

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Ana Cecilia Reyes

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

United States District Judge for the District of Columbia

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.

Williams & Connolly LLP
725 12th Street, Northwest
Washington, DC 20005

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

1974; Montevideo, Uruguay

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.

2011 – 2014, Johns Hopkins University School of Advanced International Studies;
Masters of International Public Policy (*with honors*), 2014

1997 – 2000, Harvard Law School; J.D. (*magna cum laude*), 2000

1992 – 1996, Transylvania University; B.A. (*summa cum laude*), 1996

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

1999, 2001 – present
Williams & Connolly LLP

725 12th Street, Northwest
Washington, DC 20005
Partner (2009 – present)
Member of the Executive Committee (2017 – 2020)
Associate (2001 – 2008)
Summer Associate (Summer 1999)

2000 – 2001
United States Court of Appeals for the Second Circuit
Judge Amalya Kears
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007
Law Clerk

Summer 1998
Stites & Harbison LLP
400 West Market Street, Suite 1800
Louisville, Kentucky 40202
Summer Associate

1996 – 1997
Feminist Majority Foundation
1600 Wilson Boulevard, Suite 801
Arlington, Virginia 22209
Assistant to the President

Other Affiliations (uncompensated):

2021 – 2022
Magistrate Judge Merit Selection Panel
United States District Court for the District of Columbia
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, Northwest
Washington, DC 20001
Chair

2020 – present
Kentucky Y.M.C.A.
91 C. Michael Davenport Boulevard
Frankfort, Kentucky 40601
Member of the Board of Overseers

2019 – present
The Fuller Project
712 H Street, Northeast

Postal Mailbox 37
Washington, DC 20002
Member of the Board

2015 – 2019
Calvary Women's Services
1217 Good Hope Road, Southeast
Washington, DC 20020
Member of the Board

2014 – present
Center for Gender & Refugee Studies
University of California Hastings College of the Law
200 McAllister Street
San Francisco, California 94102
Advisory Board Member

2014 – present
Feminist Majority
1600 Wilson Boulevard, Suite 801
Arlington, Virginia 22209
Member of the Board, Foundation
Member of the Board, Fund

2012 – 2015
Friends of the Chimpanzee Sanctuary & Wildlife Conservation Trust
712 H Street, Northeast, Box 1170
Washington, DC 20002
Member of the Board
Treasurer

2012 – 2015
Transylvania University
300 North Broadway
Lexington, Kentucky 40508
Member of the Board of Regents

7. **Military Service and Draft Status:** 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.

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

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other

special recognition for outstanding service or achievement.

“Local Litigation Star” International Arbitration, *Benchmark Litigation* (2019 – 2022)

“Local Litigation Star” Products Liability, *Benchmark Litigation* (2020 – 2022)

“500 Leading Lawyers in America,” *Lawdragon* (2019 – 2022)

“Next Generation Lawyer,” International Disputes, *Legal 500* (2020 – 2021)

“Top 250 Women in Litigation,” *Benchmark Litigation* (2017 – 2021)

“Immigration Trailblazer,” *The National Law Journal* (2018)

“Winning Litigator,” *The National Law Journal* (2018)

“Rising Star,” Minority Corporate Counsel Association (2018)

“Woman Lawyer of the Year,” D.C. Women’s Bar Association (2017)

“Top Rated International Attorney in Washington, D.C.,” Super Lawyers (2017)

“Super Lawyers” (2014 – 2020)

“Legacy Award,” Unlikely Heroes (2016)

Hall of Fame, J. M. Atherton High School (Louisville, Kentucky) (2015)

“Outstanding Women Lawyers,” *The National Law Journal* (2015)

“Washington, D.C. Rising Stars,” *The National Law Journal* (2014)

“Minority 40 Under 40 (Nationwide),” *The National Law Journal* (2011) (Latina and LGBTQ+)

Capital Pro Bono Honor Roll (2011, 2012, 2014 – 2016, 2018, 2020, 2021)

“Champion,” *The Legal Times* (2009)

Recognition for Distinction, Center for Gender & Refugee Studies (2009)

Harvard Law School – Graduated *magna cum laude*

Harvard Law Review (Volumes 112 and 113) (1998 – 2000)

Ames Moot Court Semi-Finalist (1999)

Transylvania University – Graduated *summa cum laude*

Honors, Political Science Major (1996)
William T. Young full academic scholarship (1992 – 1996)
Senior Class Academic Award (1996)
Holleian Society Award (student with most impact on the college) (1996)
ODK Society (1995, 1996)
Henry Clay Award (essay contest) (1994)

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 (2001 – present)

Hispanic National Bar Association (2020 – present)

International Bar Association (2009 – present)

Kentucky Bar Association (2008 – present)

New York State Bar Association (2001 – present)

Roll of Solicitors in England and Wales (2016 – present)

Washington, D.C. Bar Association (2002 – present)

Women’s Bar Association of D.C. (2016 – present)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Kentucky Supreme Court, 2008
District of Columbia, 2002
New York, 2001

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, 2016
United States Court of Appeals for the First Circuit, 2004
United States Court of Appeals for the Second Circuit, 2020

United States Court of Appeals for the Third Circuit, 2009
United States Court of Appeals for the Fourth Circuit, 2008
United States Court of Appeals for the Ninth Circuit, 2010
United States Court of Appeals for the Eleventh Circuit, 2009
United States District Court for the District of Columbia, 2004
United States District Court for the District of Maryland, 2004
United States District Court for the Western District of New York, 2021

There have been no lapses in membership.

11. **Memberships:**

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

American Society of International Law (2020 – present)

The Barristers of Washington, D.C. (2015 – present)

Harvard Law School Women’s Alliance of Washington, D.C.
Co-chair (2016 – 2018)

Minority Corporate Counsel Association (2009 – 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 or formerly discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. **Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including

material published only on the Internet. Supply four (4) Copy of all published material to the Committee.

With John J. Buckley, Jr., *Jurisdiction: United States*, ICLG: Enforcement of Foreign Judgments (2022). Copy supplied.

With John J. Buckley, Jr., *Enforcement of Foreign Judgments Report 2021-2022*, ICLG: Enforcement of Foreign Judgments (2021). Copy supplied.

