

January 26, 2021

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Merrick Brian Garland

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

Attorney General, Department of Justice

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office: E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, NW
Washington, DC 20001

Residence: Bethesda, MD

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

1952, Chicago, IL

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.

Harvard Law School, 1974-77, J.D., June 1977
Harvard College, 1970-74, A.B., June 1974

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.

- 1997-present United States Court of Appeals for the District of Columbia Circuit
Circuit Judge, 2020-present
Chief Judge, 2013-2020
Circuit Judge, 1997-2013
- 1993-97 United States Department of Justice
Principal Associate Deputy Attorney General, 1994-97
Deputy Assistant Attorney General, Criminal Division, 1993-94
950 Pennsylvania Avenue, NW
Washington, DC 20530
- 1992-93 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Partner
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001
- 1989-92 United States Attorney's Office for the District of Columbia
Assistant United States Attorney
555 4th Street, NW
Washington, DC 20530
- 1981-89 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Partner, 1985-89
Associate, 1981-85
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001
- 1987-88 In re Nofziger (Wedtech)
Associate Independent Counsel (part time)
(Now closed) 1201 Pennsylvania Avenue, NW
Washington, DC 20530
- 1986 Harvard Law School
Lecturer, Advanced Antitrust (Winter Term)
1585 Massachusetts Avenue
Cambridge, MA 02138
- 1979-81 United States Department of Justice
Special Assistant to the Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530

1978-79 Supreme Court of the United States
Law Clerk, Justice William J. Brennan, Jr.
One First Street, NE
Washington, DC 20543

1978 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Summer Associate
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001

1977-78 United States Court of Appeals for the Second Circuit
Law Clerk, Judge Henry J. Friendly
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

1977 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Summer Associate
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001

1976 Pillsbury, Madison & Sutro
(Now Pillsbury Winthrop Shaw Pittman LLP)
Summer Associate
(Now at) Four Embarcadero Center
22nd Floor
San Francisco, CA 94111

1975-77 Harvard Law School
Research Assistant, Professors Philip Areeda and Charles Nesson
1585 Massachusetts Avenue
Cambridge, MA 02138

1974-77 Harvard University
Proctor and Assistant Senior Tutor
Massachusetts Hall
Cambridge, MA 02138

1974 Committee to Reelect Congressman Mikva
Summer Worker
(Now closed) 4016b Church Street
Skokie, IL 60076

Other affiliations (uncompensated):

2003-10 Harvard University Board of Overseers
President, 2009-10
Member, 2003-10
Massachusetts Hall
Cambridge, MA 02138

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

I have not served in the military. I timely registered for Selective Service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

American Academy of Arts & Sciences, 2019

Harvard Club of Washington Public Service Award, 2018

Honorary Doctor of Laws, Georgetown University, 2018

U.S. Presidential Scholars Honors Award, 2017

Reflections of Hope Award, Oklahoma City National Memorial Foundation, 2015

Judge of the Year Award, Bar Association of the District of Columbia, 2011

Honorary Senior Fellow Award, Administrative Law and Regulatory Practice Section,
American Bar Association, 2004

Edmund J. Randolph Award, United States Department of Justice, 1997

Prune Award, Council for Excellence in Government, 1993

Director's Award, Executive Office for United States Attorneys, 1992

J.D., magna cum laude, Harvard Law School, 1977

Harvard Law Review, 1975-77; Articles Editor, 1976-77

Harvard Graduate National Scholarship, 1974-77

A.B., summa cum laude, Harvard College, 1974

Paul Revere Frothingham Award, Harvard College, 1974

Detur Prize, Harvard College, 1973

Richard Perkins Parker Award, Harvard College, 1973

West European Studies Center Award, Harvard University, 1973

Phi Beta Kappa, 1972

Edwards Whitaker Award, Harvard College, 1971

G.D. Searle Co. Scholarship, 1970-74

National Merit Scholarship, 1970

Harvard National Scholar, 1970

United States Presidential Scholar, 1970

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.

United States Judicial Conference, 2001-2020

Chair, Executive Committee, 2017-2020

Member, Executive Committee, 2013-2020

Conference Member, 2013-2020

Committee on Judicial Security, 2008-13

Committee on the Judicial Branch, 2001-05

Executive Committee (Statutory Position), District of Columbia Pretrial Services Agency, 2013-2020

Board of Directors, Historical Society of the District of Columbia Circuit, 2012-15

Search Committee for Director of the Administrative Office of the United States Courts, 2005-06

Federal Judges Association, 2003-2016 (intermittent)

United States Court of Appeals for the District of Columbia Circuit
Library Committee, 1997-present
Judicial Council, 1999-2009, 2011-2020

American Law Institute, 1998-present

Edward Bennett Williams Inn of Court, 1996-present

District of Columbia Assistant United States Attorneys Association 1989-96

Judge William J. Bryant Inn of Court, 1988-92

Council for Court Excellence, 1987-89

American Bar Association, 1981-present (intermittent)
Judicial Branch Liaison, Administrative Law Section Council, 2000-03
Department of Justice Representative, Criminal Justice Section Council,
1994-97

District of Columbia Bar, 1979-present
Nominating Committee for Officers and Board of Governors, 1994
Co-chair, Administrative Law and Agency Practice Section, 1991-94

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.

I took and passed the District of Columbia bar examination in 1979 and was admitted on December 17, 1979. I did not apply to any jurisdiction for reciprocal admission. My membership in the District of Columbia Bar has not lapsed.

- 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.

