

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Elizabeth Cheryl Coombe

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

United States District Judge for the Northern District of New York

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.

United States Attorney's Office for the Northern District of New York
445 Broadway, Room 218
Albany, New York 12207

Residence: Delmar, New York

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

1967; Ridgewood, 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.

1989 – 1992, University of Michigan Law School; J.D., 1992

1985 – 1989, Hamilton College; A.B., 1989

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.

2003 – present

United States Attorney's Office for the Northern District of New York
445 Broadway, Room 218

Albany, New York 12207
First Assistant United States Attorney (2018 – present)
Criminal Chief (2014 – 2018)
Deputy Criminal Chief (2012 – 2014)
Team Leader and Plattsburgh Office Supervisor (2011 – 2012)
Assistant United States Attorney (2003 – 2011)

1998 – 2003
United States Attorney's Office for the District of Columbia
601 D Street, Northwest
Washington, DC 20004
Assistant United States Attorney

1996 – 1997
United States Department of Justice
Civil Division, Commercial Litigation Branch, National Courts Section
1100 L Street, Northwest
Washington, DC 20005
Trial Attorney

1994 – 1996
United States Securities and Exchange Commission
Enforcement Division
100 F Street, Northeast
Washington, DC 20549
Staff Attorney

1992 – 1994
The Honorable Diana E. Murphy
United States District Court for the District of Minnesota
300 South Fourth Street
Minneapolis, Minnesota 55415
Law Clerk

Summer 1991
Skadden, Arps, Slate, Meagher & Flom
One Manhattan West
New York, New York 10001
Summer Associate

Fall 1990, Spring and Fall 1991, Spring 1992
University of Michigan
College of Literature, Science, and the Arts
500 South State Street
Ann Arbor, Michigan 48109
Teaching Assistant

Summer 1990
Litchfield, Christopher & Milbrath (inactive)
390 North Orange Avenue
P.O. Box 1549
Orlando, Florida 32802
Summer Associate

Summer 1989
United States Air Force
Judge Advocate General
Patrick Air Force Base, Florida 32925
Intern

Other Affiliations (Uncompensated)

2012 – present
Thunder View Farms Holdings LLC
93 Old Brodhead Road
Grahamsville, New York 12740
Director; Co-owner

2005 – 2008; 2017 – 2018
Westminster Presbyterian Church
85 Chestnut Street
Albany, New York 12210
Session Member

2011 – 2015
Capital District Women's Bar Association
259 Lark Street
Albany, New York 12210
Board of Directors

1997 – 1999
New York Avenue Presbyterian Church
1313 New York Avenue, Northwest
Washington, DC 20005
Session Member

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 was not required to register with 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.

Albany Law Enforcement Resolution Team, Certificate of Appreciation (2023)

Albany Law Enforcement Resolution Team, Bridge Builder (2020)

Executive Office of United States Attorneys, Director's Award (2014)

Internal Revenue Service Criminal Investigation, Chief's Excellence Award (2013)

United States Attorney for the Northern District of New York, Women's History Month Award (2010)

Federal Bureau of Investigation, Letter of Appreciation (2006)

United States Attorney for the District of Columbia, Special Achievement Awards (2002, 2000)

Chairman Securities and Exchange Commission, Excellence Award (1997)

The University of Michigan Journal of Law Reform, Article Editor (1991 – 1992)

University of Michigan Law School
Cum laude (1992)

Hamilton College
Summa cum laude (1989)
Phi Beta Kappa (1989)

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.

Capital District Women's Bar Association
Board of Directors (2011 – 2015)

Northern District of New York Federal 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.

New York, 1993

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, 2013

United States Court of Appeals for the Second Circuit, 2008

United States Court of Appeals for the District of Columbia Circuit, 1998

United States District Court for the District of Columbia, 2001

United States District Court for the Northern District of New York, 2003

United States Court of Federal Claims, 1996

My admission as a government attorney in the United States District Court for the District of Columbia became inactive in 2004 after I moved to the Northern District of New York.

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.

Bethlehem YMCA

Merrimack Park Recreation Association

New York Avenue Presbyterian Church
Session (1997 – 1999)

Westminster Presbyterian Church (Albany)
Session (2005 – 2008; 2017 – 2018)

- 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, the organizations listed above do not currently discriminate nor did they discriminate 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.

Riding into the Sunset: Tributes to the Life and Legacy of Judge Gary L. Sharpe, Fed. Court Bar Ass'n Newsletter, Apr. 10, 2024. Copy supplied.

Press Release, United States Attorney's Office for the Northern District of New York (Feb. 17, 2005). Copy supplied.

Press Release, United States Attorney's Office for the Northern District of New York (Jan. 28, 2005). Copy supplied.

Press Release, United States Attorney's Office for the Northern District of New York (Jan. 5, 2005). Copy supplied.

Press Release, United States Attorney's Office for the Northern District of New York (Nov. 18, 2004). Copy supplied.

Fear of "Death" Threatens Community, The Hamilton College Spectator, Nov. 18, 1988. Copy supplied.

