (U.S. International Trade Commission retired)  
Mark Bernstein (U.S. International Trade Commission retired)  
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Matt Walden  
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Counsel for China:

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Argentina, the European Union, Honduras, India, Japan, Korea, Saudi Arabia, and Viet Nam reserved their third-party rights in the dispute. I do not recall the representatives of the third-party WTO Members.

6. *In the Matter of Guatemala – Issues Relating to the Obligations Under Article 16.2.1(a) of the CAFTA-DR.*

As lead attorney on the Labor portfolio in the USTR's Office of General Counsel from 2010 to 2011, I served as the USTR attorney for the USTR/Department of Labor team that conducted the initial investigation and analysis of a potential dispute settlement case under the labor provisions of the Dominican Republic-Central America-United States Free Trade Agreement ("CAFTA-DR") into allegations that the Government of Guatemala failed to effectively enforce its labor laws. In addition to taking part in fact finding missions to Guatemala and engagement with the relevant officials in the Government of Guatemala, I prepared legal analyses regarding the potential claims under the CAFTA-DR labor chapter, the strength of the evidence available, and areas where further investigation and evidence collection were warranted. These efforts led to some immediate relief to some of the workers referenced in the initial allegations (*e.g.*, reinstatement and/or back pay) and additional engagement with the Government of Guatemala to improve labor law enforcement activity.

After my departure from USTR, the team's engagement led to the signing of an

Enforcement Plan between the United States and Guatemala. Notwithstanding the Enforcement Plan, the United States proceeded with a dispute settlement action under the CAFTA. The panel concluded that the United States had not demonstrated that Guatemala had failed to implement its obligations under Article 16.2.1(a) of the Central American Free Trade Agreement.

Co-Counsel

Probir Metha (then at USTR)  
Global Public Policy, Meta  
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Carlos Quintana  
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7. *DS387, DS388, DS390 China — Grants, Loans and Other Incentives*, WT/DS387/1, G/L/879, G/SCM/D81/1, G/AG/GEN/79 (Jan. 7, 2009) (U.S. request for consultations).

The United States requested consultations with China regarding government support tied to China's industrial policy to promote the sale of Chinese brand name and other products abroad. This support was provided in the form of cash grant rewards, preferential loans, research and development funding, and payments to lower the cost of export credit insurance. Because these subsidies are offered on the condition that enterprises meet certain export performance criteria, the United States claimed that they appeared to be inconsistent with several provisions of the WTO agreements, including Article 3 of the Agreement on Subsidies and Countervailing Measures and Articles 3, 9, and 10 of the Agreement on Agriculture, as well as specific commitments made by China in its WTO accession agreement. In addition, to the extent that the grants, loans, and other incentives also benefit Chinese-origin products, but not imported products, the measures appear to be inconsistent with Article III:4 of the GATT 1994. Mexico and Guatemala also initiated disputes regarding the same subsidies. Joint consultations were held in February 2009. On December 18, 2009, the parties concluded a settlement agreement in which China confirmed that it had eliminated all of the export-contingent benefits in the more than 70 challenged measures.

From 2008 to 2009, as lead counsel for the United States, I conducted research regarding the various Chinese national, sub-national, and provincial and local measures; prepared the consultations request; conducted consultations, took part in the settlement negotiations, and drafted the settlement agreement.

Co-Counsel:

Claire Reade (then Chief Counsel for China Enforcement)  
Arnold & Porter  
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Arun Venkatraman (then Associate General Counsel)  
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I do not recall the name of the representative of the Government of China's Ministry of Commerce that led the consultations and settlement negotiations.

8. *Live Swine from Canada*, Inv. No. 731-TA-1076, USTIC Pub. No. 3766 (Apr. 2005) (International Trade Commission Final Negative Injury Determination); *Final Negative Countervailing Duty Determination: Live Swine from Canada*, 70 Fed. Reg. 12,186 (Dep't Commerce Mar. 11, 2005); *Notice of Final Determination of Sales at Less Than Fair Value: Live Swine From Canada*, 70 Fed. Reg. 12,181 (Dep't Commerce Mar. 11, 2005).