United States Court of Appeals for the Tenth Circuit, November 25, 1996

United States Court of Appeals for the Fourth Circuit, February 17, 1983

Supreme Court of the United States, January 17, 1983

United States Court of Appeals for the District of Columbia Circuit, July 19, 1980

United States Court of Appeals for the Ninth Circuit, March 19, 1980

United States District Court, District of Columbia, January 7, 1980

District of Columbia Court of Appeals, December 17, 1979

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 Academy of Arts & Sciences, 2019-present

Board of Overseers, Harvard University, 2003-10
President, 2009-10

Harvard College Visiting Committee, 2003-10

Edgemoor Club, 2001-present (tennis & swimming)

Temple Sinai, 1994-present

Council for Excellence in Government, 1992-95 (closed in 2009)

Sidwell Friends School Tennis Center, 1990-91 (summers)

Chevy Chase Recreation Association, 1989-95 (summers) (tennis & swimming)

Sutton Place (D.C.) Condominium Association and tennis courts, 1981-89

Harvard Club of Washington, 1978-present (intermittent)

Harvard Law School Alumni Association, 1977-present

Harvard University Alumni Association, 1974-present

Phi Beta Kappa, elected 1972

- b. 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.

None have from before the time I joined.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have provided copies of all of the following:

Entry in Harvard Law School Class of 1977, 25th Anniversary Report (2001).

Entry in Harvard Class of 1974, 25th Anniversary Report (1999).

Entry in Harvard Class of 1974, 20th Anniversary Report (1994).

Merrick B. Garland, Antitrust and State Action: Economic Efficiency and the Political Process, 96 Yale L.J. 486 (1987).

Merrick B. Garland, Antitrust and Federalism: A Response to Professor Wiley, 96 Yale L.J. 1291 (1987).

Merrick B. Garland, Deregulation and Judicial Review, 98 Harv. L. Rev. 505 (1985).

Merrick B. Garland, Courts Give Deregulatory Policies New Hard Look, Legal Times, April 22, 1985.

Entry in Harvard Class of 1974, 10th Anniversary Report (1984).

Merrick B. Garland & Robert Pitofsky, Federal Trade Commission Investigations, 4 Antitrust Counseling and Litigation Techniques, Ch. 48 (J.O. Kalinowski ed. 1984).

James F. Fitzpatrick & Merrick Garland, *The Court, 'Veto' and Airbags*, New York Times, August 20, 1983, at 21.

Commercial Speech, Supreme Court, 1975 Term, 90 Harv. L. Rev. 142 (1976) (collaborative student note).

State Action Exemption and Antitrust Enforcement Under the Federal Trade Commission Act, 89 Harv. L. Rev. 715 (1976) (collaborative student note).

Innocence in the Union: *The Fantasticks*, Co-Directed by Lindsay Davis and David Luke in the Freshman Union Tonight and Sunday at 7:30, *The Harvard Crimson*, January 22, 1976 (theater review).

McDonald's Offers Hamburger Reward for Pints of Blood, *The Harvard Crimson*, December 3, 1973.

Pinter in Progression: Three Plays by Harold Pinter: *Night School*, *Landscape*, and *Silence at the Loeb*, March 7-10, *The Harvard Crimson*, March 8, 1973 (theater review).

Harvard Housing: Playing the 'Numbers Game,' *The Harvard Crimson*, January 8, 1973.

UHS Committee Recommends \$25 Student Health Fee Boost, *The Harvard Crimson*, October 26, 1972.

Housing: Or the Harvard-to-Radcliffe Crowded-Room Bad-Ratio Blues, *The Harvard Crimson*, March 1, 1972.

The Homecoming: *Whores Pimps and Kindly Old Men*, *The Harvard Crimson*, February 15, 1972 (theater review).

I was an editor of the *Harvard Law Review* from 1975-77. Although I do not remember all the pieces that I edited in that capacity, those that I recall are:

William J. Brennan, Jr., *State Constitutions and the Protection of Individual Rights*, 90 Harv. L. Rev. 489 (1977).

James R. Farrand, *Ancillary Remedies in SEC Civil Enforcement Actions*, 89 Harv. L. Rev. 1779 (1976).

Phillip Areeda, *Antitrust Violations Without Damage Recoveries*, 89 Harv. L. Rev. 1127 (1976).

In addition to the above, as a research assistant to Professor Phillip Areeda, I edited portions of Phillip Areeda & Donald Turner, *Antitrust Law: An Analysis of Antitrust Principles and Their Application*, Vols. I, II & III (Little, Brown 1978). I do not have access to these now-superseded volumes.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have provided copies of all of the following:

D.C. Circuit Court Announcements

Chief Judges Announce Adoption of New Employment Dispute Resolution Plans, February 10, 2020.

Bankruptcy Judge Merit Selection Panel Appointed, January 28, 2020.

Chief Judges Announce Pro Bono Leaders Among D.C. Firms and Encourage Members of the Bar to Provide Pro Bono Legal Services, March 27, 2019.

Chief Judges Announce Adoption of Workplace Conduct Policies, November 28, 2018.

Chief Judges Announce Formation of Workplace Conduct Committee, June 4, 2018.

Court to Provide Live Audio Streaming of All Arguments at Start of 2018-2019 Term, May 23, 2018.

Chief Judges Announce Pro Bono Leaders Among D.C. Firms, April 18, 2018.

Further Expansion of D.C. Circuit Policy Regarding Live Audio Streaming of Arguments, December 19, 2017.

Chief Judges Announce Pro Bono Leaders Among D.C. Firms, April 21, 2017.

Statement by Chief Judge Garland Regarding Posting of D.C. Circuit Judgments, June 22, 2016.

Federal Courts Announce Pro Bono Leaders Among D.C. Firms, April 13, 2016.

Judicial Conference of the United States

Report of the Proceedings of the Judicial Conference of the United States,
September 17, 2019.

