

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Julie Rikelman
Yulia G. Rikelman

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

United States Circuit Judge for the First Circuit

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.

Center for Reproductive Rights
199 Water Street, 22nd Floor
New York, New York 10038

Residence: Brookline, Massachusetts

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

1972; Kiev, Ukraine

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.

1994 – 1997, Harvard Law School; J.D. (*cum laude*), 1997

1989 – 1993, Harvard College; A.B. (*magna cum laude*), 1993

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, 2011 – present
Center for Reproductive Rights

199 Water Street, 22nd Floor
New York, New York 10038
U.S. Litigation Director (2012 – present)
Senior Staff Attorney (2011 – 2012)
Blackmun Fellow (1999 – 2001)

2006 – 2011
NBC Universal, Inc.
30 Rockefeller Plaza
New York, New York 10112
Vice President, Litigation (2011)
Senior Litigation Counsel (2008 – 2011)
Litigation Counsel (2006 – 2008)

2004 – 2006
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
Senior Associate

2001 – 2004
Feldman & Orlansky (now defunct)
500 L Street
Anchorage, Alaska 99501
Associate

1998 – 1999
United States Court of Appeals for the Third Circuit
402 East State Street
Trenton, New Jersey 08608
Law Clerk to the Honorable Morton I. Greenberg

1997 – 1998
Alaska Supreme Court
303 K Street
Anchorage, Alaska 99501
Law Clerk to the Honorable Dana A. Fabe

Summer 1996, Summer 1997
Debevoise & Plimpton LLP
919 Third Avenue
New York, New York 10022
Summer Associate

Summer 1995
United States Attorney's Office for the District of Massachusetts

One Courthouse Way, Suite 9200
Boston, Massachusetts 02210
Legal Intern

Fall 1994
(Business name and address unknown.)
Boston, Massachusetts
Standardized Test Instructor

Spring 1994
Kibbutz Geshet
D.N. Jordan Valley 1515700
Israel
Volunteer

1993 – 1994
Office of the Boston Mayor
One City Hall Square, Suite 500
Boston, Massachusetts 02201
Intern

Other affiliations (uncompensated):

2007 – 2009 (approximately)
City University of New York School of Law Foundation
Two Court Square West
Queens, New York 11101
Board of Directors, 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 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.

American Bar Foundation, Fellow (2021 – present)

American Association of Justice, Leonard Weinglass in Defense of Civil Liberties Award (2022)

Crain's New York, Notable Women in Law (2021)

Ford Foundation, Public Voices Fellow (2018)

National Law Journal, Pro Bono Award (2004)

Harvard Law School, graduated *cum laude* (1997)

Harvard College

Graduated *magna cum laude* (1993)

Phi Beta Kappa (1993)

Radcliffe College, Recognition for Contribution to Women's Issues (1993)

Commonwealth of Massachusetts, Commonwealth Scholar (1989 – 1990)

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.

Alaska Bar Association

Civil Rules Committee, Member (2003 – 2004)

American Bar Association

American Bar Foundation

Massachusetts Women's Bar Association

National Association of Women Lawyers

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, 1999

Alaska, 2002

Massachusetts, 2021

There have been no lapses in membership, although I retired from the Alaska bar in 2021, after being in inactive status since 2005.

- 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, 2009
United States Court of Appeals for the Fourth Circuit, 2001
United States Court of Appeals for the Fifth Circuit, 2011
United States Court of Appeals for the Seventh Circuit, 2007
United States Court of Appeals for the Ninth Circuit, 2014
United States District Court for the District of Alaska, 2003
United States District Court for the Eastern District of New York, 2006
United States District Court for the Southern District of New York, 2000

After the United States Court of Appeals for the Fifth Circuit began requiring periodic readmission to its bar, my membership occasionally lapsed because I did not seek readmission for years in which I had no active cases before that court. My membership in the bar of the United States District Court for the District of Alaska ended in 2021, when I retired from the Alaska bar. Otherwise, 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.

City University of New York School of Law Foundation
Board of Directors, Member (2007 – 2009 (approximately))

- 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 organization listed above does not currently discriminate and did not formerly 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.

Commentary: The disproportionate burdens of the mifepristone REMS, Contraception, Vol. 104, No. 1 (July 2021). Copy supplied.

Commentary: Another Texas Abortion Case Before the Supreme Court?, Austin Am.-Statesman (Nov. 23, 2018). Copy supplied.

Here's Why the Kavanaugh Nomination Matters—And His Confirmation Is Not Guaranteed, Salon (Sept. 5, 2018). Copy supplied.

If the Court Can't Force CPCs to Tell the Truth, It Can't Force Abortion Providers to Lie, Huffington Post (June 27, 2018). Copy supplied.

Symposium on NIFLA v. Becerra: The First Amendment Cannot Justify Lying to Women, SCOTUSblog (Dec. 13, 2017). Copy supplied.

Justifying Forcible DNA Testing Schemes Under the Special Needs Exception to the Fourth Amendment: A Dangerous Precedent, 59 Baylor L. Rev. 41 (2007). Copy supplied.

Reporter's Privilege—Recent Developments in Communications Law, 461 PLI/Pat 933 (2006). I am unable to locate a copy.

Book Review—Torture & Modernity: Self, Society, and State Torture in Modern Iran by Darius Rejali, 8 Harv. Hum. Rts. J. 305 (Spring 1995). 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.

The Constitutional Right to Reproductive Autonomy: Realizing the Promise of the 14th Amendment, Center for Reproductive Rights (2022). Along with a number of colleagues, I contributed to drafting portions of this report. Copy supplied.

Roe and Intersectional Liberty Doctrine, Center for Reproductive Rights (2018). I did not draft or edit this report, but I did review and provide comments on a draft to the report's author. Copy supplied.

- c. Supply four (4) copies of any testimony, official statements or other

communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

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.

The following list reflects my best efforts to identify the public speaking events in which I have participated, based on a review of my records and publicly-available information. There may, however, be other events I have been unable to recall or identify.

June 13, 2022: Panelist, Pro Bono Spotlight: Reproductive Rights, Arnold & Porter Kaye Scholer LLP (virtual). I spoke about arguing the *Jackson Women's Health* case before the U.S. Supreme Court. I have no notes, transcript, or recording. The address for Arnold & Porter Kaye Scholer LLP is 601 Massachusetts Avenue, Northwest, Washington, DC 20001.

May 25, 2022: Speaker, Question & Answer Session, IGNITE (virtual). I spoke about the *Jackson Women's Health* case and answered questions about my legal career. I have no notes, transcript, or recording. The address for IGNITE is 516 16th Street, Oakland, California 94612.

April 14, 2022: Speaker, *Dobbs v. Jackson Women's Health Organization*, Kansas Abortion Fund (virtual). I spoke about arguing the *Jackson Women's Health* case before the U.S. Supreme Court. I have no notes, transcript, or recording. The address for the Kansas Abortion Fund is P.O. Box 1093, Lawrence, Kansas 66044.

April 12, 2022: Speaker, Question & Answer Session, Boston College Law School, Newton, Massachusetts. I spoke to law students about the *Jackson Women's Health* case and answered questions about my legal career. I have no notes, transcript, or recording. The address for Boston College Law School is 885 Centre Street, Newton, Massachusetts 02459.