With Joseph G. Petrosinelli, *Litigation in Foreign Countries Against U.S. Companies*, Product Liability Litigation: Current Law, Strategies and Best Practices, 2d Ed. (Apr. 2021). Copy supplied.

With Joseph G. Petrosinelli & Amy Mason Saharia, *Preemption Defenses*, Product Liability Litigation: Current Law, Strategies and Best Practices, 2d Ed. (Apr. 2021). Copy supplied.

With Jonathan M. Landy, *Jurisdiction: United States*, LexisNexis Dispute Resolution Law Guide (2021). Copy supplied.

“United States: Litigation Dispute Resolution Comparative Guide,” *Mondaq* (June 3, 2021). Copy supplied.

With Matthew D. Heins, *Privilege and Ethics in Cross-Border Litigation*, International Litigation Newsletter (May 2020). Copy supplied.

With John J. Buckley, Jr., *Jurisdiction: United States*, ICLG: Enforcement of Foreign Judgments (2020). Copy supplied.

With John J. Buckley, Jr., *Jurisdiction: United States*, ICLG: Enforcement of Foreign Judgments (2019). Copy supplied.

With Matthew D. Heins, *Cross-Border Confidentiality and The Swaps Antitrust Case*, Law360 (Feb. 28, 2019). Copy supplied.

With John J. Buckley, Jr., *Jurisdiction: United States*, ICLG: Enforcement of Foreign Judgments (2018). Copy supplied.

With Matthew D. Heins, *Jones Day Case Highlights Questions of Attorney Privilege Abroad*, Law360 (July 27, 2018). Copy supplied.

With Kristin Shapiro, *9th Circ. Greenlights Foreign Law Issues At Pleadings Stage*, Law360 (Oct. 3, 2016). Copy supplied.

Letter to the editor, *Transy's Williams did much to aid women on campus*, Lexington Herald Leader (Mar. 19, 2014). Copy supplied.

Representing Torture Victims and Other Asylum Seekers, ABA J. (2011).
Copy supplied.

- b. Supply four (4) Copy 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) Copy 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.

Signatory on letter from partners of Williams & Connolly LLP in support of Curtis Joseph Mahoney for confirmation as Legal Advisor to the Department of State, submitted to the Senate Foreign Relations Committee (Jan. 9, 2020). Copy supplied.

Signatory on letter from partners of Williams & Connolly LLP in support of Alison Jones Rushing for confirmation to the United States Court of Appeals for the Fourth Circuit, submitted to the Senate Judiciary Committee (Oct. 2, 2018). Copy supplied.

Report of the International Bar Association on the 2016 Preliminary Draft Convention (Including Preliminary Draft Convention), submitted to the 2017 Hague Conference on Private International Law (contributing author). Copy of Report supplied. Appendix 1 (IBA Questionnaire Responses, which I did not draft) is available after the Report at <https://assets.hcch.net/docs/03311845-08cd-4048-953b-285914e44e25.pdf>.

- d. Supply four (4) Copy, 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.

The following list reflects my best effort to identify responsive material. To compile this list, I searched my personal files and Internet sources. It is possible that there are trainings, panel discussions, or other speaking events that I am unable to recall.

November 17, 2021: Panelist, “Did You Really Just Say That? Recognizing and Managing Microaggressions,” CenterForce USA (virtual). I discussed the meaning of microaggressions, how to recognize them, and how to address them constructively. I have no notes, transcript, or recording. The address for CenterForce is 42 West Street, 2nd Floor, Brooklyn, New York 11222.

February 13, 2021: Moderator, “The Zoom in Arbitration: Practitioners Focus on Virtual ADR,” CPR International Institute for Conflict, Prevention & Resolution (virtual). I moderated a panel discussion regarding how to navigate holding arbitration hearings and mediations via video-conferencing in light of the COVID pandemic. I have no notes, transcript, or recording, but press coverage is supplied. The address for CPR is 30 East 33rd Street, 6th Floor, New York, New York 10016.

February 7, 2021: Speaker, Kentucky United Nations Assembly, The Kentucky Y.M.C.A. (virtual). I gave remarks to students participating in the Y.M.C.A. Kentucky United Nations Assembly mock International Court of Justice oral argument program about working as a litigation lawyer and providing oral argument tips. I have no notes, transcript, or recording. The address for the Kentucky Y.M.C.A. is 91 C. Michael Davenport Boulevard, Frankfort, Kentucky 40601.

November 24, 2020: Speaker, “Leveraging Discovery in International Arbitration: Managing Potentials and Perils,” The Knowledge Group (virtual). PowerPoint supplied.

November 11, 2020: Panelist, “International Attorney-Client Privilege and Ethics,” International Bar Association (virtual). PowerPoint supplied.

October 22, 2020: Panelist, Fireside chat with past Woman of the Year awardees, the Women’s Bar Association of Washington, D.C. (virtual). The panel discussed a number of topics relating to women in the profession. I have no notes, transcript, or recording. The address of the WBA-D.C. is 2020 Pennsylvania Ave, Northwest, Suite 446, Washington, D.C. 20006.

October 1, 2020: Speaker, “Multinational Professional Privilege and Ethics,” Association of Corporate Counsel National Capital Region (virtual). PowerPoint supplied. Limited excerpt available at <https://www.youtube.com/watch?v=fJtYXlgo51Y>.

September 2, 2020: Panelist, “Enforcing U.S. Judgments Outside the U.S.:

International Asset Location and Recovery,” Strafford Publications (virtual). PowerPoint supplied.

August 5, 2020: Harvard Law Review Orientation, Harvard Law School (virtual). The panel of Law Review alumni discussed their experiences as editors. I have no notes, transcript, or recording. The address of the Harvard Law Review is 1511 Massachusetts Avenue, Cambridge, Massachusetts 02138.

July 14, 2020: Speaker, “International Arbitration: Practical Tips and Best Strategies,” Knowledge Group (virtual). PowerPoint supplied.