Report of the Proceedings of the Judicial Conference of the United States, March
12, 2019.

Report of the Proceedings of the Judicial Conference of the United States,
September 13, 2018.

Report of the Proceedings of the Judicial Conference of the United States, March
13, 2018.

Report of the Proceedings of the Judicial Conference of the United States,
September 12, 2017.

Report of the Proceedings of the Judicial Conference of the United States, March
14, 2017.

Report of the Proceedings of the Judicial Conference of the United States,
September 13, 2016.

Report of the Proceedings of the Judicial Conference of the United States, March
15, 2016.

Report of the Proceedings of the Judicial Conference of the United States,
September 17, 2015.

Report of the Proceedings of the Judicial Conference of the United States, Special
Session, September 9, 2015.

Report of the Proceedings of the Judicial Conference of the United States, March
10, 2015.

Report of the Proceedings of the Judicial Conference of the United States,
September 16, 2014.

Report of the Proceedings of the Judicial Conference of the United States, March
11, 2014.

Report of the Proceedings of the Judicial Conference of the United States,
September 17, 2013.

Report of the Proceedings of the Judicial Conference of the United States, March 12, 2013.

In addition to these public reports, the Judicial Conference produces other reports that are not in my possession but may be available upon request to:

Administrative Office of the United States Courts
One Columbus Circle, NE
Washington, DC 20544

District of Columbia Pretrial Services Agency

District of Columbia Pretrial Services Agency Strategic Plan 2018-2022.

District of Columbia Pretrial Services Agency Congressional Budget Justification and Performance Budget Request Fiscal Year 2021.

District of Columbia Pretrial Services Agency Congressional Budget Justification and Performance Budget Request Fiscal Year 2020.

District of Columbia Pretrial Services Agency Congressional Budget Justification and Performance Budget Request Fiscal Year 2019.

District of Columbia Pretrial Services Agency Congressional Budget Justification and Performance Budget Request Fiscal Year 2018.

A Case for the Future Pretrial Services Agency for the District of Columbia Fiscal Year 2014-2018 Strategic Plan (Revised March 2016).

- 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.

I have provided copies of all of the following:

I sent a letter to the Honorable Charles E. Grassley responding to his request regarding statistics about the United States Court of Appeals for the District of Columbia Circuit on July 1, 2013.

I testified before the Senate Judiciary Committee at my confirmation hearing to be a Judge on the District of Columbia Circuit. *Confirmation Hearings on Federal*

Appointments, Part 2: Hearings Before the Senate Comm. On the Judiciary, 104th Cong. (November 30, 1995). I also received Questions for the Record from the Honorable Charles E. Grassley on December 1, 1995, and provided a response on December 6, 1995. These documents do not appear to have been made part of the formal printed hearing record.

I appeared before a subcommittee of the Senate Judiciary Committee as part of a panel of Justice Department officials, but did not provide any testimony. *False Claims Act of 1979, S. 1981: Hearing Before the Subcomm. On Improvements in Judicial Machinery of the S. Comm. On the Judiciary*, 96th Cong. (November 19, 1979).

In addition, I met with Members of Congress and staff to discuss security preparations for the Salt Lake City Olympics in the fall of 1996, and to discuss the explosion of TWA Flight 800 in the summer of 1996. I do not have statements or notes.

- 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.

Press coverage is included where I was able to find it.

Date	Location	Organization/Event	Description
01/07/21	Wilmington, DE	Biden-Harris Transition	Remarks on selection as Attorney General. Text provided. Link: https://www.c-span.org/video/?c4935258/merrick-garland-remarks-selection-attorney-general The event received broad press coverage. <i>See, e.g.,</i> Darlene Superville, Steve

Date	Location	Organization/Event	Description
			<p>Peoples and Eric Tucker, <i>Biden Introduces Merrick Garland As Attorney General Pick</i>, Associated Press, 1/7/2021.</p> <p>Link:</p> <p>https://apnews.com/article/merrick-garland-attorney-general-da64618113cbcc82c61e855f9162cf2e</p>
10/09/20	Arlington, VA via Zoom	<p>Antonin Scalia Law School, George Mason University via Zoom</p> <p>A Remembrance of Judge Stephen Williams</p>	<p>Remembrance of Circuit Court Judge Stephen Williams.</p> <p>Text provided.</p> <p>Blog post about the event, including embedded video, available at Michael S. Greve, <i>A Remembrance Of Stephen F. Williams</i>, Law & Liberty, Nov. 16, 2020,</p> <p>https://lawliberty.org/a-remembrance-of-stephen-f-williams/</p>
09/22/20	Cambridge, MA via Zoom	<p>Harvard Law School via Zoom</p> <p>Career Q&A with Ad Law Students re: legal career</p>	<p>I do not have remarks or notes.</p> <p>I have not been able to locate press coverage.</p>
09/09/20	Concord, NH via Zoom	UNH Franklin Pierce School of Law	<p>Q&A re: legal career.</p> <p>Registration announcement provided. I do not have remarks or notes.</p>