March 25, 2022: Speaker, Insights and Expectations: A Conversation with Julie Rikelman, Lead Counsel in *Dobbs v. Jackson Women's Health Organization*,

Northeastern University School of Law, Boston, Massachusetts. I spoke to law students about the *Jackson Women's Health* case and answered questions about my legal career. I have no notes, transcript, or recording. The address for the Northeastern University School of Law is 416 Huntington Avenue, Boston, Massachusetts 02115.

March 21, 2022: Panelist, The Future of *Roe* and the Right to Privacy: Reproductive Rights and the Courts, Annual Conference, National Family Planning & Reproductive Health Association (virtual). Notes supplied.

February 16, 2022: Speaker, Question & Answer Session, Northeastern University, Boston, Massachusetts. I spoke to undergraduate students about the *Jackson Women's Health* case and answered questions about my legal career. I have no notes, transcript, or recording. The address for Northeastern University is 360 Huntington Avenue, Boston, Massachusetts 02115.

February 16, 2022: Speaker, Question & Answer Session, University of Washington School of Law (virtual). Video supplied.

December 13, 2021: Panelist, Preserving *Roe* & The Rule of Law, American Bar Association—Civil Rights & Social Justice Section (virtual). Video available at <https://www.youtube.com/watch?v=JR9lynKJ1sg>.

November 17, 2021: Panelist, Analyzing Texas SB8 and Looking Ahead to *Dobbs*: A Roundtable Discussion on Reproductive Rights and Abortion Law, New York University School of Law (virtual). I spoke about the *Jackson Women's Health* case and legal challenges to Texas' SB8. I have no notes, transcript, or recording. The address for the New York University School of Law is 40 Washington Square South, New York, New York 10012.

October 22, 2021: Speaker, Julie Rikelman & The Future of Reproductive Rights in the United States, NAWLTalks (virtual). Audio available at <https://nawltalks.simplecast.com/episodes/julie-rikelman-the-future-of-reproductive-rights-justice-in-the-united-states>.

June 14, 2021: Speaker, UJA Women in Law: A Conversation with Julie Rikelman, UJA-Federation of New York (virtual). I spoke about my experience appearing before the U.S. Supreme Court and litigating reproductive rights issues. I have no notes, transcript, or recording. The address for the UJA-Federation of New York is 130 East 59th Street, Suite 912, New York, New York 10022.

March 9, 2021: Panelist, Question & Answer Session, Annual Conference, Abortion Care Network (virtual). The panel discussed the *June Medical* case. I have no notes, transcript, or recording. The address for the Abortion Care Network is 1300 I Street, Northwest, Suite 400E, Washington, DC 20005.

February 11, 2021: Speaker, The Future of Reproductive Rights Litigation: A Conversation with Julie Rikelman, Harvard Law School Alliance for Reproductive Justice (virtual). Notes supplied.

October 20, 2020: Speaker, Defending Reproductive Rights in the Trump Era and the Meaning of *June Medical Services v. Russo*, Yale Law School (virtual). I spoke about the *June Medical* case and litigation following it. I have no notes, transcript, or recording. The address for Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

September 30, 2020: Speaker, Constitutional Law Course, Drexel University Thomas R. Kline School of Law (virtual). I spoke to law students about litigating the *June Medical* case. I have no notes, transcript, or recording. The address for the Drexel University Thomas R. Kline School of Law is 3320 Market Street, Philadelphia, Pennsylvania 19104.

August 5, 2020: Speaker, Reflections from the Supreme Court: Arguing *June Medical Services v. Russo*, National Association of Women Lawyers (virtual). I spoke about preparing for and arguing a U.S. Supreme Court case for the first time. I have no notes, transcript, or recording. The address for the National Association of Women Lawyers is 321 North Clark Street, Chicago, Illinois 60654.

July 16, 2020: Panelist, Reproductive Rights in 2020: *June Medical Services v. Russo* and Covid-19, Harvard Law School Petrie Flom Center (virtual). Video available at <https://petrieflom.law.harvard.edu/events/details/reproductive-rights-in-2020#videos>.

April 16, 2020: Speaker, Constitutional Law Course, Boston College Law School (virtual). I spoke about my experience litigating the *June Medical* case and arguing before the U.S. Supreme Court for the first time. I have no notes, transcript, or recording. The address for Boston College Law School is 885 Centre Street, Newton, Massachusetts 02459.

February 13, 2020: Speaker, Question & Answer Session, University of Washington School of Law (virtual). I spoke about my experience litigating the *June Medical* case and answered questions about my legal career. I have no notes, transcript, or recording. The address for the University of Washington School of Law is 4293 Memorial Way, Northeast, Seattle, Washington 98195.

July 18, 2019: Panelist, The Battle for the 14th Amendment and the Evolving Role of the Amicus Brief in Appellate Litigation, Annual Meeting, National Association of Women Lawyers, New York, New York. Notes supplied.

June 18, 2019: Panelist, Current Litigation Affecting Access to Medication Abortion, Mifepristone Coalition Annual Meeting, Gynuity Health Projects, New

York, New York. I have no notes, transcript, or recording. The address for Gynuity Health Projects is 220 East 42nd Street, New York, New York, 10017.

March 15, 2019: Panelist, Reproductive Rights Cases in the Pipeline to the U.S. Supreme Court, Center for Reproductive Rights, Washington, DC. Notes supplied.

February 14, 2019: Panelist, Reproductive Rights Cases in the Pipeline to the U.S. Supreme Court, Center for Reproductive Rights (virtual). I used the same notes as those supplied in connection with the March 15, 2019, panel.

October 16, 2018: Panelist, SCOTUS Roundup, Columbia Law School, New York, New York. Notes supplied.

October 15, 2018: Panelist, Pregnancy, Power, and Professional Speech: *NIFLA v. Becerra* and the Deregulatory Uses of the First Amendment, Yale Law School, New Haven, Connecticut. I used the same notes as those supplied in connection with the October 16, 2018, presentation listed above.

September 14, 2018: Panelist, Reproductive Rights in the United States, United Nations Side Event, United Nations, Geneva, Switzerland. Notes supplied.

July 17, 2018: Panelist, The Future of *Roe v. Wade*, State Innovation Exchange (virtual). Notes supplied.

May 31, 2018: Panelist, The Future of *Roe v. Wade*, Center for Reproductive Rights (virtual). Notes supplied.

June 9, 2017: Panelist, Defending New Ground in Reproductive Rights, National Convention, American Constitution Society, Washington, DC. Video available at <https://www.acslaw.org/video/defending-new-ground-in-reproductive-rights>.

January 12, 2017: Panelist, Abortion Litigation and Legislation Preview, American Civil Liberties Union & Center for Reproductive Rights (virtual). The panel previewed abortion litigation and legislation expected in 2017. I have no notes, transcript, or recording. The address for the American Civil Liberties Union is 125 Broad Street, New York, New York 10004. The address for the Center for Reproductive Rights is 199 Water Street, 22nd Floor, New York, New York 10038.

October 19, 2016: Speaker, Reproductive Rights Law and the Impact of *Whole Woman's Health*, Icahn School of Medicine at Mount Sinai, New York, New York. Notes supplied.