April – May 2020: Co-facilitator, Y.M.C.A. C.A.R.E. program, Kentucky Y.M.C.A. (virtual). C.A.R.E. stands for Connect, Advocate, Reflect, and Engage, and was a virtual retreat program for middle and high school students during COVID. It comprised four weekly sessions, two hours each, which included interactive activities, journal sessions, and group discussions. The program was created primarily to help students connect with others in light of virtual schooling. I co-facilitated the program with a college student for a group of about 10 high school students. I have no notes, transcript, or recording. The address for the Kentucky Y.M.C.A. is 91 C. Michael Davenport Boulevard, Frankfort, Kentucky 40601.

January 30, 2020: Moderator, “Hot Topics in Alternative Dispute Resolution,” International Institute for Conflict, Prevention & Resolution (virtual). This panel addressed emerging issues in arbitration and mediation in 2021, with a particular focus on conducting hearings virtually in light of COVID. I have no notes, transcript, or recording. The address for CPR is 30 East 33rd Street, 6th Floor, New York, New York 10016.

November 2019: Speaker, Kentucky Youth Assembly, Kentucky Y.M.C.A., Louisville, Kentucky. I gave remarks to students participating in the Y.M.C.A. Kentucky Youth Assembly’s mock oral argument program about working as a litigation lawyer and providing oral argument tips. I then worked with individual teams to provide advice on their particular arguments. I have no notes, transcript, or recording. The address for the Kentucky Y.M.C.A. is 91 C. Michael Davenport Boulevard, Frankfort, Kentucky 40601.

March 25, 2019: Speaker, Kentucky United Nations Assembly mock International Court of Justice, Kentucky Y.M.C.A., Louisville, Kentucky. I gave remarks to students participating in the Y.M.C.A. Kentucky United Nations Assembly mock International Court of Justice oral argument program about working as a litigation lawyer and providing oral argument tips. The Kentucky Y.M.C.A., which was held in Louisville, Kentucky. I have no notes, transcript, or recording. The address for the Kentucky Y.M.C.A. is 91 C. Michael Davenport Boulevard, Frankfort, Kentucky 40601.

September 24, 2017: Panelist, “XVI International Arbitration Conference: Due process of law in arbitration,” Comitê Brasileiro de Arbitragem, São Paulo, Brazil. The panel addressed the circumstances under which courts have invalidated arbitration decisions because of due process violations. I have no notes, transcript, or recording. The address for the CBAr is Street Cristiano Viana, 401, cj 1310.

May 17, 2017: Speaker, “Woman Lawyer of the Year acceptance speech,” Women’s Bar Association of D.C., Washington, D.C. Speech supplied.

April 26, 2017: Panelist, “The Intersection of State Immunity, Diplomatic Immunity, and Claims Against Foreign State Sponsors of Terrorism,” ABA Section on International Law, Washington, D.C. PowerPoint supplied.

March 2, 2017: Panelist, “Revisiting the Relationship Between Outside Counsel and In-house Corporate Counsel,” Harvard Law School Hispanic Alumni Association, Cambridge, Massachusetts. Video available at <https://hls.harvard.edu/cla-2017-revisiting-the-relationship-between-outside-counsel-and-in-house-counsel>.

September 18, 2016: Panelist, “Modern Litigation Issues Facing Corporate Counsels,” International Bar Association, Washington, D.C. The panel discussed litigation costs and how corporate counsel work with outside counsel to manage those costs; it included a discussion of litigation funding. I have no notes, transcript, or recording. The address for the North America office of the IBA is 1667 K Street, Northwest, Suite 1230, Washington, D.C. 20006.

September 8, 2016: Panelist, “Keys to Successful Crisis Management: Leading Your Organization Through Crisis with the Use of Rapid Response Leadership Principles and Technology,” Hispanic National Bar Association, Chicago, Illinois. PowerPoint supplied.

July 21, 2016: Speaker. I introduced Justice Elena Kagan at a Question and Answer event sponsored by the Harvard Law School Women’s Alliance and Williams & Connolly, Washington, D.C. I have no notes, transcript, or recording. The web address for the HLSWA-D.C. is <https://orgs.law.harvard.edu/wla/alumnae/hls-womens-alliance/>.

February 16, 2016: Panelist for panel sponsored by the George Washington University School of Law, Center for Law, Economics & Finances, Washington, D.C. As best as I can recall, the panel discussed the economic considerations in bringing litigation and included a discussion of the use of experts. I have no notes, transcript, or recording. The address for the Center is 2000 H Street, Northwest, Washington, D.C. 20052.

October 28, 2015: Panelist, “Female Advocates in International Law,” Harvard

Law School Women's Alliance of Washington, D.C. sponsored this event, which was held in Washington, D.C. I have no notes, transcript, or recording. The web address for the HLSWA-D.C. is <https://orgs.law.harvard.edu/wla/alumnae/hls-womens-alliance/>.

October 8, 2015: Speaker, Atherton High School Hall of Fame Induction Ceremony, Atherton Alumni Association, Louisville, Kentucky. I gave a short speech when inducted to my high school's Hall of Fame. I have no notes, transcript, or recording. The web address for the AAA is <http://www.athertonalumni.com>.

June 1, 2015: Panelist, "International Law: Reducing Costs and Increasing Efficiency." America Legal Media. I do not have a specific recollection of this panel's location, but believe it was held in Washington, D.C. PowerPoint supplied.

April 10, 2015: Panelist, "Diversity & Inclusion," Kentucky Bar Association, Louisville, Kentucky. As best as I can recall, the panel discussed how to improve hiring and retention of diverse attorneys. I have no notes, transcript, or recording. The address for the Kentucky Bar Association is 514 West Main Street, Frankfort, Kentucky 40601.

November 2014: Moderated a panel at the ALM U.S. Latin America Legal Summit sponsored by the Ackerman law firm, Miami, Florida. As best as I can recall, I moderated a panel with my law firm partner Jonathan Landy concerning enforcing judgments in Latin America, dispute resolution clauses, and confidentiality in multi-national contracts. I have no notes, transcript, or recording. The address for Ackerman in Miami is Three Brickell City Centre, 98 Southeast Seventh Street, Suite 1100, Miami, Florida 33131

September 2014: Panelist for panel sponsored by the Hispanic National Bar Association concerning e-discovery, Washington, D.C. As best as I can recall, the panel discussed how to collect e-discovery and how to lower its costs. I have no notes, transcript, or recording. The address for the Hispanic National Bar Association is 2020 Pennsylvania Avenue Northwest, Suite 279, Washington, D.C. 20006.