Date	Location	Organization/Event	Description
			<p>Link to video of event: https://www.youtube.com/watch?v=SvZ9bphlNew</p>
09/01/20	Washington, DC via Zoom	District of Columbia Circuit, Retirement of Judge Thomas Griffith	<p>Gave remarks at retirement ceremony for Judge Thomas Griffith.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>
08/08/20	Washington, DC	Statements from the Court about the Passing of Judge Stephen F. Williams	<p>Court posting re death of Judge Stephen Williams.</p> <p>Text provided.</p> <p>Available at: https://www.cadc.uscourts.gov/internet/home.nsf/Content/Announcement+-+Statement+from+the+Court+about+the+Passing+of+Judge+Stephen+F.+Williams</p>
06/22/20	Washington, DC via Zoom	Shakespeare Theatre Company (Virtual)	<p>Mock Trial – A Midsummer Night’s Dream</p> <p>Link to announcement of event: https://www.shakespearetheatre.org/events/virtual-mock-trial/?utm_source=wordfly&utm_medium=email&utm_campaign=PressRelease%3AMockTrial&utm_content=version_A&sourceNumber=</p> <p>I have not been able to locate other press coverage.</p>
02/28/20	Provo, UT	BYU Law School Moot Court	<p>I do not have remarks or notes.</p> <p>Event announcement at: https://jrdb-</p>

Date	Location	Organization/Event	Description
			<p>ems.byu.edu/MasterCalendar/EventDetails.aspx?EventDetailId=78999</p> <p>I have not been able to locate press coverage.</p>
02/13/20	Washington, DC	District of Columbia Circuit, Passing of the Gavel Ceremony	<p>Gave remarks on my time as Chief Judge in passing gavel to new Chief Judge, Sri Srinivasan.</p> <p>Text provided. Press coverage at Ann E. Marimow, <i>Merrick Garland Passes Gavel To Sri Srinivasan To Lead Influential Appeals Court</i>, Washington Post, Feb. 13, 2020.</p> <p>Link: https://www.washingtonpost.com/local/legal-issues/merrick-garland-passes-gavel-to-sri-srinivasan-to-lead-influential-appeals-court/2020/02/13/2bb5e316-4e77-11ea-b721-9f4cdc90bc1c_story.html</p>
11/12/19	Cambridge, MA	Harvard Law School, Ames Moot Court Competition	<p>I do not have remarks or notes.</p> <p>Press coverage at <i>'Questions are not to be feared': The Ames Moot Court Competition, 2019 edition</i>, Harvard Law Today Student Spotlights, Nov. 20, 2019.</p> <p>Link: https://today.law.harvard.edu/questions-are-not-to-be-feared-the-ames-moot-court-competition-2019-edition/</p>

Date	Location	Organization/Event	Description
10/30/19	Washington, DC	D.C. Bar Association Federal Government <i>Pro Bono</i> Recognition Reception 2019	<p>Gave remarks recognizing government attorneys with substantial pro bono service.</p> <p>Text provided.</p> <p>Press coverage at Rebecca Troth, <i>FDIC Wins Federal Agency Pro Bono Leadership Award</i>, D.C. Bar Association, Nov. 6, 2019.</p> <p>Link: https://www.dcbbar.org/news-events/news/fdic-wins-federal-agency-pro-bono-leadership-award</p>
10/16/19	Washington, DC	Historical Society of the District of Columbia Circuit, Law Clerk Reception	<p>Introduced the new president of the Historical Society.</p> <p>Text provided.</p> <p>Press coverage at <i>Read about the Historical Society's Sixth Law Clerk Reception</i>, D.C. Circuit Historical Society, (Undated).</p> <p>Link: https://dcchs.org/law-clerk-initiative/?keyword=merrick%20garland</p>
10/11/19	Cambridge, MA	Harvard Law School Student Antitrust Law Association	<p>Antitrust careers talk.</p> <p>I do not have remarks or notes.</p> <p>I have not been able to locate press coverage.</p>
10/08/19	Washington, DC	District of Columbia Circuit Attorney Admissions Ceremony	Presiding Judge and Welcoming Remarks.

Date	Location	Organization/Event	Description
			<p>Text provided.</p> <p>I have not been able to locate press coverage.</p>
09/20/19	Cambridge, MA	Harvard University	<p>Q&A with Social Studies Undergraduates and at Reunion Panel.</p> <p>I do not have remarks or notes.</p> <p>I have not been able to locate press coverage.</p>
09/13/19	Washington, DC	District of Columbia Circuit, Investiture Ceremony of Judge Neomi Rao	<p>Presided over investiture ceremony.</p> <p>Text provided.</p> <p>Press coverage of event at Ann E. Marimow, <i>Former White House official Neomi Rao formally sworn in as newest federal appeals court judge in D.C.</i>, Washington Post, Sept. 13, 2013.</p> <p>Link: https://www.washingtonpost.com/local/legal-issues/ex-white-house-official-neomi-rao-formally-sworn-in-as-newest-federal-appeals-court-judge-in-dc/2019/09/13/daf25b28-d598-11e9-86ac-0f250cc91758_story.html</p>
09/10/19	Arlington, VA	Armed Services Joint Advocacy Training at Joint Base Myer	<p>Gave remarks on appellate brief writing.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>

Date	Location	Organization/Event	Description
08/01/19	Washington, DC	Harvard College Summer Program at courthouse	<p>Q&A with students.</p> <p>I do not have remarks or notes.</p> <p>I have not been able to locate press coverage.</p>
07/08/19-07/09/19	Kyoto, Japan	Doshisha University Talks on Federal Courts and American Administrative Law	<p>Gave an overview of the American federal judicial system.</p> <p>Texts provided.</p> <p>No English language press coverage available.</p>
06/25/19-06/28/19	Cambridge, MD	Bi-Annual Judicial Conference of the D.C. Circuit	<p>Gave remarks and presided over the conference.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>
05/07/19	Washington, DC	District of Columbia Circuit, Attorney Admissions Ceremony	<p>Presided over attorney admissions ceremony.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>
04/04/19	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50 Judicial Pro Bono Recognition Breakfast	<p>Gave remarks recognizing law firms with substantial pro bono service.</p> <p>Text provided.</p> <p>Link: https://www.dcd.uscourts.gov/sites/dcd/files/40%4050NewsRelease2018.pdf</p> <p>Press coverage at John Murph, <i>33 Firms Honored at 40 at 50 Judicial Pro Bono Breakfast</i>, DC Bar Blog, April</p>