... *Waste Not, Want Not*, The Hamilton College Spectator, Nov. 11, 1988. Copy supplied.

November 8, 1988, The Hamilton College Spectator, Nov. 4, 1988. Copy supplied.

The Need For More Faculty, The Hamilton College Spectator, Oct. 14, 1988. Copy supplied.

Think About It . . ., The Hamilton College Spectator, Oct. 7, 1988. Copy supplied.

An Opportunity to Learn, The Hamilton College Spectator, Sept. 30, 1988. Copy supplied.

The Spirit of the Game, The Hamilton College Spectator, Sept. 23, 1988. Copy supplied.

Deserving Denied Dean's List, The Hamilton College Spectator, Sept. 16, 1988. Copy supplied.

A Crime Against Reason, The Hamilton College Spectator, Sept. 16, 1988. Copy supplied.

Remember Kirkland College, The Hamilton College Spectator, May 6, 1988. Copy supplied.

Carovano Appointed Conservancy Director, The Hamilton College Spectator, Apr. 29, 1988. Copy supplied.

Hamilton Doesn't Make The Grade, The Hamilton College Spectator, Apr. 29, 1988. Copy supplied.

Tell Them. . ., The Hamilton College Spectator, Apr. 22, 1988. Copy supplied.

A Question of Honor, The Hamilton College Spectator, Apr. 15, 1988. Copy supplied.

The Incredible Shrinking Course Guide, The Hamilton College Spectator, Apr. 8, 1988. Copy supplied.

Hamilton's Homophobia?, The Hamilton College Spectator, Mar. 11, 1988. Copy supplied.

Payne Named 17th President, The Hamilton College Spectator, Mar. 5, 1988. Copy supplied.

Listen and Learn, The Hamilton College Spectator, Mar. 4, 1988. Copy supplied.

The Hamilton C.O.O.L., The Hamilton College Spectator, Feb. 26, 1988. Copy supplied.

We Are All Guilty, The Hamilton College Spectator, Feb. 19, 1988. Copy supplied.

Society Serenade?, The Hamilton College Spectator, Feb. 12, 1988. Copy supplied.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If

you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

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.

None.

- 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 speeches, talks, panel discussions, and other remarks by searching my files and internet sources. There may, however, be other speeches or talks that I have been unable to recall or identify, as I may have spoken briefly at events for which I was not able to locate any record.

July 19, 2024: Speaker, Introduction to Law Enforcement for the University at Albany Experiential Learning Initiative Freshmen, NDNY United States Attorney's Office, Albany, New York. The remarks were to welcome the students and introduce the speakers. I have no notes, transcript, or recording. The address for the U.S. Attorney's office is 445 Broadway, Room 218, Albany, New York 12207.

April 10, 2024: Speaker, False Claims Act Symposium, NDNY Federal Court Bar Association, Syracuse, New York. Notes supplied.

December 6, 2023: Participant, Community Leader and Law Enforcement Summit, Albany Law Enforcement Resolution Team, Albany, New York. The breakout sessions were on community issues. I have no notes, transcript, or recording. The address for the Albany Law Enforcement Resolution Team is Steam Garden, 279 Central Avenue, Albany, New York 12206.

November 2, 2023: Panelist, Drug Enforcement Agency Second Annual Family Summit for Overdose and Poisoning Epidemic, New York, New York. Notes

supplied.

October 13, 2023: Speaker, Discussion with White Collar Defense Attorneys, Manatt, Phelps & Phillips, LLP, Albany, New York. Notes supplied.

September 28, 2023: Panelist, How to Succeed in Your Career While Being Your Authentic Self, NBT Bank, Troy, New York. The panel was on career journeys. I have no notes, transcript, or recording. The address for NBT Bank, Capital Region Headquarters is 80 Wolf Road, Suite 101, Albany, New York 12205.

September 21, 2023: Speaker, Media Event Commemorating the 30th Anniversary of the Police Department, Oneida Indian Nation, Canastota, New York. I have no notes, transcript, or recording, but press coverage is supplied. The address for the Oneida Indian Nation is 2037 Dream Catcher Plaza, Oneida, New York 13421.

November 4, 2022: Speaker, Albany Law Enforcement Resolution Team Appreciation Luncheon, Albany, New York. The remarks were on ALERT. I have no notes, transcript, or recording. The address for the Albany Law Enforcement Resolution Team is Steam Garden, 279 Central Avenue, Albany, New York 12206.

September 30, 2022: Speaker, Health Care Fraud Symposium, co-sponsored by the NDNY United States Attorney's Office with Albany Law School, Albany, New York. Notes supplied.

July 22, 2022: Speaker, Introduction to Law Enforcement for the University at Albany Experiential Learning Initiative Freshmen, NDNY United States Attorney's Office, Albany, New York. The remarks were to welcome the students and introduce the speakers. I have no notes, transcript, or recording. The address for the U.S. Attorney's office is 445 Broadway, Room 218, Albany, New York 12207.