March 14, 2013: Panelist, "Ethical Pitfalls for In-house Counsel," Hispanic National Bar Association, Atlanta, Georgia. I participated in a panel of in-house and outside counsel to discuss ethical issues facing in-house counsel and how outside counsel can help spot those issues. I have no notes, transcript, or recording. The address for the Hispanic National Bar Association is 2020 Pennsylvania Avenue Northwest, Suite 279, Washington, D.C. 20006.

- 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) Copy of the clips or transcripts of these interviews where they are available to you.

In November 2020, I reunited with my first-grade teacher to thank her for teaching me English on her own time. She and I were asked to give a number of interviews regarding the reunion. The Washington Post, Kentucky Teacher, and, among other publications, the ABA Journal all published stories on our reunion. Copies of those articles are supplied.

Video interviews available at:

<https://www.youtube.com/watch?v=2KzPzSwhJHw>

<https://www.goodmorningamerica.com/living/video/woman-tracks-1st-grade-teacher-40-years-ago-75112441>

<https://www.goodmorningamerica.com/living/video/saturday-spirit-reunion-retired-teacher-student-75295232>

I have also occasionally made statements to the press, primarily about my cases and professional career. The following list reflects my best effort to identify responsive material. To compile this list, I searched my personal files and Internet sources. It is possible that there are other instances in which I have made a statement to a reporter about a litigation matter, but cannot recall. The ones I recall are listed below:

Greg Stohr & Kimberly Strawbridge Robinson, *Jackson's Breadth Would Set Her Apart on Supreme Court*, Bloomberg (Feb. 25, 2022) (update of Mar. 25, 2021 article). Copy supplied.

Court Strikes Down Trump Administration Policy Barring Refugees from Asylum, State News Service (Aug. 2, 2019). Copy supplied

Immigration Trailblazer, Nat'l L. J. (2018). Copy supplied.

Winning Litigator, Nat'l L. J. (Sept. 2018). Copy supplied.

Danny Ramos, *U.S. Jury Finds Ex-Bolivia Leader Responsible for Civilian Deaths*, Thomson Reuters (Apr. 3, 2018). Copy supplied.

Minority Powerbrokers Q&A, Law360 (Jan. 23, 2015). Copy supplied.

Zachary Fagenson, *U.S. Judge Rules Lawsuit Against Ex-Bolivian President Can Move Forward*, Thomson Reuters (May 21, 2014). Copy supplied.

"Minority 40 Under 40 (Nationwide)," Nat'l L. J. (Oct. 31, 2011). Copy supplied.

Carlos Valdez, *Ex-military Chiefs Convicted for Bolivia Crackdown*, The Assoc.

Press (Aug. 30, 2011). Copy supplied (reprinted in multiple outlets).

CHAMPIONS: These Lawyers Have Upheld the Profession's Core Values of Public Duty and Client Service, Building Pro Bono Practices, Taking on Community Causes, Holding Public Service Positions and Fighting to Expand Liberties and Protect Civil Rights, Legal Times (Online) (June 1, 2009). Copy supplied.

Exiled Bolivian President Tried in Absentia, Assoc. Press (May 19, 2009). Copy supplied (reprinted in multiple outlets).

Mark Hamblett, *Circuit Rebukes Immigration Board on Mutilation Ruling*, N.Y.L.J. (June 12, 2008). Copy supplied.

Alan Feuer, *Court Rejects Decisions of Immigration Board*, N.Y. Times (June 12, 2008). Copy supplied (reprinted in multiple outlets).

Carol Ness, *2 Peas at odds: Campaigners Are Much Alike but On Opposing Sides of Affirmative Action*, S.F. Examiner (Sept. 15, 1996). Copy supplied (reprinted in multiple outlets).

Brian Alcon, *Students Drawn to Fight Rights Initiative They Want to Protect Affirmative Action*, Contra Costa, (June 6, 1996). 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 Copy 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 Copy 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.

In 1996, I worked on the Stop Prop 209 Campaign in California. My work included coordinating volunteer activities in Los Angeles and San Francisco.

In 2020, I volunteered for President Joseph Biden's presidential campaign, providing limited legal assistance regarding potential election law issues.

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

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

- 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 2000 to 2001 I clerked for Judge Amalya Kearse of the United States Court of Appeals for the Second Circuit.

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

I have never 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;

Summer 1999, 2001 – present
Williams & Connolly LLP
725 12th Street, Northwest
Washington, DC 20005
Partner (2009 – present)
Member of the Executive Committee (2017 – 2020)
Associate (2001 – 2008)
Summer Associate (Summer 1999)

- 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.

b. Describe:

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

I am a Co-chair of Williams & Connolly's International Disputes practice group and a recent member of its Executive Committee (2017 to 2020). I focus my practice on complex litigation and international arbitration. I have handled matters involving foreign governments, foreign officials, multinational corporations, international organizations, and individual clients, representing clients throughout the world. I have extensive experience in federal trial and appellate court litigation, having handled matters through pleading stages, discovery, jury and bench trials, and appeals. This work has included, *inter alia*, drafting and filing complaints and answers; briefing and arguing dispositive motions; briefing and arguing preliminary injunction motions; conducting written discovery; taking and defending fact and expert depositions; arguing *Daubert* motions and motions *in limine*; handling all aspects of trial preparation and trial, including participating in voir dire, examining and cross-examining witnesses, handling evidentiary objections and arguing jury instructions; briefing and arguing appeals; and participating in mediation and settlement conferences. I have also handled domestic and international arbitrations from start to finish. Along with my admissions to bars of the United States (Kentucky, New York, and Washington, DC), I am listed on the Roll of Solicitors in England and Wales.

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

In over twenty years of practice as a general practitioner, I have

represented a wide range of clients. For my international work, I have represented foreign governments, foreign government officials, and multinational companies; for my professional malpractice work, I have represented law firms and accounting firms; for my products liability work, I have represented pharmaceutical clients; for recent patent work, I have represented a biosimilar drug maker and a device company; for my *pro bono* work, I have represented primarily refugees and organizations that assist refugees. Because Williams & Connolly is a generalist litigation firm, I have also represented numerous other types of clients that cannot be easily categorized.