Date	Location	Organization/Event	Description
			5, 2019. Link: https://old.dcbbar.org/about-the-bar/news/33-Firms-Honored-at-40-at-50-Judicial-Pro-Bono-Breakfast.cfm
03/20/19	Washington, DC	District of Columbia Circuit Oral Arguments at Georgetown University Law Center	Introductory remarks on the historical tradition of circuit riding. Text provided. Press coverage at https://www.law.georgetown.edu/news/georgetown-law-hosts-oral-arguments-of-the-u-s-court-of-appeals-for-the-d-c-circuit/
03/14/19	Washington, DC	District of Columbia Circuit, Student Mock Court	Mock court for high school students, on <i>Tinker v. Des Moines</i> case. Link: https://www.uscourts.gov/news/2019/04/18/landmark-free-speech-case-opens-students-eyes-role-appellate-courts
03/05/19	New Haven, CT	Yale Law School Supreme Court Clinic & Panel on Workplace Conduct Issues	Q&A from students. I do not have remarks or notes. I have not been able to locate press coverage. Event announcement at https://law.yale.edu/yls-today/yale-law-school-events/panel-judicial-workplace-conduct-reform

Date	Location	Organization/Event	Description
03/01/19	Washington, DC	Historical Society of the District of Columbia Circuit, 14 th Annual Mock Court Argument Program	<p>Gave introductory remarks.</p> <p>Text provided.</p> <p>Press coverage at https://dcchs.org/14th-annual-mock-court-program/</p>
01/16/19	Washington, DC	Shakespeare Theatre Company	<p>Mock Trial – Richard III</p> <p>I do not have remarks or notes.</p> <p>Press coverage at https://www.scotusblog.com/2019/01/comedy-tonight-jurists-play-for-laughs-at-shakespeare-theatre-mock-trial/</p>
11/27/18	Washington, DC	The Harvard Club of Washington’s 2018 Public Service Award	<p>Gave remarks accepting the award.</p> <p>Text provided.</p> <p>Event announcement at http://hcdc.clubs.harvard.edu/article.html?aid=1676</p> <p>Brief press coverage of event at https://www.politico.com/newletters/morning-education/2018/10/05/education-dept-overstated-endorsements-of-for-profit-college-accreditor-363214</p>
11/15/18	Cambridge, MA	Harvard Law School “Meet Dean Manning”	<p>Gave introductory remarks.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p> <p>Event announcement and photos available at <i>Meet Dean Manning</i>, Harvard Law</p>

Date	Location	Organization/Event	Description
			School (undated). Link: https://hls.harvard.edu/alumni/meet-dean-manning/#tab1-1
10/25/18	Washington, DC	D.C. Circuit Historical Society Annual Law Clerks Reception	<p>Gave remarks and introduced speakers participating in the program.</p> <p>Text provided.</p> <p>Event announcement at <i>A Glimpse Ahead In The D.C. Circuit Courts</i>, Historical Society of the District of Columbia Circuit Newsletter, October 2018. Link: https://dcchs.org/wp-content/uploads/2018/11/New-sletter37.pdf</p> <p>Press coverage of the event at <i>Celebrating The D.C. Circuits' Current And Former Law Clerks</i>, Historical Society of the District of Columbia Circuit Newsletter, January 2019.</p> <p>Link: https://dcchs.org/wp-content/uploads/2019/01/New-sletter38.pdf</p>
10/25/18	Washington, DC	D.C. Bar Pro Bono Partnership Luncheon	<p>Gave remarks about the importance of providing legal services to those who cannot afford a lawyer.</p> <p>Text provided.</p> <p>Press coverage at John Murph, <i>Pro Bono Partnership Luncheon Recap: Reaffirming Our Commitment to Public Service</i>, D.C. Bar Association, Nov. 5, 2018.</p>

Date	Location	Organization/Event	Description
			<p>Link: https://old.dcb.org/about-the-bar/news/2018-Pro-Bono-Partnership-Luncheon-Recap.cfm</p>
10/16/18	Washington, DC/Miami, FL	Memorial service for former Department of Justice official John Hogan	<p>I do not have remarks or notes.</p> <p>Link: https://www.youtube.com/watch?v=e5ex0M2GP_k&feature=youtu.be</p> <p>I have not been able to locate press coverage.</p>
08/31/18	Lincolnwood, IL	75 th Anniversary of Lincolnwood School District #74	<p>Gave remarks on occasion of my elementary school's anniversary.</p> <p>Text provided.</p> <p>Press coverage of event at <i>Merrick Garland to speak at kick-off of Lincolnwood School District 74 anniversary event</i>, Chicago Tribune / Pioneer Press, Aug. 20, 2018.</p> <p>Link: https://www.chicagotribune.com/suburbs/lincolnwood/ct-lwr-merrick-garland-at-lincolnwood-school-district-74-tl-0823-story.html</p>
05/18/18	Washington, DC	Georgetown 2018 Honorary Degree Recipients' Dinner	<p>Gave remarks.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>