June 15, 2016: Panelist, Reproductive Rights Litigation, Willkie Farr & Gallagher LLP, New York, New York. I spoke about the Center for Reproductive

Rights' litigation practice and highlighted major cases on the Center's docket. I have no notes, transcript, or recording. The address for Willkie Farr & Gallagher LLP is 787 Seventh Avenue, New York, New York 10019.

June 10, 2016: Panelist, Discussion Following Screening of *JACKSON*, IFC Center, New York, New York. The panel discussed a documentary about the Jackson Women's Health Organization, the last abortion clinic in Mississippi. I have no notes, transcript, or recording. The address for the IFC Center is 323 Sixth Avenue, New York, New York 10014.

April 19, 2016: Panelist, Texas: Ground Zero in the Abortion Wars, Annual Conference, National Abortion Federation, Austin, Texas. I have no notes, transcript, or recording. The address for the National Abortion Federation is 1090 Vermont Avenue, Northwest, Washington, DC 20005.

September 25, 2015: Panelist, Reproductive Rights and Health, Rutgers Celebrates Beijing+20: Gender Equality on the 20th Anniversary of the UN Fourth World Conference on Women, Rutgers Law School, Newark, New Jersey. Transcript supplied.

June 12, 2015: Panelist, Undue Burdens, National Convention, American Constitution Society, Washington, DC. Video available at <https://www.youtube.com/watch?v=enq-AQceyw>.

April 19, 2015: Panelist, Advocacy Workshop, Annual Conference, National Abortion Federation, Baltimore, Maryland. The panel discussed reproductive rights litigation and legislation. I have no notes, transcript, or recording. The address for the National Abortion Federation is 1090 Vermont Avenue, Northwest, Washington, DC 20005.

June 20, 2014: Panelist, Protecting Women's Reproductive Health Care in a Hostile Era, National Convention, American Constitution Society, Washington, DC. Video available at <https://www.acslaw.org/video/protecting-womens-reproductive-health-care-in-a-hostile-era>.

April 20, 2013: Panelist, Updates on Pending Litigation and Legislation, Annual Conference, National Abortion Federation, New York, New York. The panel discussed reproductive rights litigation and legislation. I have no notes, transcript, or recording. The address for the National Abortion Federation is 1090 Vermont Avenue, Northwest, Washington, DC 20005.

January 10, 2013: Speaker, Why Courts Matter, Center for American Progress, New Orleans, Louisiana. I spoke about reproductive rights litigation. I have no notes, transcript, or recording. The address for the Center for American Progress is 1333 H Street, Northwest, Suite One, Washington, DC 20005.

April 23, 2012: Panelist, Updates on Pending Litigation and Legislation, Annual Conference, National Abortion Federation, Vancouver, Canada. The panel discussed reproductive rights litigation and legislation. I have no notes, transcript, or recording. The address for the National Abortion Federation is 1090 Vermont Avenue, Northwest, Washington, DC 20005.

April 13, 2012: Panelist, First Amendment Issues in Reproductive Rights, Yale Law School, New Haven, Connecticut. I spoke to law students about reproductive rights cases involving First Amendment issues. I have no notes, transcript, or recording. The address for Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

Winter 2001 (specific date unknown): Panelist, *Ferguson v. City of Charleston*, Vermont Law School, Burlington, Vermont. The panel discussed the *Ferguson* case, which the Center for Reproductive Rights was then litigating before the U.S. Supreme Court. I have no notes, transcript, or recording. The address for Vermont Law School is 164 Chelsea Street, P.O. Box 96, South Royalton, Vermont 05068.

- 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.

The following list reflects my best efforts to identify the interviews I have given, based on a review of my records and publicly-available information. There may, however, be other interviews I have been unable to recall or identify.

The Lead with Jake Tapper, CNN (June 24, 2022) (reprinted in multiple sources). Transcript supplied.

Press Conference, *Dobbs v. Jackson Women's Health Organization*, Center for Reproductive Rights (June 24, 2022). Representative press coverage supplied.

SCOTUS and Roe questions, asked and answered, NPR All Things Considered (June 20, 2022) (reprinted in multiple sources). Transcript supplied.

Abigail Abrams, *Red States Aren't Waiting for the Supreme Court's Roe Decision to Push New Abortion Bans*, Time (Jan. 28, 2022). Copy supplied.

Charlotte Collins et al., *The Badass 50*, InStyle (Jan. 10, 2022). Copy supplied.

Advocates energized by Supreme Court abortion case, CQ Mag. (Dec. 6, 2021) (reprinted in multiple sources). Copy supplied.

Dahlia Lithwick, *The Lawyer Who Defended Abortion Rights at SCOTUS Explains What It Was Like*, Slate (Dec. 4, 2021). Audio available at <https://slate.com/podcasts/amicus/2021/12/julie-rikelman-dobbs-arguments-analysis> and copy of print article supplied.

Mary Tuma, *The Supreme Court Is Itching to Overturn Roe v. Wade*, Tex. Observer (Dec. 2, 2021). Copy supplied.

First Thing: Abortion rights advocates vow to fight on, Guardian (Dec. 2, 2021). Copy supplied.

Press Release, *U.S. Supreme Court Hears Pivotal Abortion Rights Case*, Center for Reproductive Rights (Dec. 2, 2021) (reprinted in multiple sources). Copy supplied.

Nina Totenberg, *Supreme Court considers whether to reverse Roe v. Wade*, NPR Morning Edition (Dec. 1, 2021). Copy supplied.

US Supreme Court to hear challenge to Mississippi abortion law, Digital J. (Dec. 1, 2021) (reprinted in multiple sources). Copy supplied.

Press Conference, *Dobbs v. Jackson Women's Health Organization*, Center for Reproductive Rights (Dec. 1, 2021). Video available at <https://www.c-span.org/video/?516410-1/center-reproductive-rights-news-conference-mississippi-abortion-case>.

Yasmin Vossoughian, *The Court Has Never Taken Away A Constitutional Right*, MSNBC (Dec. 1, 2021). Video available at <https://www.msnbc.com/andrea-mitchell-reports/watch/rikelman-the-court-has-never-taken-away-a-constitutional-right-127644229828>.

Reaction to Supreme Court Abortion Case Oral Argument, C-SPAN (Dec. 1, 2021) (reprinted in multiple sources). Video available at <https://www.c-span.org/video/?516415-1/reaction-supreme-court-abortion-case-oral-argument>.

John Fritze & Sarah Haselhorst, *Roe v. Wade on the line with Miss. case—High court hears oral arguments Wednesday*, USA Today (Dec. 1, 2021). Copy supplied.

Adam Lidgett, *Meet The Attys Battling Over The Future Of Abortion*, Law 360 (Nov. 30, 2021). Copy supplied.

Mark Sherman, *High court set to take up abortion fight*, Bos. Globe (Nov. 29, 2021) (reprinted in multiple sources). Copy supplied.

Lucia Leal, *Team of attorneys on mission to preserve abortion rights in US*, EFE (Nov. 29, 2021). Copy supplied.

The women lawyers on whom the future of abortion in the U.S. depends, NoticiasFinancieras (Nov. 29, 2021). Copy supplied.