July 23, 2021: Speaker, Introduction to Law Enforcement for the University at Albany Experiential Learning Initiative Freshmen, NDNY United States Attorney's Office, Albany, New York. The remarks were to welcome the students and introduce the speakers. I have no notes, transcript, or recording. The address for the U.S. Attorney's office is 445 Broadway, Room 218, Albany, New York 12207.

June 2, 2021: Participant, Asian American Pacific Islanders Listening Session, NDNY United States Attorney's Office, Syracuse, New York. Recording supplied.

May 26, 2021: Speaker, Older Americans Listening Session, Albany Law Enforcement Resolution Team, Albany, New York. Notes supplied.

October 9, 2020: Speaker, Worship Without Worry – Security Summit for Places of Worship, Jewish Federation of Northeastern New York, Albany, New York. Notes supplied.

October 7, 2020: Panelist, Law and Public Service, Hamilton College Career Network (virtual event). Recording supplied.

December 12, 2018: Speaker, Community Discussion, Cooperstown Central School, Cooperstown, New York. Notes supplied.

December 5, 2018: Panelist, Community Leader and Law Enforcement Summit, Albany Law Enforcement Resolution Team, Albany, New York. Notes supplied.

August 14, 2017: Speaker, “Honest Services Fraud After *McDonnell v. United States*,” NDNY Federal Court Bar Association, Schenectady, New York. Notes supplied.

August 8, 2017: Speaker, State and Local Anti-Terrorism Training Program, United States Department of Justice Bureau of Justice Assistance, Stone Ridge, New York. The remarks were to welcome participants. I have no notes, transcript, or recording. The address of the Bureau of Justice Assistance is 810 Seventh Street, Northwest, Washington, DC 20531.

March 25, 2015: Panelist, Representing Your Client in the Northern District of New York, NDNY Federal Court Bar Association, Albany, New York. Notes supplied.

March 14, 2014: Panelist, Back to Basics: A Discussion About Procedural Issues at the Early Stages of Civil and Criminal Cases, NDNY Federal Court Bar Association, Albany, New York. The panel was on criminal and civil procedure in district court. I have no notes, transcript, or recording. The NDNY Federal Court Bar Association address is P.O. Box 7067, Syracuse, New York 13261.

September 6, 2011: Speaker, Albany Law School, Albany, New York. The class was on the *United States v. Aref and Hossain* trial. I have no notes, transcript, or recording. The Albany Law School address is 80 New Scotland Avenue, Albany, New York 12208.

May 3, 2010: Speaker, Lunch and Learn, Capital District Women’s Bar Association, Albany, New York. The remarks were about balancing litigation and motherhood. I have no notes, transcript, or recording. The Capital District Women’s Bar Association address is 259 Lark Street, Albany, New York 12210.

June 23, 2009: Speaker, Criminal Tax Cases, Internal Revenue Service Fraud Technical Advisor Group, Albany, New York. The training was on tax

prosecutions. I have no notes, transcript, or recording. The address for the Internal Revenue Service is 11A Clinton Avenue, Albany, New York 12207.

June 5, 2009: Moderator, How Does the Media Affect High-Profile Court Cases?, Hamilton College Alumni College, Clinton, New York. The panel was on how the media affects high-profile court cases. I have no notes, transcript, or recording. The address for Hamilton College is 198 College Hill Road, Clinton, New York 13323.

January 2007 (specific date unknown): Speaker, Terrorism Stings: Applying the Basics to the *Aref & Hossain* Trial, Federal Bureau of Investigation Albany Division, Albany, New York. Notes supplied.

June 29, 2005 (estimated): Speaker, Prosecuting Terrorism Hoaxes: An Overview of Available Statutes, Federal Bureau of Investigation Albany Division, Albany, New York. Notes supplied.

April 2003 (specific date unknown): Speaker, Presenting a Case for Federal Prosecution, United States Postal Inspection Service, DC Metropolitan Area. Notes supplied.

Fall 2002 (specific date unknown): Speaker, White Collar Crime, American University Law School, Washington, District of Columbia. The class was on securities fraud. I have no notes, transcript, or recording. The address for American University Law School is 4300 Nebraska Avenue, Northwest, Washington, DC 20016.

- 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.

Oneida Indian Nation Police Department Recognized by Federal, State, and Local Law Enforcement Officials for 30 Years of Service, Indian Voices (Oct. 2023). Copy supplied.

Niskayuna Man Sentenced for Stealing GE's Trade Secrets, States News Service (Apr. 30, 2021). Copy supplied.

Press Release, *Chinese Businessman Charged with Conspiring to Steal Trade Secrets*, U.S. Attorney's Office for the Northern District of New York (Feb. 26, 2021). Copy supplied.

Erin Jerome, *CCS Hosts Talk on Teacher's Child Porn Arrest*, Oneonta Daily Start (Dec. 13, 2018). Copy supplied.

Press Release, *Saranac Lake Fraud Scheme Nets Man 144 Month Prison Term*, United States Attorney's Office for the Northern District of New York (Jan. 26, 2015). Copy supplied.