Date	Location	Organization/Event	Description
05/09/18	Washington, DC	Harvard Law School, D.C. Circuit Panel	<p>Interview of Judges Rogers, Pillard, and Millett.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>
04/27/18	Washington, DC	District of Columbia Circuit, Investiture Ceremony for Judge Gregory G. Katsas	<p>Presided over investiture ceremony.</p> <p>Text provided.</p> <p>Press coverage of the event at Stavros Papagermanos, <i>Archbishop Offers Invocation at Investiture of Judge Gregory Katsas</i>, Hellenic News, May 14, 2018.</p> <p>Link: https://hellenicnews.com/archbishop-offers-invocation-at-investiture-of-judge-gregory-katsas/</p>
04/24/18	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50 Judicial Pro Bono Recognition Breakfast	<p>Gave remarks recognizing law firms with substantial pro bono service.</p> <p>Text provided.</p> <p>Link: https://www.dcd.uscourts.gov/sites/dcd/files/40%4050NewsRelease2018.pdf</p> <p>Press coverage at Jodi Feldman, 40 at 50 Event Recognizes Pro Bono Leaders Among D.C. Law Firms, Making Justice Real (The Official Blog of the Legal Aid Society of the District of Columbia), Apr. 24, 2018.</p>

Date	Location	Organization/Event	Description
			<p><u>Link:</u> https://www.makingjusticereall.org/40-at-50-event-recognizes-pro-bono-leaders-among-d-c-law-firms</p>
04/09/18	Cambridge, MA	Harvard University, Office of Career Services	<p>Discussion with students on public service and law.</p> <p>I do not have remarks or notes.</p> <p>Press coverage at Simone C. Chu, <i>Former SCOTUS Nominee Merrick B. Garland '74 Talks Career Advice at Harvard</i>, The Harvard Crimson, Apr. 10, 2018.</p> <p><u>Link:</u> https://www.thecrimson.com/article/2018/4/10/garland-speaks-career-undergraduates/</p>
03/09/18	Washington, DC	Historical Society of the District of Columbia Circuit, 13 th Annual Mock Court Argument Program	<p>Welcomed District of Columbia high school students participating in mock trial to courthouse.</p> <p>Text provided.</p> <p>Press coverage at <i>13th Annual Mock Court Program</i>, Historical Society of the District of Columbia Circuit, Undated.</p> <p><u>Link:</u> https://dcchs.org/13th-annual-mock-court-program/</p>

Date	Location	Organization/Event	Description
03/01/18	New Haven, CT	<p>“A Conversation with Chief Judge Merrick Garland”</p> <p>In conversation with Kate Stith Lafayette S. Foster Professor of Law, Yale Law School</p>	<p>A copy of the Yale website page announcing the event is included.</p> <p>I do not have remarks or notes.</p> <p>I have not been able to locate press coverage.</p> <p>Link: https://law.yale.edu/yls-today/yale-law-school-events/conversation-chief-judge-merrick-garland</p>
01/25/18	Washington, DC	District of Columbia Circuit Oral Arguments at American University	<p>Introductory remarks prior to commencement of oral arguments.</p> <p>Text provided.</p> <p>Press coverage at <i>Court is in Session: U.S. Court of Appeals for the District of Columbia Circuit Holds Oral Arguments at AUWCL</i>, American University Washington College of Law News & Events, Jan. 26, 2018.</p> <p>Link: https://www.wcl.american.edu/news-events/news/u-s-court-of-appeals-for-the-district-of-columbia-holds-oral-arguments-at-auwcl/</p>
12/11/17	Washington, DC	Shakespeare Theatre Company	<p>Twelfth Night Mock Trial</p> <p>I do not have remarks or notes.</p>

Date	Location	Organization/Event	Description
			<p>Press coverage at Tim Treanor, <i>Olivia Versus Sebastian: Outcome Of Twelfth Night Mock Trial</i>, DC Theatre Scene, Dec. 13, 2017.</p> <p>Link: https://dctheatrescene.com/2017/12/13/twelfth-night-mock-olivia-versus-sebastian/</p> <p>Link: https://www.c-span.org/video/?438341-1/shakespeare-theatre-company-presents-twelfth-night-mock-trial</p>
11/03/17	Chicago, IL	The University of Chicago Law School: Stories from the Judge	<p>Q&A event.</p> <p>I do not have remarks or notes.</p> <p>Press report at Becky Beaupre Gillespie, <i>Merrick Garland Visits the Law School, Discusses High-Profile Cases and Why Future Lawyers Should Prepare for Multiple Paths</i>, U. Chicago Law Blog, Nov. 8, 2017.</p> <p>Link: https://www.law.uchicago.edu/news/stories-judge</p>
10/27/17	Cambridge, MA	Harvard Law School, <i>Marbury v. Madison</i> Historical Moot Court	<p>I do not have remarks or notes.</p> <p>Video of event and press coverage at <i>Marbury v. Madison</i>, HLS 200 (Harvard Bicentennial Website), Oct. 27, 2017.</p>

Date	Location	Organization/Event	Description
			<p>Link: https://200.hls.harvard.edu/events/hls-in-the-world/marbury-vs-madison/</p>
10/24/17	Washington, DC	D.C. Circuit, Federal Government <i>Pro Bono</i> Reception 2017	<p>Gave remarks recognizing government attorneys with substantial pro bono service.</p> <p>Text provided.</p> <p>Press coverage at Jeffery Leon, <i>Department of Labor Honored for Commitment to Pro Bono Work</i>, DC Bar Blog, Nov. 3, 2017.</p> <p>Link: https://old.dcb.org/about-the-bar/news/federal-government-pro-bono-reception.cfm</p>
10/13/17	Washington, DC	District of Columbia Circuit, Attorney Admissions Ceremony	<p>Presided over attorney admissions ceremony.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>
08/24/17	Beijing, China	Yale Law School China Center event at Peking University Law School	<p>Gave remarks on the role of the courts in the American system.</p> <p>Text provided.</p> <p>Press coverage at “<i>The Role of Courts in the U.S. Legal System</i>”—<i>Lecture of Chief Judge Merrick B. Garland was Held</i>, Peking University Law School News, Oct. 17, 2017.</p>