- 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.

More than 98 percent of my practice has been devoted to litigation.

There have been some rare instances in which I have done investigatory or advisory work for clients outside of litigation.

I regularly appear in court; however, the frequency of appearances depends on my particular case load in a given year. The frequency drops when I am focused on arbitration matters and increases as a court case nears trial. The frequency has also naturally increased as I have become a more senior litigator.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|--------------------|
| 1. federal courts: | 70% |
| 2. state courts of record: | 10% |
| 3. other courts: | 20% (arbitrations) |
| 4. administrative agencies: | 0% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 98% |
| 2. criminal proceedings: | 2% |

- 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.

Including arbitrations and cases where judgment was obtained, I have tried 10 cases to verdict, judgment or final decision (not including any settlements). Of those, 4 cases were arbitration hearings, 2 jury trials, 1 bench trial, and 3 evidentiary hearings before an administrative law judge. In each case, I have served as a member of the trial or arbitration hearing team, and have been lead or co-lead counsel in 4 cases.

- i. What percentage of these trials were:
1. jury: 20%
 2. non-jury: 80%

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

I am a member of the U.S. Supreme Court Bar, and have a limited practice before the Supreme Court. I have been co-counsel on petitions for certiorari and lead or co-counsel on *amici* briefs regarding refugee law, and one amicus brief regarding violence against LGBTQ+ individuals. I have not appeared myself or as co-counsel at any oral argument before the Supreme Court.

The list of cases and pleadings on which I am listed as counsel is below:

New York State Rifle & Pistol Association, Inc., Robert Nash, Brandon Koch v. Kevin P. Bruen, in His Official Capacity as Justice of the New York Supreme Court, Third Judicial District, and Licensing Officer for Rensselaer County, No. 20-846 (2021) (brief of Lambda Legal Defense and Education Fund, Inc., New York City Gay and Lesbian Anti-violence Project, Pride Fund to End Gun Violence, Gays Against Guns, National LGBTQ Task Force, Equality California, Equality Florida, and Equality New York Fund as amici curiae, 2021 WL 4353022).

Chad F. Wolf, Acting Secretary of Homeland Security, et al. v. Innovation Law Lab, et al., No. 19-1212, (2021) (brief of the United Nations High Commissioner for Refugees as amicus curiae, 2021 WL 294293).

Gonzalo Sanchez De Lozada Sanchez Bustamante, et al. v. Eloy Rojas Mamani, et al., No. 16-733 (2016) (brief in support of certiorari, 2016 WL 7097641) (cert. denied).

Jennings et al. v. Rodriguez et al., No. 15-1204 (2016) (brief of the United Nations High Commissioner for Refugees as amicus curiae, 2016 WL 6276884).

Joel Judulang v. Eric H. Holder, Jr., No. 10-694 (2011) (brief for former Immigration Officials as amici curiae, 2011 WL 2741333).

Balmoris Alexander Contreras-Martinez v. Eric H. Holder, Jr., Attorney General, No. 09-830 (2010) (reply brief in support of certiorari, 2010 WL 1698046) (petition for a writ of certiorari, 2010 WL 128010) (cert. denied).

Alexandre Aronov v. Janet Napolitano, Secretary of Homeland Security, et al.,

No. 09-325 (2010) (reply brief in support of certiorari, 2009 WL 5166798)
(petition for a writ of certiorari, 2010 WL 1250496) (cert. denied).

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. *RREEF Infrastructure (G.P.) Limited et al. v. Kingdom of Spain*, Civ. No. 19-3783 (D.D.C. 2019) (Judge Carl J. Nichols); *InfraRed Env't Infrastructure GP Ltd. v. Spain*, Civ. No. 20-8176 (D.D.C. 2020) (Judge John D. Bates); *Cube Infrastructure Fund SICAV, et al. v. Kingdom of Spain*, Civ. No. 20-cv-1708 (D.D.C. 2020) (Judge Emmet G. Sullivan); *Hydro Energy I, S.A.R.L. et al. v. Kingdom of Spain*, Civ. No. 21-2453 (D.D.C. 2021) (Judge Royce C. Lamberth); *AES Solar Energy Cooperatief et al. v. Kingdom of Spain*, Civ. No. 21- 3249 (D.D.C. 2021) (Judge Richard J. Leon).

Since 2019, I have served as lead counsel for the Kingdom of Spain in five similar litigations concerning the enforceability of arbitral awards related to economic incentives for renewable energy projects. The cases present complex issues of public international law, including whether Member States in the European Union can participate in international arbitration under multilateral investment treaties. As lead counsel, I have been responsible for devising case strategy; and drafting and filing the motions to dismiss or, in the alternative, to stay. The motions have included both legal argument and expert declarations on questions of international law. The legal issues presented will likely have precedential effect in several parallel enforcement actions; the total exposure across pending and expected enforcement actions exceeds \$1 billion. Two cases (*RREEF*, *InfraRed*) are currently stayed pending further proceedings in Spain and three (*Cube*, *Hydro*, and *AES*) are in the initial pleadings stage.

Opposing counsel:

Matthew D. McGill
Gibson Dunn
1050 Connecticut Avenue, Northwest,
Washington, DC 20036
(202) 887-3680

2. *Jones Day v. Orrick, Herrington & Sutcliffe LLP*, 20 CA 004980 2 (D.C. Super. Ct.) (Judge Alfred S. Irving, Jr.); *Jones Day v. Orrick, Herrington & Sutcliffe LLP, et al.*, 4:21-mc-80181-JST, 2021 WL 4069753 (N.D. Cal. 2021) (Judge John S. Tigar), *currently pending on appeal*, 9th Cir. No. 21-16642 (Judges Wardlaw, Ikuta, and Bade)

Since 2020, I have represented Orrick, Herrington & Sutcliffe and some of its individual partners in related matters seeking to dismiss or quash attempts by Jones Day to enforce third-party arbitration subpoenas under the Federal Arbitration Act (FAA). Jones Day sought third-party evidence and testimony from Orrick and its partners in connection with an arbitration brought by Jones Day against one of its former partners. Jones Day first tried to enforce the subpoenas in Washington, DC Superior Court, but that court dismissed the action for lack of personal jurisdiction. Jones Day then filed a new action in the U.S. District Court for the Northern District of California. The court denied Jones Day's request to enforce the arbitral subpoena, holding that the subpoena was not enforceable under the FAA. Jones Day appealed the decision to the Ninth Circuit, where the case is currently pending. My role on the case has involved coordinating the strategy and drafting on each of our motions and aiding with the briefing in the Ninth Circuit.