Robert Gavin, *Bruno Acquitted of Corruption Charges*, Times Union (Dec. 31, 2014). Copy supplied.

Tom Jackson, *Owner May Lose Mansion; George Accused of Forcing Maid to Work 18-hour Days, Sleep in Closet*, Ohio Sandusky Register (May 25, 2014). Copy supplied.

Press Release, *Rochester Man, A Registered Sex offender, Convicted of Attempted Sexual Enticement of a Minor and Attempted Production of Child Pornography*, United States Attorney's Office for the Northern District of New York (Nov. 6, 2013). Copy supplied.

Press Release, *Melinda Wormuth Arraigned on Two Felony Charges*, United States Attorney's Office for the Northern District of New York (Oct. 17, 2013). Copy supplied.

Bruno Resting After Cancer Surgery, Times Union (Sep. 27, 2013). Copy supplied.

David Lombardo, *Weekly Papers' Future in Doubt*, Schenectady Daily Gazette (Sep. 13, 2013). Copy supplied.

Press Release, *Maryland Man Convicted of Alien Smuggling*, United States Attorney's Office for the Northern District of New York (Sept. 13, 2013). Copy supplied.

Press Conference, *McGinn and Smith Sentencing*, United States Attorney's Office for the Northern District of New York (Aug. 7, 2013). Recording available at <https://www.youtube.com/watch?v=rlg6-e0D26c>.

Press Release, *Founders of McGinn, Smith & Co., Inc. Sentenced*, United States Attorney's Office for the Northern District of New York (Aug. 7, 2013). Copy supplied.

Woman Walks 133 Miles in Protest, Binghamton Press & Sun Bulletin (Jul. 24, 2013). Copy supplied.

Press Release, *Schenectady Woman Indicted on Fraud and Tax Charges*, United States Attorney's Office for the Northern District of New York (May 29, 2013). Copy supplied.

Press Release, *Former McGinn, Smith & Co., Inc. Senior Managing Director*

Sentenced, United States Attorney's Office for the Northern District of New York (Apr. 12, 2013). Copy supplied.

Press Release, *Accountant Fined and Sentenced to Probation*, United States Attorney's Office for the Northern District of New York (Mar. 8, 2013). Copy supplied.

Justin Mason, *Fraud Trial Outcome Now a "Waiting Game,"* Schenectady Daily Gazette (Feb. 6, 2013). Copy supplied.

Press Release, *Founders of McGinn, Smith & Co., Inc. Convicted of Conspiracy, Mail Fraud, Wire Fraud, Securities, Fraud, and Filing False Tax Returns*, United States Attorney's Office for the Northern District of New York (Feb. 6, 2013). Copy supplied.

James M. Odato, *Second Bruno Trial is Adjourned*, Times Union (Dec. 22, 2012). Copy supplied.

Joseph Ax, *Attorney's Advice is "Property" in Extortion Case: Appeals Court*, Reuters (Jul. 2, 2012). Copy supplied.

Brendan J. Lyons, *Another Round for Bruno*, Times Union (May 4, 2012). Copy supplied.

Mass. Investor Accused of Extortion in NY Fund Bid, The Associated Press (Dec. 3, 2010). Copy supplied.

Larry Rulison, *New Target in SEC Probe*, Times Union (Nov. 10, 2010). Copy supplied.

Dave Canfield and Jessica M. Pasko, *Bruno Free on Bail Pending Court Ruling*, The Record (May 7, 2010). Copy supplied.

Michael Virtanen, *Bruno Sentencing Postponed, New Trial Denied*, The Associated Press (Feb. 25, 2010). Copy supplied.

Interview, *Bruno Trial Conviction*, The Times Union (Dec. 10, 2009). I have no transcript or recording.

Jill Bryce, *Bruno Vows to Fight Convictions*, The Troy Record (Dec. 8, 2009). Copy supplied.

Press Conference, *Bruno Trial Conviction*, United States Attorney's Office for the Northern District of New York (Dec. 7, 2009). I have no transcript or recording.

Brendan J. Lyons, *Strevell Gets No Jail for Stealing Public's Money*, Times

Union (Mar. 26, 2009). Copy supplied.

Glenn Blain, *Feds: Bruno Was a Poll for Hire*, N.Y. Daily News (Jan. 24, 2009). Copy supplied.

James M. Odatto, *Bruno's Labor Ties Probed*, Times Union (Feb. 3, 2008). Copy supplied.

No Known Terror Links to JFK Passenger with Razor, The Associated Press (Nov. 2, 2007). Copy supplied.

Michele Morgan Bolton, *Former Banker Pleads Guilty in Fraud: Defense Attorney Says Daniel R. Kline Made "Stupid Mistakes" Trying to Help Struggling Client*, Times Union (Apr. 20, 2007). Copy supplied.

Don Leham, *USA Gas Co-owner Sentenced to 10 Years*, The Glens Falls Post-Star (Mar. 14, 2007). Copy supplied.