Lawrence Hurley, *Lone Mississippi clinic on front line of U.S. Supreme Court abortion battle*, Reuters (Nov. 29, 2021) (reprinted in multiple sources). Copy supplied. This article includes a quote from me that also appears in other articles; it subsequently misattributes to me a quote that appears to have been spoken by a different individual.

Abortion case tests Supreme Court's rightward shift after Trump, CQ News (Nov. 29, 2021). Copy supplied.

Irin Carmon, *The End of the Viability Line*, Intelligencer (Nov. 23, 2021). Copy supplied.

David Yaffe-Bellany, *Lawyer Defending Roe Bets on Precedent to Save Abortion Rights*, Bloomberg (Nov. 19, 2021) (reprinted in multiple sources). Copy supplied.

David G. Savage, *Poll finds some abortion rights supporters back limit*, L.A. Times (Nov. 17, 2021) (reprinted in multiple sources). Copy supplied.

Abigail Abrams, *Inside Mississippi's Last Abortion Clinic—and the Biggest Fight for Abortion Rights in a Generation*, Time (Nov. 11, 2021). Copy supplied.

Abigail Abrams, *The Fate of Roe v. Wade May Rest on This Woman's Shoulders*, Time (Oct. 21, 2021). Copy supplied.

Maria Clark, *Abortion care could get even harder to access in the South*, Tennessean (May 21, 2021) (reprinted in multiple sources). Copy supplied.

Episode 115: Mess-issippi, Feminist Sleeper Cell (May 21, 2021). I am unable to locate a transcript or recording.

John Fritze, *Wave of cases to test Roe v. Wade*, USA Today (May 19, 2021). Copy supplied.

Nina Totenberg, *In Challenge To Roe, Supreme Court To Review Mississippi Abortion Law*, NPR All Things Considered (May 17, 2021). Copy supplied.

Mark Ballard, *How much could the anti-abortion law cost Louisiana taxpayers now? Its challengers want \$9M more*, Baton Rouge Advoc. (Apr. 1, 2021) (reprinted in multiple sources). Copy supplied.

Marco Poggio, *Julie Rikelman Talks Abortion Fights on the Roe Anniversary*, Law 360 (Jan. 25, 2021). Copy supplied.

Notable Women in Law, Crain's N.Y. Bus. (Dec. 21, 2020). Copy supplied.

Emma Reynolds, *In Europe and the US, Abortion Rights Are Under Attack*, CNN (Nov. 1, 2020) (reprinted in multiple sources). Copy supplied.

Lawrence Hurley, *Trump-appointed justice could signal major Supreme Court shift on abortion*, Reuters (Sept. 23, 2020) (reprinted in multiple sources). Copy supplied.

Jennifer Gerson, *Law Experts Explain What Could Be Next for Roe v. Wade*, Bustle (Sept. 22, 2020). Copy supplied.

Alice Miranda Ollstein, *How the Supreme Court Could Now Limit Abortion Rights*, Politico (Sept. 19, 2020). Copy supplied.

Richard Wolf, *Supreme Court's split decision for abortion rights gives opponents an unlikely boost*, USA Today (Aug. 31, 2020) (reprinted in multiple sources). Copy supplied.

Marcia Coyle, *Nodding to Roberts, 8th Circuit Lets Arkansas Anti-Abortion Restrictions Take Effect*, N.Y.L.J. (Aug. 11, 2020) (reprinted in multiple sources). Copy supplied.

Marcia Coyle, *Roberts Sharply Counters Criticism of His Vote Striking Down Louisiana Abortion Law*, N.J.L.J. (July 6, 2020) (reprinted in multiple sources). Copy supplied.

Trollito, *Strict Scrutiny* (July 6, 2020). Audio available at <https://podcasts.apple.com/us/podcast/trollito/id1469168641?i=1000482841489>.

Tala Hadavi, *Supreme Court ruling in Louisiana case sets back abortion foes' hopes of overturning Roe v. Wade*, CNBC (July 6, 2020). Video available at <https://www.cnn.com/2020/07/04/supreme-court-decision-in-louisiana-case-sets-back-abortion-foes.html>.

Clea Simon, *Making the case for reproductive rights: Julie Rikelman, '97 on her Supreme Court Win*, Harv. L. Today (July 1, 2020). Copy supplied.

Jessica Mason Pieklo & Imani Gandy, *Boom! Lawyered: What It's Like to Argue—and Win—at the Supreme Court*, Rewire (July 2020). Audio available at <https://rewirenewsgroup.com/multimedia/podcast/what-its-like-to-argue-and-win-at-the-supreme-court>.

Sabrina Tavernise & Elizabeth Dias, *The Supreme Court Stopped Anti-Abortion Momentum. For Now*, N.Y. Times (June 29, 2020) (reprinted in multiple sources). Copy supplied.

Giselle Hengst & Oliver C. Haug, *SCOTUS Defends Abortion Access—But the Battle Is Far from Over*, Ms. (June 29, 2020). Copy supplied.

Jeff Overley, *Roberts Casts Pivotal Vote For Abortion Rights, With A Catch*, Law 360 (June 29, 2020). Copy supplied.

Katie Kindelan, *Abortion rights advocates say Supreme Court ruling a victory but 'our fight is far from over'*, ABC News (June 29, 2020). Copy supplied.

Coronavirus Updates: Trump Halts U.S. Funding of World Health Organization, N.Y. Times (Apr. 15, 2020). Copy supplied.

Louisiana Abortion Law at the Supreme Court, We the People (Mar. 10, 2020) (reprinted in multiple sources). Audio available at <https://constitutioncenter.org/interactive-constitution/podcast/louisiana-abortion-law-at-scotus>.

Melissa Jeltsen, *The Future Of Abortion Is In The Hands Of John Roberts*, Huffington Post (Mar. 6, 2020). Copy supplied.

Kate Smith, *Lawyer Challenging Abortion Law Reacts After Supreme Court Arguments*, CBS News (Mar. 4, 2020). Video available at <https://www.cbsnews.com/video/lawyer-challenging-abortion-law-reacts-after-supreme-court-arguments>.

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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: _____%
- ii. Of these cases, approximately what percent were:
- civil proceedings: _____%
- criminal proceedings: _____%

- 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.

I have not held public office. I have had no unsuccessful candidacies for public office or unsuccessful nominations for appointed office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have not held any membership or office in or rendered any services to any political party or election committee. I have not held a position or played a role in a political campaign, although, while working as an attorney in Alaska for Feldman & Orlansky, I represented Neighbors for Mark Begich in election-related litigation in 2003.

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 1997 to 1998, I served as a law clerk to the Honorable Dana A. Fabe on the Alaska Supreme Court.