Date	Location	Organization/Event	Description
			Link: https://en.law.pku.edu.cn/newsevents/global/49389.htm
08/21/17	Beijing, China	Yale Law School China Center event at Supreme and Beijing Courts	Q&A session. No text or notes of Q&A. I have not been able to locate press coverage.
08/15/17	Shanghai, China	Yale Law School China Center event at KoGuan Law School	Q&A session. No text or notes of Q&A. I have not been able to locate press coverage.
07/20/17	Washington, DC	U.S. District Court Bar, Attorney Admission Ceremony for Law Clerks	Gave remarks at the Admission Ceremony. Text provided. I have not been able to locate press coverage.
06/27/17-06/30/17	Lancaster, PA	Bi-Annual Judicial Conference of the D.C. Circuit	Gave remarks and presided over the conference. Text provided. I have not been able to locate press coverage.
06/19/17	Washington, DC	Presidential Scholars Honors Award, Kennedy Center	Gave remarks of appreciation for award. Text provided. Press coverage at Press Release, Presidential Scholars Foundation, Presidential Scholars Foundation to Honor Alumni: Chief Judge Merrick Garland, Poet Rita Dove, and Purdue University President Mitchell E. Daniels, Jr. (June 15, 2017).

Date	Location	Organization/Event	Description
			<p>Link: https://www.presidentialscholars.org/pshonorspressrelease2017</p>
04/27/17	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50 Judicial Pro Bono Recognition Breakfast	<p>Gave remarks recognizing law firms with substantial pro bono service.</p> <p>Text provided.</p> <p>Link: https://www.cadc.uscourts.gov/internet/home.nsf/Content/Announcement+-+ProBonoLeadersAmongDCFirms2017/\$FILE/40%20at%2050%20Press%20Release%20Final%202017a.pdf</p> <p>Additional coverage at Tracy Shorn, <i>33 Firms Honored at 40 at 50 Breakfast for Pro Bono Service</i>, D.C. Bar Blog, May 2, 2017.</p> <p>Link: https://old.dcbar.org/about-the-bar/news/40-at-50-breakfast-2017.cfm</p>
04/19/17	Boston, MA	Boston College Moot Court	<p>I do not have remarks or notes.</p> <p>Press coverage at <i>Federal Judges Test Advocacy Skills of Grimes Finalists</i>, Boston College Law School Magazine Online, Apr. 21, 2017.</p> <p>Link: http://lawmagazine.bc.edu/2017/04/federal-justices-test-</p>

Date	Location	Organization/Event	Description
			advocacy-skills-of-grimes-finalists/
04/11/17	Washington, DC	Naturalization Ceremony, U.S. District Court Extemporaneous Remarks	I do not have remarks or notes. I have not been able to locate press coverage.
04/04/17	New Haven, CT	Yale Law School Supreme Court Clinic	Q&A with students. I do not have remarks or notes. I have not been able to locate press coverage.
03/10/17	New York, NY	CSPAN, Justice John Roberts and Judge Merrick Garland Discuss the Legacy of Judge Henry Friendly Second Circuit Court of Appeals	I do not have remarks or notes. Link: https://www.c-span.org/video/?424016-1/justice-john-roberts-judge-merrick-garland-discuss-legacy-judge-henry-friendly I have not been able to locate further press coverage.
03/10/17	Washington, DC	Historical Society of the District of Columbia Circuit, 12 th Annual Mock Court Argument Program	Welcomed District of Columbia high school students participating in mock trial to courthouse. Text provided. Press coverage at <i>Jim Rocap Discusses Historical Society of DC Circuit's Mock Court on WPFW</i> , Steptoe News, Mar. 20, 2017. Link: https://www.steptoe.com/en/news-publications/jim-rocap-discusses-historical-society-

Date	Location	Organization/Event	Description
			of-dc-circuit-s-mock-court-on-wpfw.html
11/03/16	Washington, DC	Historical Society of the District of Columbia Circuit, Law Clerk Reception	<p>Introduced program speakers, including former Solicitor General Paul Clement.</p> <p>Text provided.</p> <p>I have not been able to locate press coverage.</p>
10/20/16	Washington, DC	District of Columbia Circuit Oral Arguments at University of the District of Columbia School of Law	<p>Gave remarks prior to commencement of oral arguments.</p> <p>Text provided.</p> <p>Event notice available at https://www.law.udc.edu/events/EventDetails.aspx?id=867636&hhSearchTerms=%22dc+and+circuit%22</p> <p>I have not been able to locate further press coverage.</p>
10/06/16	Washington, DC	Department of Justice, Twentieth Anniversary Celebration, Federal Government Pro Bono Program	<p>Gave speech on occasion of 20th anniversary of Pro Bono Program.</p> <p>Text provided.</p> <p>Link: https://www.cadc.uscourts.gov/internet/home.nsf/Content/VL%20-%20RPP%20-%20202016%20Pro%20Bono%20Committee%20Report/\$FILE/2016ProBonoCommitteeReport.pdf</p>
09/20/16	Washington, DC	Howard Law School, Conversation with the Dean	<p>Answered questions from the Dean regarding my legal career in front of audience of law students.</p>

Date	Location	Organization/Event	Description
			<p>I do not have remarks or notes.</p> <p>Press coverage at Paul Holston, <i>The President's Nominee: A Conversation with Chief Judge Merrick Garland</i>, The Hilltop, Oct. 2, 2016.</p> <p>Link: https://thehilltoponline.com/2016/10/02/the-presidents-nominee-a-conversation-with-chief-judge-merrick-garland/</p>
08/26/16	Cambridge, MA	Harvard Law School, Conversation with the Dean	<p>Answered questions from the Dean regarding my legal career in front of audience of first year students.</p> <p>I do not have remarks or notes.</p> <p>Link: https://www.youtube.com/watch?v=yN46ER6PPz8</p> <p>Press coverage at Peter DeMarco, <i>The Makings of Merrick Garland</i>, The Harvard Gazette, Aug. 27, 2016.</p> <p>Link: https://news.harvard.edu/gazette/story/2016/08/the-makings-of-merrick-garland/</p>
08/08/16	Chicago, IL	Memorial Service for Judge Abner Mikva	Gave remarks at memorial service.