Jill Bryce, *Two Found Guilty of Breaking Tax Laws*, Schenectady Daily Gazette (Nov. 10, 2006). Copy supplied.

New York-based C-Store Chain Under Scrutiny, Convenience Store News (Oct. 25, 2006).

Paul Vandenburg, *Aref and Hossain Conviction*, Talk 1300 (Oct. 2006). I have no transcript or recording.

Jill Bryce, *Ex-Director Pleads Innocent to Fraud*, The Daily Gazette (Oct. 18, 2005). Copy supplied.

James M. Odatto, *Feds Allege Misuse of Cash*, Times Union (Oct. 14, 2005). Copy supplied.

James M. Odatto, *Former Institute Chief Facing Probe*, Times Union, (June 10, 2005). Copy supplied.

Don Lehman, *Anonymous Tipster Triggers Fraud Probe*, The Glens Falls Post-Star (Dec. 17, 2004). Copy supplied.

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.

I worked on my father's campaigns for the New York State Assembly (1986 and 1990), and the New York State Senate (1992). I answered phones, stuffed envelopes, and distributed leaflets.

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 1992 to 1994, I served as a judicial law clerk to the Honorable Diana E. Murphy, then-Chief United States District Judge for the District of Minnesota.

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

I have not practiced law alone.

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

1992 – 1994

The Honorable Diana E. Murphy
United States District Court for the District of Minnesota
300 South Fourth Street
Minneapolis, Minnesota 55415

1994 – 1996

United States Securities and Exchange Commission
Enforcement Division
100 F Street, Northeast
Washington, DC 20549
Staff Attorney

1996 – 1997

United States Department of Justice
Civil Division, Commercial Litigation Branch, National Courts Section
1100 L Street, Northwest
Washington, DC 20005
Trial Attorney

1998 – 2003

United States Attorney's Office for the District of Columbia
601 D Street, Northwest
Washington, DC 20004
Assistant United States Attorney

2003 – present

United States Attorney's Office for the Northern District of New York
445 Broadway, Room 218
Albany, New York 12207

Assistant United States Attorney (2003 – 2011)
Team Leader and Plattsburgh Office Supervisor (2011 – 2012)
Deputy Criminal Chief (2012 – 2014)
Criminal Chief (2014 – 2018)
First Assistant United States Attorney (2018 – present)

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

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

b. Describe:

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

After completing my clerkship at the District of Minnesota in 1994, I joined the Securities and Exchange Commission's Enforcement Division as a staff attorney in the Washington, DC office. I focused on the investigation of the National Association of Securities Dealers, Inc. (NASD) and of market making activities in the Nasdaq Market. The investigation uncovered abusive practices not adequately addressed by the NASD and led to significant changes to both the NASD and the Nasdaq Market.

In 1996, I joined the United States Department of Justice Civil Division Commercial Litigation Branch as a trial attorney where I practiced in the United States Court of Federal Claims. In addition to litigating smaller cases, I was a member of a team preparing for a \$100 million damages trial in a government contract case required by the Supreme Court's decision in *United States v. Winstar Corp.*, 518 U.S. 839 (1996).

In 1998, I joined the United States Attorney's Office for the District of Columbia as an Assistant United States Attorney. I practiced in trial and appellate courts in both the local and federal courts. I progressed through the Appellate, Domestic Violence Misdemeanor, General Felony, Grand Jury, and Fraud and Public Corruption sections of the office. I was then selected as a Senior Assistant United States Attorney in the Fraud and Public Corruption section where I handled complex fraud cases in federal court.

In 2003, I moved to the United States Attorney's Office for the Northern District of New York as an Assistant United States Attorney. From 2003 to 2011, I focused on prosecuting public corruption and fraud from

investigation through appeal. In 2011, I became the Plattsburgh Office Supervisor and a Team Leader, and in January 2012, I became a Supervisory Assistant United States Attorney. Throughout that time, I supervised approximately four attorneys while also managing my own caseload. In 2012, I became the Deputy Criminal Chief, and I supervised approximately 12 and later 16 attorneys in two offices while managing my own caseload. In 2014, I became the Criminal Chief, and I supervised approximately 30 attorneys in four offices. I continued to handle cases, but less frequently.

In 2018, I became the First Assistant United States Attorney. I oversee all criminal, civil, and appellate litigation conducted by more than 50 attorneys throughout the district. I also oversee the administration of an almost \$12 million budget and the daily operations of approximately 45 support staff in four offices.

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

My client has been the United States except for the first two years of my practice when my client was the Securities and Exchange Commission.

- 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.

- i. Indicate the percentage of your practice in:

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

- ii. Indicate the percentage of your practice in:

1. civil proceedings: 10%
2. criminal proceedings: 90%

- 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 19 cases to a jury and 20 to the bench. Of my approximately 12 jury trials in the District of Columbia Superior Court, I was sole counsel on approximately 10; co-chief counsel on one; and associate counsel on another. Of my seven jury trials in federal district court, I was sole counsel on one, chief counsel on two, co-chief counsel on two, and associate counsel on two.