Opposing counsel:

Craig E. Stewart
Jones Day
555 California Street, 26th Floor
San Francisco, CA 94104
(415) 626-3939

3. *Apotex Corp. v. Hospira Healthcare India Private Limited*, No. 1:18-cv-04903 (S.D.N.Y.) (Judge Jesse M. Furman), *aff'd*, 827 F. App'x 149 (2d Cir. 2020); *Apotex Corp. v. Hospira Healthcare India Private Limited & Hospira, Inc.*, Index No. 653460/2020, 2021 WL 4325677 (N.Y. Sup. Ct. 2021) (Judge Andrew Borrok).

Since 2018, I have served as lead counsel on behalf of Hospira Inc. and related entities in a breach of contract case brought by Apotex Corp. in the Southern District of New York. Apotex sought over \$300 million in damages, asserting, among other things, that Hospira monopolized the U.S. market for cefepime, a type of cephalosporin antibiotic, and attempted to monopolize the U.S. market for other drugs. As lead counsel, I have been responsible for devising case strategy; assisting in drafting all pleadings and motions; arguing discovery motions; and leading international discovery, including taking and defending fact depositions in Australia, Canada, England, India, and the United States. The federal trial court dismissed the suit and later, on October 26, 2020, the U.S. Court of Appeals for the Second Circuit affirmed. Despite the federal court rulings, in August 2020, Apotex filed a 19-count complaint in New York Supreme Court reasserting the same tort claims and accompanying damages theories. In September 2021, the state trial court granted Hospira's motion to dismiss the tort claims as barred by *res judicata* and

limited Apotex's recoverable damages on the remaining contract and unfair trade practices claims. With these rulings, the dispute and scope of damages have been narrowed to a few state law contract claims. The case remains pending and is in active discovery.

Opposing Counsel:

James W. Matthews
Foley & Lardner LLP
111 Huntington Avenue, Suite 2500
Boston, MA 02199
(617) 342-4000

David B. Goroff
Foley & Lardner LLP
321 North Clark Street, Suite 2800
Chicago, IL 60654
(312) 832-5160

Sara P. Madavo
Foley & Lardner LLP
90 Park Avenue
New York, NY 10016
(212) 338-3626

4. *O.A. v. Trump*, 1:18-cv-02719-RDM, 410 F.Supp.3d 194 (D.D.C. 2019) (Judge Randolph D. Moss); *held in abeyance*, 19-5272 (D.C. Cir.).

From 2018 to 2019, I was lead counsel, *pro bono*, for nine asylum seekers, including three children, who challenged a new regulation barring refugees crossing between ports of entry from seeking asylum. As lead counsel, I have been responsible for devising case strategy; the drafting and filing of the complaint and preliminary injunction motion; and arguing the dispositive motion. In August 2019, the D.D.C. held that the regulation violated the Immigration and Nationality Act. Judge Moss's opinion is currently stayed on appeal to the D.C. Circuit.

Co-counsel:

Hardy Vieux
KIND
1201 L Street, Northwest
Floor 2
Washington, DC 20005
(202) 547-5692

Eleni Rebecca Bakst

Anwen Hughes
Human Rights First
75 Broad Street
31st Floor
New York, NY 10004
(212) 845-5200

Charles George Roth
Keren Hart Zwick
Gianna Borroto
Ruben Loyo
National Immigrant Justice Center
208 South LaSalle Street
Suite 1300
Chicago, IL 60604
(312) 660-1370

Opposing counsel:

Erez Reuveni
U.S. Department of Justice
Civil Division, Office of Immigration Litigation
P.O. Box 868
Ben Franklin Station
Washington, DC 20044
(202) 307-4293

5. *Otto Candies, LLC, et al. v. KPMG LLP, et al.*, Case No. N16C-02-260 PRW (Del. Sup. Ct. 2016) (Judge Paul R. Wallace); *Otto Candies, LLC, et al. v. KPMG LLP, et al.*, C.A. No. 2018-0435-MTZ, 2019 WL 994050 (Chan. Feb. 28, 2019) (Vice Chancellor Morgan T. Zurn).

From 2016 to 2020, I served as lead counsel on behalf of KPMG International in a breach of fraudulent misrepresentation case brought by Otto Candies, LLC and other former clients of KPMG Mexico. As lead counsel, I have been responsible for devising case strategy; preparing and arguing a motion to dismiss in the two Delaware courts, arguing discovery motions, leading discovery, and coordinating the filing of an expert report on matters of Mexican law. Plaintiffs originally filed in the superior court of Delaware, but that court dismissed for lack of subject-matter jurisdiction. Plaintiffs then re-filed the case in the Court of Chancery. They sought a recovery of \$1.1 billion in losses allegedly suffered by creditors as a result of the collapse of an oil and gas company located in Mexico. In early 2019, the Court of Chancery granted our motion to dismiss for lack of personal jurisdiction and failure to state a claim. Plaintiffs did not appeal the decision as to KPMG International or KPMG Mexico.

Co-counsel:

Timothy Housel
William E. Gamgort
Young Conaway Stargatt & Taylor, LLP
Rodney Square, 1000 North King Street
Wilmington, DE 19801
(302) 576-3267
Local counsel on behalf of KPMG International

Todd C. Schiltz
Drinker Biddle & Reath LLP
222 Delaware Avenue, Suite 1410
Wilmington, DE 19801
(302) 467-4200

Robert A. Scher
Jonathan H. Friedman
Foley & Lardner LLP
90 Park Avenue
New York, NY 10016
(212) 682-7474

Christopher M. Cutler
Foley & Lardner LLP
3000 K Street, Northwest
Suite 600
Washington, DC 20007
(202) 672-5300
On behalf of KPMG LLP

Kevin R. Shannon
Matthew F. Davis
Christopher N. Kelly
Potter, Anderson, Corroon LLP
1313 North Market Street
Hercules Plaza, 6th Floor
Wilmington, DE 19899
(302) 984-6000

Jack B. Jacobs
Sidley Austin
1201 North Market Street, Suite 1402
Wilmington, DE 19801
(302) 654-1814
On behalf of KPMG Cárdenas Dosal, S.C.