From 1998 to 1999, I served as a law clerk to the Honorable Morton I. Greenberg on the United States Court of Appeals for the Third 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;

1999 – 2001, 2011 – present
Center for Reproductive Rights
199 Water Street, 22nd Floor
New York, New York 10038
Blackmun Fellow (1999 – 2001)
Senior Staff Attorney (2011 – 2012)
U.S. Litigation Director (2012 – present)

2001 – 2004
Feldman & Orlansky (now defunct)
500 L Street
Anchorage, Alaska 99501
Associate

2004 – 2006
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
Senior Associate

2006 – 2011
NBC Universal, Inc.
30 Rockefeller Plaza
New York, New York 10112
Litigation Counsel (2006 – 2008)
Senior Litigation Counsel (2008 – 2011)
Vice President, Litigation (2011)

- 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 clerkships in 1999, I joined the Center for Reproductive Rights as a Blackmun Fellow. During the two-year fellowship, I helped litigate numerous reproductive rights cases around the country, including one case before the U.S. Supreme Court. My work primarily consisted of legal research and writing, including drafting appellate briefs and dispositive motion briefing in state and federal courts, and factual and expert discovery, including taking and defending depositions. I also served as lead counsel in two federal district court matters, and I second-chaired a one-week trial in state court.

In 2001, I joined Feldman & Orlansky in Anchorage, Alaska as an associate. At the firm, I handled a wide variety of civil and criminal cases, at both the trial and appellate levels, in Alaska state and federal courts. My cases spanned the gamut, involving commercial breach of contract and class actions, state antitrust law, medical malpractice, redistricting litigation, federal environmental criminal law, and various tort claims, among other matters. I conducted legal research and drafted appellate briefs and motions of all types and argued dispositive motions in court. I also handled document discovery and took and defended both fact and expert depositions. Additionally, I litigated four trials, examined fact and expert witnesses at trial, and conducted oral argument. And I maintained client relationships and negotiated with opposing counsel.

In 2004, I moved back to the East Coast and joined Simpson Thacher & Bartlett LLP's New York office as a senior associate. At the firm, I worked primarily on complex commercial cases. The bulk of my time was devoted to defending Chase in multi-party, securities fraud and related litigation concerning the sale of asset-backed securities for the benefit of Commercial Financial Services (CFS), which had declared bankruptcy several years earlier. Chase had acted as, *inter alia*, the placement agent for the CFS securities. My work consisted of legal research, drafting briefs and motions, taking and defending fact and expert depositions, and supervising junior associates.

In 2006, I joined NBC Universal, Inc. as in-house litigation counsel. During my five years at NBC, I served as lead counsel for numerous cases in federal and state courts around the country. My work was varied, and I handled matters involving breach of contract, defamation, intellectual property, and employment discrimination claims, among numerous other matters. I conducted legal research, drafted briefs and motions, conducted substantial document discovery, and took and defended fact and expert

depositions. I also regularly appeared in court, including orally arguing matters before appellate and trial courts. And I maintained client relationships and negotiated with opposing counsel.

In 2011, I returned to the Center for Reproductive Rights as a Senior Staff Attorney. In that capacity, I again litigated reproductive rights cases in federal and state courts nationwide, briefing and arguing numerous matters before trial and appellate courts, spearheading case strategy, and supervising junior attorneys and managing case teams. Since 2012, I have served as the Center's U.S. Litigation Director. In that role, I continue to litigate cases, but I also have the added responsibility of leading the Center's U.S. litigation strategy overall. I frequently play a supervisory role for other Center attorneys who are leading their own cases at the trial and/or appellate level, review substantive briefing in the Center's major cases, and manage various case teams. During my time at the Center, I have also personally argued two cases before the U.S. Supreme Court.

In total, I have tried seven cases in federal and state court; argued and briefed dozens of procedural and substantive motions (including dispositive motions such as motions to dismiss and for summary judgment); personally argued six appeals, including two in the Supreme Court; and briefed numerous other appeals.

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

At Feldman & Orlansky, my clients included corporations and individuals. My practice focused largely on civil litigation, including cases in which I represented local and national corporations both large and small, such as a real estate corporation, a telecommunications company, Trident Seafoods, a Native Alaska corporation, a hospital, and an attorney in a commercial dispute concerning a proposed business venture. I also litigated various criminal cases.

At Simpson, Thacher & Bartlett LLP, I typically represented large corporations, and my practice focused on civil litigation, particularly cases involving securities fraud.

At NBC Universal, Inc., I represented NBC Universal and its subsidiaries, business executives, and journalists, and I handled all manner of civil cases, including, among other things, matters involving allegations of breach of contract, defamation, and employment discrimination.

At the Center for Reproductive Rights, I typically represent health care providers and organizations in cases involving reproductive rights.

- 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.

The entirety of my practice has been in litigation or related proceedings, such as responding to subpoenas or representing parties in arbitrations. At Feldman & Orlansky, I appeared in court frequently, at both the trial and appellate stages of cases. During my time at Simpson Thacher & Bartlett LLP, I did not appear in court, as I worked primarily on two large and protracted litigations during their discovery and motions practice phases. At NBC Universal, Inc., I again appeared in trial and appellate courts frequently. And for most of my time at the Center for Reproductive Rights, I have appeared in trial and appellate courts frequently, though in the last four years, as U.S. Litigation Director, I have appeared in court somewhat less often in light of my greater organizational leadership and supervisory responsibilities.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 85% |
| 2. state courts of record: | 15% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 0% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 95% |
| 2. criminal proceedings: | 5% |

- 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 seven cases to verdict, judgment, or final decision. I was chief counsel in one of those trials, and associate counsel in the other six. In all of the cases, I played an active role in the trial team, including examining witnesses in five trials. As U.S. Litigation Director at the Center for Reproductive Rights, I have also provided support and supervision to attorney teams handling various additional trials. I have also argued six appeals, including two in the Supreme Court.

- i. What percentage of these trials were:

- | | |
|--------------|-----|
| 1. jury: | 28% |
| 2. non-jury: | 72% |

- 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 participated as counsel for parties in a total of four cases on the merits before the Supreme Court of the United States. In two of those cases, I conducted oral argument. I also have worked on jurisdictional briefing (including petitions for a writ of certiorari) in four other cases, as well as amicus briefs in two additional cases.

Argued Cases:

Dobbs v. Jackson Women's Health Org., 142 S. Ct. 2228 (2022) (transcript, 2021 WL 6051127; brief for respondents, 2021 WL 4197213; supplemental brief of respondents in opposition to petition for writ of certiorari, 2020 WL 5027312; brief for respondents in opposition to petition for writ of certiorari, 2020 WL 6470000).

June Med. Servs. v. Russo, 140 S. Ct. 2103 (2020) (transcript, 2020 WL 1049368; response and reply brief for petitioners, 2020 WL 373291; brief for petitioners, 2019 WL 6341152; response to motion to supplement the record, 2020 WL 1154742; reply brief in support of petition for writ of certiorari, 2019 WL 4273838; opposition to conditional cross-petition for writ of certiorari, 2019 WL 4055128; petition for writ of certiorari, 2019 WL 1748913).

Other Cases:

NIFLA v. Becerra, 138 S. Ct. 2361 (2018) (amicus brief of reproductive rights, civil rights, and social justice organizations in support of respondents, 2018 WL 1168249).

Whole Woman's Health v. Hellerstedt, 136 S. Ct. 2292 (2016) (reply brief for petitioners, 2016 U.S. S. Ct. Briefs LEXIS 858; brief for petitioners, 2015 WL 9592289; reply brief in support of petition for writ of certiorari, 2015 WL 6153084; petition for writ of certiorari, 2015 WL 5169200).