Of my bench trials, I was sole counsel on most.

- i. What percentage of these trials were:
 1. jury: 43%
 2. non-jury: 57%

- 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. *United States v. Bruno*, No. 09-CR-29 (N.D.N.Y.) (Sharpe, J.), *rev'd*, 661 F.3d 733 (2d Cir. 2011) (Parker, Chin, Korman, JJ); *aff'd*, 531 F. App'x 47 (2d Cir. 2013) (Winter, Cabranes, Parker, JJ).

From 2009 to 2014, I represented the United States, with co-chief counsel, in the prosecution of former New York State Senator Bruno for undisclosed conflicts of interest involving payments of \$3.2 million over 12 years. The prosecution involved two trials and two appeals.

I led the investigation and, together with co-chief counsel, I litigated the pretrial motions. During the four-week trial, I gave the opening statement and presented approximately half of the 67 witnesses. The jury convicted on two counts related to \$280,000 paid at the direction of an Albany businessman who was seeking, and obtained official action benefitting his interest, acquitted on five counts, and failed to reach a verdict on one count. Senator Bruno was sentenced to two years of imprisonment. During the 2009 jury deliberations, the district court denied a newspaper's motion to intervene and for disclosure of jury information. 700 F. Supp. 2d 175 (N.D.N.Y. 2010).

On appeal, the parties agreed that the counts of conviction should be vacated because of the Supreme Court's decision that the honest services fraud statute is limited to fraudulent schemes involving bribes or kickbacks. *United States v. Skilling*, 561 U.S. 358 (2010). Senator Bruno argued that the Double Jeopardy Clause barred retrial and urged the Second Circuit to determine whether evidence sufficient to satisfy the new standard was admitted at the first trial. Together with co-chief counsel, I wrote our appellate brief and I argued the case to the Second Circuit. The Second Circuit vacated the counts of conviction and authorized a retrial because the evidence was sufficient for a reasonable jury to find that Senator Bruno violated the new standard.

Together with co-chief counsel, I litigated Senator Bruno's motion to dismiss the superseding indictment on double jeopardy grounds. The district court denied the motion, and Senator Bruno appealed. Together with co-chief counsel, I wrote the brief for the Second Circuit, which affirmed without oral argument. 531 F. App'x 47.

During the two-week re-trial with co-chief counsel, I gave the opening statement, the closing argument, and presented approximately half of the 19 witnesses. The jury acquitted on both counts.

Co-Counsel

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Opposing Counsel

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Abbe David Lowell (2009 Trial; 2011 Appeal)
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2. *United States v. McGinn and Smith*, 12-CR-28 (N.D.N.Y.) (Hurd, J.), *aff'd*, 787 F.3d 116 (2d Cir. 2015)

From 2010 to 2013, I represented the United States as chief counsel for the prosecution of the former owners of a broker-dealer for wire, mail, securities, and tax fraud where investors lost approximately \$30 million. The defendants improperly diverted money to themselves and concealed those diversions from regulators, investors, and the Internal Revenue Service. I led the investigation and negotiated guilty pleas with a former senior managing director and two accountants who pled guilty before trial. During the four-week trial, I gave the opening statement, arguments, presented approximately one-third of the 36 government witnesses, and cross-examined all of the defense witnesses including both defendants and three experts. The jury convicted the defendants on conspiracy, fraud, and tax charges, acquitted Mr. McGinn on two counts, and acquitted Mr. Smith on 14 counts. Mr. McGinn was sentenced to 15 years of imprisonment, and Mr. Smith was sentenced to 10 years of imprisonment. The Second Circuit affirmed the convictions. I did not handle the appeal.

Co-Counsel

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3. *United States v. Sorriento*, No. 12-CR-229 (N.D.N.Y.) (D'Agostino, J.).

From 2011 to 2012, I represented the United States as sole counsel in this case where the controller of a housing corporation stole almost \$1.6 million from his employer and made false ledger entries to conceal his theft. I worked on the investigation and drafted the charging document. The defendant pled guilty and was sentenced to 41 months of imprisonment. He was also ordered to pay restitution of almost \$1.6 million.

Opposing Counsel

Mark J. Sacco

Mark J. Sacco PLLC

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4. *United States v. Sekhar*, No. 10-CR-573 (N.D.N.Y.) (McAvoy, J.), *aff'd* 683 F.3d 436 (2d Cir. 2012), *rev'd* 570 U.S. 729 (2013).

From 2010 to 2011, I represented the United States in this attempted extortion and interstate transmission of extortionate threats case. Mr. Sekhar attempted to blackmail the General Counsel for the New York State Comptroller by threatening to disclose an alleged affair unless the General Counsel changed his recommendation that the Comptroller not invest in a fund managed by Mr. Sekhar's company. I was sole counsel for the suppression hearing, pretrial litigation, and the one-week trial where I presented all of the witnesses and made all of the arguments. The jury convicted the defendant on all but one of the seven counts, and he was sentenced to 15 months of imprisonment. The Second Circuit unanimously affirmed, and the Supreme Court unanimously reversed finding that attempting to compel a person to recommend that his employer approve an investment does not qualify as a property interest under the federal extortion statute. I did not handle the appellate litigation.