As an international trade associate at Willkie, Farr & Gallagher in 2005, I took part in all segments of the anti-dumping and countervailing duty investigation before Commerce and the International Trade Commission ("ITC"). The firm successfully represented certain provincial government bodies and individual live swine producers in Canada. I prepared hearing testimony for witnesses at the ITC hearings, prepared written submissions to both Commerce and the ITC, assisted companies in preparing their responses to Commerce questionnaires, and attended Commerce's on-site verifications of several respondent companies' questionnaire responses.

After Commerce found that companies were dumping live swine at dumping margins ranging from *de minimis* to 18.87 percent and that countervailable subsidies were not being provided to producers or exporters of live swine from Canada, the ITC concluded that the U.S. live swine industry was not materially injured or threatened with material injury by reason of imports from Canada of live swine. Accordingly, the case was terminated.

Counsel for Respondents:

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Deen Kaplan  
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Counsel for Petitioners:

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Kelley Drye  
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9. Section 201 Safeguard Investigation regarding *Steel*, Inv. No. TA-201-73, USITC Pub. 3479 (Dec. 2001) and subsequent Commerce/USTR Exclusion Request Process.

As an associate at Skadden, Arps, Slate, Meagher, & Flom in 2001 and 2002, I took part in various aspects of the firm's representation of the U.S. Steel industry's interests in the Section 201 steel safeguard investigation, including conducting legal research in support of the ITC hearings and managing the domestic industry responses to requests for exclusion from the Section 201 duties. Commerce and USTR had established procedures allowing foreign producers and importing parties to request that certain imported steel products be excluded from the safeguard remedy if the product in question was not available from domestic sources. I managed the U.S. industry's responses objecting to more than 700 exclusion requests on flat steel products. In consultation with co-counsel, we consulted with the domestic steel companies, prepared responses to individual exclusion requests, and accompanied the partners involved at meetings with Commerce officials.

Lead Counsel at Skadden, Arps, Slate, Meagher, & Flom:  
John Mangan (retired)

Co-Counsel:  
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Opposing Counsel:

Given the global nature of the Section 201 remedy, most firms on the respondent side of the international trade bar were involved in this case.

10. *Certain Small Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe From Romania*, 65 Fed. Reg. 39125 (Dep't Commerce Jun. 23, 2000).

As an associate at Skadden, Arps, Slate, Meagher, & Flom between 1999 and 2000, I handled the Commerce antidumping investigation of Seamless Pipe from Romania on behalf of the Steel Coalition. During the investigation, I analyzed the responses of the Romanian producers, researched appropriate surrogate countries, sources for raw material

input values, and financial ratios for use in the non-market economy dumping methodology, prepared case and rebuttal briefs, and appeared at the hearing. I secured dumping margins of between 19.11 and 11.88 percent in the final determination. This antidumping order on imports of seamless pipe from Romania is still in effect today.

Lead Counsel:

John Mangan (retired)

Opposing Counsel:

John Gurley

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

Since returning to private practice in 2021, my work has focused primarily on the litigation of AD/CVD cases. I have provided legal advice to a risk management firm regarding the application of U.S. preference programs to a potential investment in the Caribbean.

From 2020 to 2021, as Deputy Assistant Secretary for Policy and Negotiations, I had responsibility over two general categories of legal work within the Department of Commerce (i) programs and policies regarding enforcement and administration of U.S. antidumping and countervailing duty laws, and (ii) assisting U.S. companies by combating unfair foreign trade practices; improving foreign market access for U.S. exporters and investors; ensuring compliance by foreign governments with U.S. trade agreements; and addressing unfair application of trade remedies by foreign governments. In the first category, I coordinated the policy approach to Commerce's application of the AD/CVD laws and participated in the analysis and decision-making process in individual trade remedies proceedings before Commerce. In the second category, I was responsible for a team that coordinated agency positions regarding strategy and objectives in the negotiation of trade agreements, intervened on behalf of U.S. industries and companies facing foreign trade barriers, and ensured foreign compliance with existing international trade agreements. Significant activities and initiatives that I worked on during this time period included the development of Commerce's capacity to identify and address the evasion and/or circumvention of existing AD/CVD orders, the rollout of an enhanced trade monitoring systems (the Steel Import Monitoring and Analysis (SIMA) and the Aluminum Import Monitoring and Analysis (AIM) systems), increased early intervention

in market access cases, and presiding over the Section 232 exclusion request evaluation process.