Opposing counsel:

Terry L. Wit
Quinn Emanuel Urquhart & Sullivan, LLP
50 California Street
22nd Floor
San Francisco, CA 94111
(415) 875-6331

6. Representation of the non-profit group Unlikely Heroes, on behalf of four Nigerian girls who sought Humanitarian Parole and Asylum.

On the night of April 14, 2014, a group of militant terrorists attacked the Government Girls Secondary School in Chibok, Nigeria. They broke into the school pretending to be guards, kidnapped over two hundred girls at gunpoint, burned down the school, and then fled with the girls deep into forests in Nigeria. A handful of girls managed to escape from the forest, making it back to their families after days of difficult travel, largely on foot. They were still not safe, however, as Boko Haram tried to track them down and they were forced into hiding.

Unlikely Heroes is a non-profit that provides safe homes and restoration services for victims of human trafficking worldwide. Shortly after the attack, Unlikely Heroes reached out to me to assist in getting the girls legally to the United States. I worked *pro bono* to obtain humanitarian parole visas for the girls, so that they could do so. I then led a team of lawyers that prepared an I-589 asylum application for each girl, helped prepare each girl for her asylum interview, and represented all of the girls in a follow-up interview. Each girl was granted asylum in 2018, which has allowed them to continue their educations safely here in the United States.

7. *S.A.C.E. v. The Republic of Paraguay*, 1:15-cv-1042-KBJ, 243 F. Supp. 3d 21 (D.D.C. 2017) (Judge Ketanji Brown Jackson).

From 2016 to 2017, I was lead counsel representing the Republic of Paraguay in enforcement proceedings brought by an Italian company in 2016 to enforce Swiss judgments. As lead counsel, I was responsible for devising case strategy, and drafting and arguing the motion to dismiss, which included review of extensive documentation and analysis of foreign judgments given the nature of the claim and motion. The Court granted our motion to dismiss, holding that Paraguay's foreign consul did not have authority to waive Paraguay's sovereign immunity when he fraudulently executed guarantees pledging that Paraguay would repay loans to companies he owned in the event of a default. Plaintiff did not appeal the decision.

Opposing counsel:

Jonathan James Gimblett
Covington & Burling
One CityCenter

850 Tenth Street, Northwest
Washington, DC 20001
(202) 662-5457

8. *Venco v. Symbion*, ICC Case No. 16383/VRO (Arbitration Panel: Henri C. Alvarez (President), Peter Goldsmith, Eric A. Schwartz). The Award is available publicly at: <https://jusmundi.com/en/document/decision/en-the-louis-berger-group-inc-black-veatch-special-projects-corp-joint-venture-vs-symbion-power-llc-final-award-wednesday-24th-october-2012>.

From 2009 to 2012, I was co-lead counsel representing Symbion Inc. in a breach of contract case filed in the International Chamber of Commerce, Court of Arbitration (ICC). The suit arose out of a fast-track USAID construction project for an electric power plant near Kabul, Afghanistan. The prime contractor, a joint venture of Louis Berger Group and Black & Veatch, subcontracted all the work to Symbion. After the project was mostly completed, LBG/B&V refused to pay Symbion's invoices, and Symbion terminated the contract. LBG/B&V then launched the arbitration, claiming \$40 million in damages. My role on the case involved devising case strategy; drafting the arbitration response and all other pleadings; leading international discovery; briefing and arguing discovery disputes; preparing and examining witnesses; cross-examining witnesses; and aiding with the preparing of the opening statement and closing argument. After hearings in Paris, New York, and Washington, DC, in 2012, the Tribunal issued an award rejecting LBG/B&V's \$40 million claim in its entirety. It then found in favor of Symbion's core counterclaims, awarding us damages and attorneys' fees of \$8 million.

Co-counsel:

Peter M. D'Ambrosio
Womble Carlyle Sandridge & Rice LLP
2001 K Street, Northwest
Suite 400 South
Washington, DC 20006
(202) 467-9600

Opposing counsel:

Roger ter Haar Q.C.
Crown Office Chambers
Crown Office Chambers
2 Crown Office Row
Temple
London
EC4Y 7HJ
44 (0)20 7797 8100

Timothy E. Hefferen

Watt, Tieder, Hoffar & Fitzgerald, LLP
1765 Greensboro Station Pl.
Suite 1000
McLean, VA 22102
(703) 749-1000

9. *Chemical Overseas Holdings, Inc., et al. v. Republica Oriental del Uruguay, et al.*, Case No. 13911/CCO (Arbitration Panel: Gerald Asken, Julian D.M. Lew (President), Horarcio A. Grigera Náon). A copy of the Award is supplied. It is publicly available in courts in Uruguay.

From 2005 to 2013, I represented the Republic of Uruguay and its Central Bank in an ICC arbitration against three multi-national banks concerning a failed Uruguayan banking institution. My role on the case involved devising case strategy; drafting the arbitration response and all other pleadings; conducting international discovery, including interviewing witnesses in Uruguay and Argentina; preparing and examining witnesses; cross-examining witnesses; and aiding with preparing the opening statement and closing argument. After a merits hearing and award on behalf of the banks, I negotiated a settlement between the parties. The agreement created a trust to settle all pending litigation brought by customers of the failed bank.

Opposing counsel:

Louis B. Kimmelman
1348 Lexington Avenue
New York, NY 10128
(917) 254-7869

Henry Weisberg
John Roesser
Shearman & Sterling LLP
599 Lexington Avenue
New York, NY 10022
(212) 848-4000

10. *Vellone v. First Union Brokerage Services, Inc., et al.*, Case No. PJM-00-159 (D. Md.) (Judge Peter J. Messitte)

From 2003 to 2005, I represented Ms. Vellone, a 92-year-old widow, in a jury trial against Mr. and Ms. Whatley, Kids in His Care Christian Day Care Center, Inc., and Sapphire Ministries Inc. The claims arose from a widespread conspiracy between 1997 and 1999 to defraud Ms. Vellone and her husband, Mr. Vellone, of their life savings of over \$3.5 Million. At the time of the events at issue Mr. Vellone, then in his mid-eighties, was dying of Alzheimer's disease. The evidence at the jury trial demonstrated that the vast majority of the Vellones' funds at issue were funneled through KIHC and Sapphire Ministries, but expended for the personal benefit of the Whatleys. My role on

the case involved preparing the case for trial; examining trial witnesses; arguing evidentiary disputes; and arguing jury instructions. In September 2003, the jury returned a verdict in favor of Mrs. Vellone on claims of fraud, unjust enrichment and conversion.