Opposing Counsel

The defendant proceeded pro se.

William J. Dreyer (sentencing counsel)
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5. *United States v. Ozbay et al.*, No. 04-CR-524 (N.D.N.Y.) (Sharpe, J.), *aff'd*, 296 Fed. App'x 148 (2d Cir. 2008) (Cabrane, Pooler, and Katzmann, JJ.)

From 2004 to 2009, I represented the United States in the investigation and prosecution of four people for a tax fraud scheme where they failed to file tax returns, filed false returns, concealed the amount of their cash deposits by structuring more than \$24 million, and failed to collect and pay federal withholding taxes and Federal Insurance Contributions Act taxes for employees. I was sole counsel during the investigation. During the seven-day trial, where I served as chief counsel, I made the opening statement, presented all but a few of the approximately 34 witnesses, and made both the closing and rebuttal arguments while another attorney presented the remaining witnesses. Two defendants pled guilty mid-trial; the other two defendants were found guilty by a jury of most charges. The district court dismissed two counts against two defendants because there was insufficient evidence of their accessorial liability on those counts. Three of the defendants were sentenced to 121 months of imprisonment; the fourth was sentenced to 87 months of imprisonment. They were all ordered to pay approximately \$6.8 million in forfeiture.

All four defendants appealed their convictions arguing that the evidence was insufficient to support their convictions, the structuring statute was void for vagueness, the structuring counts of conviction were multiplicitous, trial counsel was ineffective, the district court's sentencing process was flawed, the sentence imposed was unreasonable, and the money judgment imposed was improper. I wrote our appellate brief and argued the case to the Second Circuit, which affirmed the convictions and remanded the case for the district court to address sentencing and forfeiture issues. I handled the post-appeal proceedings. After the remand, the district court reduced the sentences of all four defendants: three were sentenced to 97 months of imprisonment and one was sentenced to 63 months of imprisonment. The district court also vacated its forfeiture order and entered new orders of approximately \$6.8 million for two defendants and approximately \$2.8 million for the other two.

Co-Counsel

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Mark A. Major (sentencing & appellate counsel for Y. Ozbay) (deceased)

Thomas J. O'Hern (trial counsel for B. Ozbay) (retired)

Paula Schwartz Frome (appellate counsel for B. Ozbay)
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6. *United States v. Kline*, No. 07-CR-165 (Hurd, J.)

From 2003 to 2007, I represented the United States as sole counsel in this case where a bank officer used his position to conceal losses on loans he made to several affiliated companies by extending new loans and concealing records from auditors. I worked on the investigation establishing the loss and restitution amounts. The defendant pled guilty to making a false entry in books and records, and he was sentenced to 18 months of imprisonment followed by 5 years of supervised release and 500 hours of community service and ordered to pay more than \$2.1 million in restitution.

Opposing Counsel

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7. *United States v. Strevell*, No. 05-CR-477 (N.D.N.Y.) (Sharpe, J.)

From 2003 to 2006 and 2008 to 2009, I represented the United States as sole counsel in this public corruption prosecution where the defendant used his position as the Executive Director of the New York State Institute for Entrepreneurship to enrich himself and his family at the expense of his employer and New York taxpayers.

I led the investigation establishing the details of the defendant's fraud. After indictment, the case was transferred to another attorney, and the defendant pled guilty after pretrial litigation. The case was then transferred back to me, and I was sole counsel for the sentencing advocacy. The defendant was sentenced to home detention. As part of the sentencing litigation, I responded to a local newspaper's motion to intervene and obtain access to sealed filings relying on the First Amendment and common law right of access. The district court granted the motion to intervene and partially granted the motion for access to sealed filings. 2009 WL 577910 (Mar. 4, 2009).

Opposing Counsel:

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8. *United States v. Bisong*, No. 02-CR-242 (D.D.C.) (Urbina, J.)

From 2002 to 2003, I represented the United States in this case where the defendant stole approximately \$1.4 million by operating a business that fraudulently promised to obtain immigration documents and by creating counterfeit checks. I was sole counsel for the investigation and suppression hearing, but moved to Albany before the case was tried. Following a trial, appeal, and re-sentencing, Mr. Bisong was sentenced to 159 months of imprisonment.

Opposing Counsel

John O. Iweanoge
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9. *United States v. McLaughlin*, 164 F.3d 1 (D.C. Cir. 1998) (Wald, Sentelle, and Tatel, JJ.)

In 1998, I represented the United States in this appeal from the defendant's conviction for shooting a government informant. I wrote the brief and argued the case before the District of Columbia Circuit. The defendant argued that he had the right, under the Sixth Amendment, to consult with his counsel during a recess between his cross and re-direct examinations. The District of Columbia Circuit agreed with the government that the Sixth Amendment does not require a district court to allow a defendant to consult with counsel under these circumstances. The District of Columbia Circuit also concluded that two of defendant's convictions, which were for violations of similar local and federal statutes, were multiplicitous.