From 2017 to 2020, as Director of Policy, I coordinated the Administration's positions and strategy across the International Trade Administration's business units in close coordination with the Office of the Secretary. Significant non-litigation programs and initiatives that I was involved with at the time included the development of revised regulations governing AD/CVD proceedings at Commerce; the negotiation of several Memoranda of Understanding with African nations that reinforced important concepts of international trade law, promoted regulatory coherence, and established systems for improved cooperation to promote procurement of U.S. goods and services in large projects and procurements; ensuring continued progress in the U.S.-Brazil economic relationship through participation in the U.S.-Brazil Commercial Dialogue and other bilateral fora; and advising the Under Secretary in the negotiation of the 2019 Suspension Agreement in the Fresh Tomatoes from Mexico AD case.

While Counsel at King & Spalding from 2012 to 2016, I conducted legal analysis on behalf of several agricultural and manufacturing clients relating to the WTO consistency of various foreign regulations and prepared draft WTO submissions and oral statements for use in potential WTO litigation. I also represented a Brazilian industry association in their attempt to obtain trade preferences for imports of certain Brazilian fruits under the Generalized System of Preferences. In 2014 and 2015, I engaged in lobbying activity in connection with King and Spalding's lobbying of USTR on behalf of firm client Kirsh Group Africa regarding the African Growth and Opportunity Act. To the best of my knowledge and recollection, although King & Spalding did not file a termination report until January 2016, the firm's activity for this client ended in the first quarter of 2015.

As Associate General Counsel at USTR, in addition to litigating trade disputes, I was the lead attorney on the following chapters of the Trans-Pacific Partnership Agreement: Labor, Technical Barriers to Trade ("TBT"), Sanitary and Phyto-Sanitary Measures ("SPS"), Regulatory Coherence, and several industry-specific annexes designed address specific trade barriers and regulatory issues peculiar to those industries. Many of the textual provision put forward during these negotiations became part of the template for the USMCA negotiating text. With responsibility for the Customs, Labor, TBT, and SPS portfolios, I provided legal counsel and support to USTR negotiators in bilateral and multilateral engagements on a variety of market access concerns and trade facilitation and promotion initiatives.

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

None.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all



anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

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

None.

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

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

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

I would recuse myself from all cases in which I participated in, as well as any matters in which Schagrin Associates participated in for a period of 18 months. I would also recuse myself from any matters from the U.S. Department of Commerce, International Trade Administration over which I had direct supervisory responsibility. Because of the statutory deadlines for completing the administrative proceedings, any determination appealed to the Court of International Trade after 18 months would likely have been initiated after my departure from Schagrin Associates.

I would use court procedures to identify the cases in which any conflicts could arise and I would take appropriate action.

- 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, I would follow the federal recusal statute, 28 U.S.C. § 455, and the Code of Conduct for United States Judges. If any issue of a potential conflict were to arise, I would consult with applicable statutes and the Code and, if necessary, would seek advice from the Judicial Conference.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

Because of the conflicts that can arise as a government attorney providing pro bono services, I did not provide traditional pro bono services during my periods of government service. While in private practice, between approximately 2006 and 2007, I and a co-counsel represented two Ethiopian nationals in asylum proceedings before Customs and the Immigration Court. As a result of the Immigration Court proceedings, we secured asylum for both individuals.

Additionally, as part of King & Spalding's pro bono representation of the Government of Liberia on matters relating to its accession to the World Trade Organization, I conducted a review and analysis of the Government of Liberia's draft Customs Laws. Liberia joined the WTO in July 2016 as its 163rd member, after nearly 10 years of accession negotiations.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

In March 2023, Ambassador Jeffrey D. Gerrish, who was aware of my previous interest in serving as a judge on the U.S. Court of International Trade, approached me to determine whether I would be interested in having my name put forward as a possible nominee for one of the current vacancies on the court. After indicating my interest in the opportunity, he suggested my name to other members of the trade bar who were working on identifying nominees for the court's two

vacancies. On April 7, 2023, I interviewed with attorneys from the White House Counsel's Office. Since April 20, 2023, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On June 28, 2023 the President announced his intent to nominate me.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.