Co-counsel:

Stephen Hughes
Michael Barranco
Pope & Hughes
29 West Susquehanna Avenue, #110
Towson, MD 21204
(410) 494-7777
On behalf of First Union Bank

Opposing counsel:

Kurt Berlin
Jeffrey Tuckfelt
O'Bergh & Berlin
1424 K Street, Northwest
Suite 300
Washington, DC 20005
(202) 347-3520

Andrew White
Silverman Thompson
400 E Pratt St Suite 900
Baltimore, MD 21201
(410) 385-2225

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.)

In September 2021, Chief Judge Beryl A. Howell, on behalf of the judges of the U.S. District Court for the District of Columbia, asked me to serve as the Chair of the Magistrate Judge Merit Selection Panel. The court charged the Panel with recommending to the court for consideration five individuals to fill an open position for a U.S. Magistrate Judge. Its work included discussion with the current Magistrate Judges, agreeing upon the general process and interview procedures, interviewing candidates, checking references, reviewing writing samples, meeting to narrow the list of applicants

to five candidates, and drafting a final report. The Panel then timely submitted its Report and Recommendations to Chief Judge Howell on January 23, 2022.

Throughout my career, I have taken a number of leadership roles at Williams & Connolly LLP, including serving on its Executive Committee, Hiring Committee, and Pro Bono Committee and chairing its Diversity & Inclusion Committee. I have also mentored younger attorneys both formally and informally, including by advocating to clients that associates get stand-up opportunities and second-chairing numerous of their depositions and hearings. I also have spent considerable time writing for legal publications, primarily about international legal and attorney-client privilege issues, as well as teaching seminars for CLE credit.

I have not performed any lobbying activities or registered as a lobbyist.

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) Copy to the committee.

Yale Law School, Spring Semester 2018 & 2019, Advocacy in International Arbitration, Clinical Visiting Co-Lecturer. The course was a combination of lectures on key topics in international arbitration, presentations by guest lecturers (leading practitioners and arbitrators), and four interactive exercises in which students played the role of counsel, advising clients and litigating key aspects of hypothetical international arbitration disputes. Syllabus for 2019 to 2020 school year supplied.

Georgetown University Law School, Winter Semester 2017, Trial Practice – Experts, Co-Adjunct Professor of Law. The course was a combination of lectures on the law regarding the use of expert witnesses at trial, with a focus on the Federal Rules of Evidence, and included two interactive exercises in which students played the role of counsel deposing an expert witness and handling a mock *Daubert* hearing before Judge Mehta in the D.D.C. Syllabus supplied.

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.

Upon leaving Williams & Connolly LLP, I would be entitled to receive any contributions that I have made to the Firm's Capital Contribution Account, less any outstanding amounts owed to the firm for my Defined Benefit Plan and State Tax withholdings. Additionally, I would be eligible to receive my share of distributable, pro rata net profits from the day and month of my departure. The timing of these payments would be based on firm policy and relevant ethical rules.

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, Copy 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.

If confirmed, I would recuse myself from any matter handled by or involving Williams & Connolly LLP for a reasonable matter of time. I would continue to recuse myself until there were no longer any potential conflicts of interest or the appearance of any conflicts of interest. In cases involving former clients that could present potential conflicts of interest, I would promptly inform the parties and ascertain their positions. I would consult and follow 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, as well as any other applicable statutes, rules, or canons.

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

If a matter presents a potential conflict of interest, or creates the appearance of a potential conflict of interest, I would promptly inform the parties and ascertain their positions. I would consult and follow 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, as well as any other applicable statutes, rules, or canons.

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.

Since the start of my career, I have devoted more than 3,300 hours *pro bono* to representing groups and individuals covered by Canon 2 of the ABA Code of Professional Responsibility.

For almost two decades, I have devoted significant time to *pro bono* representation of asylum seekers. I have successfully represented girls fleeing genital mutilation in Ethiopia; a judge targeted for persecution in Egypt; activists fleeing political violence in Afghanistan, Burundi, and Cameroon; girls fleeing forced rape and marriage in Central America; and, among others, a woman fleeing forced marriage in Mali. My *pro bono* work has also included representation of refugee organizations, including the United Nations High Commissioner for Refugees, Human Rights First, and the Center for Gender & Refugee Studies ("Center"). In one matter, I served as counsel for the Center before the U.S. Court of Appeals for the Second Circuit in a case involving the applicability of asylum laws to claims concerning female genital mutilation. The Board of Immigration Appeals had held that because women had already faced the mutilation, they did not have a reasonable fear of further persecution. The court reversed the decision, and its opinion is available at 529 F.3d 99 (2d Cir. 2008).

I have engaged in other *pro bono* representations as well. This has involved working with the Maryland and Montgomery County public defenders' offices, including serving as lead defense counsel in a first-degree murder trial. I have also represented *pro bono* an individual in obtaining social security benefits, an organization defrauded by an employee, and an individual permanently disabled due to an organization's negligence.

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 February 15, 2021, I submitted a Judicial Candidate Questionnaire to Representative Eleanor Holmes Norton's D.C. Federal Law Enforcement Nominating Commission. I met with the Commission in March 2021, and Representative Norton separately in March 2021.

On December 20, 2021, I submitted another Judicial Candidate Questionnaire to Representative Eleanor Holmes Norton's D.C. Federal Law Enforcement Nominating Commission. I met with the Commission on January 13, 2022. On January 14, 2022, Representative Norton recommended my nomination to the White House. I met with officials from the White House Counsel's Office on January 18, 2022. Since that date, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On April 27, 2022, 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.