Currier v. Jackson Women's Health Org., 579 U.S. 941 (2016) (brief in opposition to petition for writ of certiorari, 2016 WL 1870368) (cert. denied).

Beck v. Edwards, 577 U.S. 1102 (2016) (brief in opposition to petition for writ of certiorari, 2015 WL 8621636) (cert. denied).

Walker-McGill v. Stuart, 576 U.S. 1028 (2015) (brief in opposition to petition for writ of certiorari, 2015 WL 2251179) (cert. denied).

Planned Parenthood v. Humble, 574 U.S. 1060 (2014) (brief in opposition to petition for writ of certiorari, 2014 WL 5907555) (cert. denied).

Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682 (2014) (amicus brief of foreign and comparative law experts in support of petitioners in No. 13-354 and respondents in No. 13-356, 2014 WL 334442).

Ferguson v. City of Charleston, 532 U.S. 67 (2001) (reply brief for petitioners, 2000 WL 1236043; brief for petitioners, 2000 WL 728149).

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. *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228 (2022); *Jackson Women's Health Org. v. Dobbs*, 945 F.3d 265 (5th Cir. 2019) (Higginbotham, Dennis, Ho, JJ.); *Jackson Women's Health Org. v. Currier*, 349 F. Supp. 3d 536 (S.D. Miss. 2018) (Reeves, J.).

From 2018 to 2022, I served as counsel for plaintiffs in this constitutional case, including acting as co-lead counsel in the U.S. Supreme Court proceedings. The case involved a Mississippi law that banned abortion, with limited exceptions, after 15 weeks of pregnancy. Plaintiffs alleged that the law violated the right to liberty under *Roe v. Wade* and *Planned Parenthood v. Casey*. The district court held that the law was unconstitutional under Supreme Court precedent and permanently enjoined it. Defendants appealed, and the Fifth Circuit unanimously affirmed. After unsuccessfully seeking rehearing *en banc*, defendants then sought and received certiorari from the Supreme Court. On June 24, 2022, the Supreme Court overruled *Roe v. Wade* and *Planned Parenthood v. Casey* and upheld the Mississippi law. As co-lead counsel, I was involved in every key aspect of the case, including case strategy. In the district court, I was primary drafter of the papers to file the case, including the complaint, motion for a temporary restraining order, and supporting declarations. I also participated in discovery and edited key briefing. At the Fifth Circuit, I edited our appellate briefs and prepared my co-counsel for oral argument. In the Supreme Court, I co-drafted the briefs and conducted the oral argument.

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2. *June Med. Servs. v. Russo*, 140 S. Ct. 2103 (2020); *June Med. Servs. v. Gee*, 905 F.3d 787 (5th Cir. 2018) (Higginbotham, Smith, Clement, JJ.); *June Med. Servs. v. Kliebert*, 250 F. Supp. 3d 27 (M.D. La. 2017) (DeGravelles, J.).

I argued this case before the U.S. Supreme Court in March 2020 and was co-lead counsel throughout the Supreme Court proceedings; I also provided strategic oversight of the case in the lower federal courts from before its filing in 2014. The case involved a challenge to a Louisiana state law requiring local admitting privileges for all physicians providing abortion care. The legal issues at the Supreme Court involved plaintiffs' claims that the law violated the right to liberty under *Roe v. Wade* and *Planned Parenthood v. Casey*, as well as the question whether abortion providers have third-party standing to assert the rights of their patients. The district court granted a temporary restraining order of the law before it could take effect. After a hearing with live testimony, the district court also preliminarily enjoined the law. Defendant sought a stay of the preliminary injunction, which the Fifth Circuit granted. Plaintiffs then successfully moved the Supreme Court to stay the Fifth Circuit's decision, thus reinstating the preliminary injunction. Following the Supreme Court's decision in *Whole Woman's Health v. Hellerstedt*, 579 U.S. 582 (2015), the district court received additional briefing and permanently enjoined the law. Defendant appealed, and the Fifth Circuit reversed. Plaintiffs requested but were denied rehearing *en banc*. Plaintiffs then successfully sought a stay of the Fifth Circuit's decision from the Supreme Court while they prepared a petition for a writ of certiorari. In 2019, the Supreme Court granted plaintiffs' petition for certiorari, as well as defendant's cross-petition raising issues of third-party standing. At the district court level, I assisted with framing the legal and factual issues, supervised the Center for Reproductive Rights attorneys working on the case, edited all major briefing, and helped to prepare my colleagues for oral argument. In the Fifth Circuit, I reviewed and edited all the substantive briefing and assisted in preparing my colleague for oral argument. At the Supreme Court, I acted as co-lead counsel, co-drafting the briefs and conducting oral argument. In June 2020, the Supreme Court ruled in plaintiffs' favor on all issues. The Court reversed the Fifth Circuit's decision, struck down the Louisiana law on a permanent basis, and reaffirmed that abortion providers have third-party standing to assert the rights of their patients.

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3. *Jackson Women's Health Org. v. Currier*, 760 F.3d 448 (5th Cir. 2014) (Jolly, Garza, Higginson, JJ.), *cert. denied*, 579 U.S. 941 (2016); *Jackson Women's Health Org. v. Currier*, 320 F. Supp. 3d 828 (S.D. Miss. 2018) (Jordan, J.).

I worked on this case as counsel for plaintiffs from before its filing in 2012 to its conclusion in 2019, acting as lead counsel beginning in early 2014. The case involved a federal constitutional challenge to two Mississippi laws—a local admitting privileges requirement that would have closed the last abortion clinic in the state, and a law restricting the provision of abortion care to board-certified obstetricians and gynecologists. The claims included the constitutional right to liberty and privacy, as well as complex procedural and federal courts issues. As a key member of plaintiffs' team, I helped prepare their complaint, motion for temporary restraining order and/or preliminary injunction of the admitting privileges requirement, and supporting declarations; I also helped prepare my colleague to argue that motion. The district court granted a temporary restraining order and partial preliminary injunction, enjoining defendants from enforcing the penalties for the admitting privileges requirement but requiring the plaintiff physicians to seek privileges. Following a period of discovery and the physicians' attempt to obtain privileges, I assisted in drafting plaintiffs' renewed motion for

preliminary injunction, which the district court granted. Defendant appealed the preliminary injunction to the Fifth Circuit. At that point, I took over as lead counsel, co-drafting the appellate brief and orally arguing the appeal of the preliminary injunction motion on behalf of plaintiffs. The Fifth Circuit ruled in plaintiffs' favor, affirming the preliminary injunction. I then led the briefing opposing defendants' petitions for rehearing *en banc* and for a writ of certiorari, both of which were denied.

Following the denial of certiorari in June 2016, the case returned to the district court. I led the drafting of plaintiffs' summary judgment motion, seeking a permanent injunction of the admitting privileges requirement, which the district court granted. The parties then proceeded with discovery on the constitutionality of the obstetrician-and-gynecologist requirement, and I developed expert testimony and defended multiple depositions, including of plaintiffs' experts and the 30(b)(6) witness for the plaintiff clinic. Following the close of discovery, I led the drafting of plaintiffs' summary judgment motion and supporting declarations regarding the obstetrician-and-gynecologist requirement. The district court denied plaintiffs' request for a permanent injunction of that requirement, finding that the requirement provided no benefit to women's health but that there was insufficient evidence of burden. Plaintiffs did not appeal.