Opposing Counsel

Beverly G. Dyer (deceased)

10. *The Statesman Group Inc. et al. v. United States*, No. 90-773C (Fed. Cl.) (Smith, J.)

From 1996 to 1997, together with other members of the trial team, I represented the United States in this government contract case following the Supreme Court's decision that the federal government had breached its contract with a financial institution when Congress enacted the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). *United States v. Winstar Corp.*, 518 U.S. 839 (1996).

Plaintiffs sought more than \$100 million in damages. This was the second of 120 cases scheduled for trial. I was part of a team of attorneys preparing the case for trial, but left the office to become an Assistant United States Attorney before the case was tried. The parties later settled mid-trial. In addition to document review and discovery, I took depositions of bank examiners, economists, accountants, and federal banking regulators.

Co-Counsel

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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.)

I have dedicated my career to public service as an attorney for the federal government. As the First Assistant United States Attorney, I give input about the positions our office takes in criminal, civil, and appellate litigation. I direct the daily operations of approximately 100 attorneys and support staff in four offices and administer an almost \$12 million budget. I also guide our community outreach and consult with senior law enforcement officials to resolve issues. As the Chief of the Criminal Division, I supervised all of the district's criminal litigation including controlled substance, violent crime, national security, fraud, public corruption, environmental crime, child exploitation, sex trafficking, and immigration cases. I reviewed all charging documents, gave tactical advice, and contributed to training. As a federal prosecutor, I have worked on every part of a wide variety of criminal cases from the beginning of an investigation through the appeal. Coordinating with federal, state, and local law enforcement agencies has also been a routine part of my work. I have also practiced in two federal courts of appeals and the District of Columbia Court of Appeals.

As a staff attorney at the Enforcement Division of the Securities and Exchange Commission (SEC), I worked on the investigation of the National Association of

Securities Dealers, Inc. (NASD) and of market making activities in the Nasdaq Market. The investigation uncovered abusive practices that suppressed competition and misled customers. The SEC issued a "Report of Investigation pursuant to Section 21(a) of the Securities Exchange Act of 1934" to discuss the investigation and the NASD's inadequate policing of the Nasdaq Market. In addition, the SEC instituted proceedings against the NASD, including a censure, and ordered it to take specific remedial actions related to the NASD's governance and regulatory structure. I was a member of the four-person team assigned to work on the investigation of the NASD. I deposed NASD officials and economists regarding the market's operation.

I have not performed any lobbying activities.

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.

From September 1990 to May 1992, while I was a law student, I taught an undergraduate class, "Women and the Law," at the University of Michigan. The class examined how the legal system addresses topics such as employment discrimination, sexual harassment, and domestic violence. My two colleagues and I took turns giving lectures to the class, and we each supervised a weekly discussion group for 30 students. I am unable to locate a syllabus.

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/See attached Financial Disclosure 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.

If confirmed, I would recuse myself from any matter that I handled, supervised, or was consulted on as an Assistant United States Attorney in the Northern District of New York. As the First Assistant United States Attorney, I technically supervise every matter, and I would recuse myself from all matters initiated while I was the First Assistant United States Attorney. I would also recuse myself from cases involving or affecting Elevance Health where my husband works. I would handle any matters involving actual or potential conflicts of interest as directed by the Code of Conduct for United States Judges and any other relevant statutes, ethical canons, and rules.

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

In the event of a potential conflict of interest, I will consult the Code of Conduct for United States Judges including Canon 3 and any other relevant statutes, ethical canons and rules including 28 U.S.C. § 455. When appropriate, I will seek the advice of the parties, their counsel and other judges.

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

I have dedicated my entire career to public service by working for the federal government. That work and its ethical obligations have limited my opportunities for pro bono work. I have sought to serve my community and the profession in other ways including community outreach. For example, I am a regular participant in events organized by the Albany Law Enforcement Resolution Team (ALERT). That organization seeks to enhance community safety by building relationships between the community and law enforcement. In addition, I talked to fifth graders as part of our

office's efforts to have prosecutors and law enforcement officers teach them about decision making and the legal system during four classroom sessions. I have also been an active member in downtown churches throughout my professional life. Those churches have provided meals and other support to those in need. Finally, I have served as a coach of youth sports teams for girls.

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.

On April 5, 2024, I submitted an application to Senator Gillibrand's office. On April 25, 2024, I interviewed with Senator Gillibrand's office. On July 15, 2024, Senator Gillibrand's office asked if I would like to be considered for a Syracuse vacancy. On August 5, 2024, the White House Counsel's Office asked to talk with me, and Senator Gillibrand's office told me that Senator Gillibrand had recommended me as a potential candidate for the nomination. On August 6, 2024, I interviewed with attorneys from the White House Counsel's Office, who informed me that day that I would be moving forward in the selection process. Since then, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On August 28, 2024, 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.