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4. *Stuart v. Camnitz*, 774 F.3d 238 (4th Cir. 2014) (Traxler, Wilkinson, Duncan, JJ.), cert. denied, 576 U.S. 1028 (2015); *Stuart v. Loomis*, 992 F. Supp. 2d 585 (M.D.N.C. 2014) (Eagles, J.).

From 2011 to 2016, I served as lead counsel for plaintiffs in this case, from shortly after its filing until its conclusion. The case involved a challenge to a North Carolina law requiring abortion providers to display and describe ultrasound images to patients seeking an abortion. Plaintiffs challenged the law under the First and Fourteenth Amendments. As lead counsel, I spearheaded essentially all aspects of the case, including fact and expert discovery and motion drafting. After conducting discovery for approximately one year, plaintiffs moved for summary judgment. I was the primary drafter of plaintiffs' summary judgment briefing and successfully argued the summary judgment motion before the district court, which permanently enjoined the law. Defendants appealed. On appeal, I was the primary drafter of plaintiffs' appellate brief and conducted oral argument before the Fourth Circuit, which ruled unanimously in plaintiffs' favor. I then served as counsel of record in briefing before the U.S. Supreme Court, which denied defendants' petition for a writ of certiorari, leaving the North Carolina law permanently enjoined.

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5. *DiFolco v. MSNBC*, 622 F.3d 104 (2d Cir. 2010) (Miner, Lynch, Trager, JJ.); *DiFolco v. MSNBC*, 831 F. Supp. 2d 634 (S.D.N.Y. 2011) (Preska, J.) (decision on summary judgment); *DiFolco v. MSNBC*, No. 06 Civ. 4728, 2007 WL 959085 (S.D.N.Y. 2007) (Preska, J.) (decision on motion to dismiss).

I acted as lead counsel for all defendants in this case from its filing in 2006 until 2011, when I left NBC Universal, Inc. The case involved, *inter alia*, claims of breach of contract, tortious interference with contract, and defamation by a former host of an entertainment show against MSNBC and several of its high-ranking employees, including then-MSNBC President, Mr. Kaplan. The case was originally filed in New York state court, but I successfully filed on behalf of defendants a motion to remove the case to federal court. After removal, I investigated the claims in the complaint, drafted the motion to dismiss the case on behalf of all defendants, and argued the motion before the district court. The district court granted the motion in part, dismissing all claims against one defendant for insufficient service of process and dismissed the claims for defamation, tortious interference, breach of contract, and related New York Labor Law claims against the other defendants. The parties then briefed the scope of the remaining claims. Following a ruling by the district court narrowing those claims, plaintiff voluntarily dismissed two of the remaining counts of the complaint. Plaintiff thereafter appealed in part the district court's ruling dismissing the complaint. In the Second Circuit, I drafted defendants' appellate brief, and the case was decided without oral argument. The Second Circuit affirmed in part and reversed in part, and the parties then proceeded to conduct discovery on the remaining claims. I handled all document discovery, including subpoenas of third parties, and depositions, including depositions of plaintiff and the remaining defendants, as well as all court conferences regarding discovery before the district court. Thereafter, I drafted defendants' summary judgment brief, all supporting declarations, and the Rule 56 statement on behalf of defendants. My colleague then took over the case when I left NBC Universal. In November 2011, shortly after my departure, the district court granted summary judgment to defendants, dismissing the defamation claims, and the parties thereafter settled the remaining claim.

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6. *LL NJ, Inc. v. NBC-Subsidiary (WCAU-TV)*, No. 06-14312, 2008 WL 1923261 (E.D. Mich. 2008) (Lawson, J.).

I acted as lead counsel for the NBC defendants throughout the litigation of this case from when it was filed in 2006 until its conclusion in 2009. The case involved numerous claims, including defamation, illegal wiretapping, trespass, and alleged Lanham Act violations, as well as a host of procedural and evidentiary issues including choice of law questions. The case stemmed from an investigative report by NBC's affiliate in Philadelphia about Lifestyle Lift, a nationwide plastic surgery business. I represented the NBC affiliate, as well as its journalists and executives. (The non-NBC-affiliated co-defendant was dismissed early in the case for lack of personal jurisdiction.)

As lead counsel, I spearheaded the overall strategy of the case throughout its history. I handled document discovery and took and defended depositions, including defending the depositions of key NBC employees. I was also primary drafter of all legal briefing in the case. I successfully drafted a motion to dismiss the wiretapping and Lanham Act claims for failure to state a claim. Following the conclusion of discovery, I led the drafting of defendants' motion for summary judgment on the remaining defamation and trespass claims, and opposed plaintiffs' partial summary judgment motion on the trespass claim. I also conducted oral argument on the cross-motions before the district court. Following oral argument, the district court dismissed the trespass claim without prejudice, and accepted defendants' argument that Lifestyle Lift was a limited purpose public figure for the defamation claim, but denied summary judgment to defendants on the defamation claim. The parties thereafter settled the defamation claim.

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7. *Copp v. Ramirez*, 62 A.D.3d 23 (N.Y. 1st Dep't 2009) (Friedman, Sweeny, McGuire, Renwick, Freedman, JJ.); *Copp v. Ramirez*, No. 109122/06, 2007 WL 6139779 (N.Y. Sup. Ct. 2007) (Braun, J.).

I was lead counsel for the NBC defendants in this case from its inception in 2006 until its conclusion in 2009. The case included claims of defamation, intentional infliction of emotional distress, and fraud concerning an NBC report about plaintiff and his business, American Rescue Team International, which purportedly engaged in missions to assist with rescues and recovery of human remains at disaster sites. In 2005, the NBC program Dateline aired a report about a United States Department of Justice investigation into whether plaintiff was entitled to funds he had received from the 9/11 Victims' Compensation Fund for his alleged work at the 9/11 site and alleged related injuries. Plaintiff thereafter sued NBC and its employees involved in the report.

I investigated plaintiff's claims and thereafter successfully drafted and argued the NBC defendants' motion to dismiss all claims in the complaint for failure to state a claim. After plaintiff appealed, I then briefed and argued the appeal before the First Department. The appellate briefing included arguments on the merits, as well as an argument that plaintiff had not properly appealed the lower court's order pertaining to the NBC defendants. The First Department affirmed, ruling that plaintiff's appeal as to the NBC defendants was jurisdictionally defective. The New York Court of Appeals denied plaintiff leave to appeal.

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8. *Commercial Financial Services Inc. v. J.P. Morgan Securities, Inc.*, 152 P.3d 897 (Ok. App. 2006) (Buettner, Adams, Mitchell, JJ.); *In re CFS-Related Securities Litigation*, 256 F. Supp. 2d 1227 (N.D. Okla. 2003) (Joyner, J.).

From 2004 to 2006, I served as co-counsel for Chase in multi-party, securities fraud and related litigation concerning the sale of asset-backed securities for the benefit of Commercial Financial Services (CFS). CFS was an Oklahoma corporation, which until 1998 was primarily in the business of purchasing and attempting to collect on defaulted credit card receivables. The asset-backed securities at issue in these related cases were to be backed by charged off credit card receivables. Chase had acted as, *inter alia*, the placement agent for the CFS securities. CFS had declared bankruptcy several years earlier, leading to numerous lawsuits in state and federal courts, including a lawsuit brought by the securities holders against individuals and entities involved with the sale of the securities, including Chase, and a lawsuit by CFS against Chase. The issues involved claims of securities fraud by the securities holders and claims for breach of contract and breach of fiduciary duty by CFS against Chase. My role in the related cases consisted of legal research, supervising junior associates, and drafting briefs and motions, including summary judgment briefing in the case by CFS against Chase. I also took and defended fact and expert depositions in the securities holders' litigation and played a lead role in working with Chase's damages expert.

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9. *Carr-Gottstein Foods Co. v. Wasilla, LLC*, 182 P.3d 1131 (Alaska 2008); *Wasilla LLC v. Carr-Gottstein Foods Co.*, No. 3AN-02-7336 CV (Alaska Super. Ct. 2002) (Christen, J.).

I was lead counsel for plaintiff Wasilla, LLC in this case from its inception in 2002 until I left Feldman & Orlansky in 2004. Wasilla was a local real-estate company that had previously owned supermarkets as well. The case primarily involved breach of contract claims and alleged defenses, including waiver and estoppel. Specifically, Wasilla alleged that defendant had breached its lease by incorporating another business into the leased premises.

As lead counsel, my responsibilities included investigating the relevant facts and conducting legal research to frame Wasilla's claims, drafting the complaint, taking and defending numerous fact and expert depositions, drafting and responding to motions, including drafting Wasilla's motion for partial summary judgment and opposing defendant's cross motion. I also handled the oral argument on the cross-motions for summary judgment before the trial court, which ruled in Wasilla's favor, granting partial summary judgment to Wasilla on one of the claims. The case then proceeded to trial in phases, with the first phase as a bench trial focused on liability for one of the remaining claims. I successfully led the liability trial, conducting direct- and cross-examinations of witnesses, presenting oral argument, and drafting post-trial findings of fact and conclusions of law. The trial court ruled in favor of Wasilla following the trial. At that point, I moved back to the East Coast, and my colleague took over as lead counsel on the case. After several years of additional litigation, the Alaska Supreme Court ruled in favor of defendant.

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10. *In re 2001 Redistricting Cases*, 47 P.3d 1089 (Alaska 2002); *In re 2001 Redistricting Cases*, 44 P.3d 141 (Alaska 2002); *In re 2001 Redistricting Cases*, No. 3AN-01-8914 Civ. (Alaska Super. Ct. 2002) (Ridner, J.).

From 2001 to 2002, I served as co-counsel for the Native-Interest Intervenors in defense of the Alaska Redistricting Board's 2000 redistricting plan; several cases concerning the plan were consolidated as the 2001 Redistricting Cases. The cases were resolved on an expedited basis, and required discovery, trial, briefing on various substantive and procedural issues, and two appeals to the Alaska Supreme Court in approximately a six-month period. My responsibilities included conducting depositions, examining witnesses at the trial, and drafting briefs in the trial and appellate courts on a variety of constitutional and good-governance issues. I also co-drafted the proposed findings of fact and conclusions of law following the trial. The case concluded after the Alaska Supreme Court upheld the Board's final amended plan.

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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.)

On top of my extensive experience personally litigating cases in federal and state trial and appellate courts, I have also engaged in various other significant legal activities. For example, at Feldman & Orlansky, I represented an attorney in an arbitration concerning a business dispute with a local bank about a trust program he designed; I conducted the factual and legal research, drafted the client's arbitration brief, and presented his testimony at the hearing. While at Feldman & Orlansky, I also represented several individuals in legal matters resolved outside of court or before trial, such as a wrongful death claim brought by a surviving spouse following an airplane crash and a professional state licensure matter; in these matters, I conducted the factual and legal research, took the lead on all drafting, and was the primary contact with the client.

Additionally, in my role as in-house litigation counsel at NBC Universal, Inc., I regularly advised on and analyzed matters prior to litigation, including to ensure appropriate compliance to avoid potential legal claims against the corporation or its employees or officers, as well as to resolve any meritorious claims before a court hearing or trial. At NBC Universal, I also worked on a substantial claim resolved confidentially through mediation related to a news report; I conducted the factual investigation and took the primary role in drafting NBC Universal's mediation statement.

Finally, in my current role as the U.S. Litigation Director at the Center for Reproductive Rights, I have taken on significant leadership and managerial responsibilities. In that capacity, I not only spearhead strategy for and supervise various litigations, but also contribute to the organization's work in other ways. For instance, I lead our team's strategic planning, including identifying and directing research on emerging legal issues and providing input on potential legal and factual issues raised by the Center's work. I also have overseen hiring, created onboarding and training materials for team members, and managed the Center's U.S. litigation budget. And I regularly update the Center's Executive Team and Board of Directors on litigation issues.

From 2018 to 2022, I occasionally lobbied for the Center for Reproductive Rights in support of the Women's Health Protection Act by speaking to members of Congress and staff about the Act's purpose. I reported my lobbying activities to the Center, but because my activities were minimal, I am not and have never been 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) copies to the committee.

I have not taught any classes.

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 reaching age 65, I expect to receive a pension of approximately \$1,100 per month for my years working at NBC Universal, Inc. Otherwise, I have no anticipated receipts, expected future benefits, or arrangements to be compensated in the future for any financial or business interest.

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).

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 cases in which I had previously participated as an attorney, as well as cases involving any client that I personally represented or that was represented by the Center for Reproductive Rights while I worked there. I am not aware of any other person, party, category of litigation, or financial arrangement that is likely to present a potential conflict of interest. I would carefully review and address any real or potential conflicts of interest by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and all other laws, rules, and practices governing recusal.

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

If confirmed, I would carefully review and address any real or potential conflicts of interest by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and all other laws, rules, and practices governing recusal.

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.

Throughout my career, I have maintained a commitment to serving the disadvantaged and engaging in public interest work. For 13 years, I have worked for the Center for Reproductive Rights, a non-profit organization that performs all its legal work pro bono. During my time in private practice, I also regularly participated in pro bono representations. For instance, as an associate at Feldman & Orlansky, I devoted substantial time to pro bono cases, including several matters on appeal. In 2004, I won the National Law Journal Pro Bono Award for my pro bono work.

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 16, 2021, I submitted an application for a position on the United States District Court for the District of Massachusetts to the judicial selection committee established by Senators Edward Markey and Elizabeth Warren. On May 6, 2021, I interviewed with the selection committee. On March 4, 2022, I submitted an updated application for a position on the District of Massachusetts. On April 1, 2022, I spoke to Senator Warren's staff to express my interest in also being considered for a vacancy on the United States Court of Appeals for the First Circuit. On April 9, 2022, I again interviewed with the Senators' selection committee. On April 25, 2022, I interviewed with Senators Markey and Warren for both the district court and First Circuit positions. On May 3, 2022, I interviewed with attorneys from the White House Counsel's Office. Since that date, I have been in contact with officials from the Office of Legal Policy at the United States Department of Justice. On August 1, 2022, my nomination was

submitted to the Senate.

- 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.