Date	Location	Organization/Event	Description
			<p>Text provided.</p> <p>Memorial service announcement at https://www.eventbrite.com/e/abner-mikva-memorial-service-registration-26709209966?fbclid=IwAR1yIUZU5XcauKZxuSL4F6FItdR4JkACk0YJCIZUirq-jnEUeH9emn9VY</p> <p>Press coverage at Kim Janssen, <i>Merrick Garland chokes up at service for pal</i>, Chicago Tribune, Aug. 9, 2016.</p> <p>Link: https://www.chicagotribune.com/news/ct-abner-mikva-obama-garland-20160808-story.html</p>
06/15/16	Washington, DC	J.O. Wilson Elementary School, Graduation Ceremony	<p>Gave graduation speech to graduating students at school at which I tutor.</p> <p>Text provided.</p> <p>Press coverage at Nina Totenberg, <i>Supreme Court Nominee's Advice To 5th-Graders: 'Be The Brave One'</i>, NPR, June 15, 2016.</p> <p>Link: https://www.npr.org/2016/06/15/482206242/merrick-garland-delivers-5th-grade-commencement-address</p>

Date	Location	Organization/Event	Description
06/01/16	Washington, DC	Visit by J.O. Wilson Elementary School Students to United States Courthouse	<p>Welcomed students to courthouse.</p> <p>I do not have remarks or notes.</p> <p>I have not been able to locate press coverage.</p>
05/29/16	Skokie, IL	Niles West High School Graduation Ceremony	<p>Gave graduation speech to graduating students at my high school.</p> <p>Text provided.</p> <p>Link: https://www.youtube.com/watch?v=YAqLx2IaGxw</p> <p>Press coverage at Dana Kozlov and Mariam Sobh, Supreme Court Nominee Merrick Garland Speaks At Niles West Graduation, CBS 2 Chicago, May 29, 2016.</p> <p>Link: https://chicago.cbslocal.com/2016/05/29/supreme-court-nominee-merrick-garland-speaks-at-niles-west-graduation/</p>
05/24/16	Washington, DC	Visit by International Association of Women Judges to United States Courthouse	<p>Welcomed jurists to courthouse.</p> <p>Notes provided.</p> <p>I have not been able to locate press coverage.</p>
04/21/16	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50	<p>Gave remarks recognizing law firms with substantial pro bono service.</p>

Date	Location	Organization/Event	Description
		Judicial Pro Bono Recognition Breakfast	<p>Text provided.</p> <p>Press coverage at Ann E. Marimow, <i>Merrick Garland speaks — but not about the Supreme Court</i>, Washington Post, Apr. 21, 2016.</p> <p>Link: https://www.washingtonpost.com/news/powerpost/wp/2016/04/21/merrick-garland-speaks-but-not-about-the-supreme-court/</p>
03/16/16	Washington, DC	Remarks at Rose Garden Ceremony	<p>Gave remarks upon nomination to Supreme Court of the United States.</p> <p>Video of Remarks: https://www.youtube.com/watch?v=HOjeMIEjbvg</p> <p>The announcement received widespread press coverage. <i>See, e.g.,</i> Juliet Eilperin and Mike DeBonis, <i>President Obama nominates Merrick Garland to the Supreme Court</i>, Washington Post, Mar. 16, 2016.</p> <p>Link: https://www.washingtonpost.com/world/national-security/president-obama-to-nominate-merrick-garland-to-the-supreme-court-sources-say/2016/03/16/3bc90bc8-eb7c-11e5-a6f3-21ccdbc5f74e_story.html?hpid=hp_rhp-banner-high_garland-</p>

Date	Location	Organization/Event	Description
			mobile1015am%3Ahomepage%2Fstory&tid=a_inl_manual
03/11/16	Washington, DC	Historical Society of the District of Columbia Circuit, 11th Annual Mock Court Argument Program	<p>Welcomed District of Columbia high school students participating in mock trial to courthouse.</p> <p>Text and press report provided.</p>
03/03/16	Washington, DC	Visit by Yale Chapter of the American Constitution Society to the District of Columbia Circuit Court of Appeals	<p>Answered questions from law students seeking career advice and information regarding my experiences as a judge and practicing lawyer.</p> <p>I do not have remarks or notes.</p> <p>Press report provided.</p>
02/17/16	Washington, DC	George Washington University Law School, Meeting with George Washington Law Students	<p>Provided an introduction to the District of Columbia Circuit.</p> <p>I do not have remarks or notes.</p> <p>I have not located any press coverage.</p>
11/16/15	Washington, DC	Historical Society of the District of Columbia Circuit, Law Clerk Reception	<p>Introduced Solicitor General Donald Verrilli.</p> <p>Text and press report provided.</p>
10/27/15	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Federal Government Pro Bono Recognition Reception	<p>Gave remarks recognizing government lawyers for pro bono service.</p> <p>Text provided.</p> <p>I have not located any press coverage.</p>

Date	Location	Organization/Event	Description
10/22/15	Washington, DC	Washington Bar Association Event at Howard Law School	Greeted the Washington Bar Association and reported on the state of the District of Columbia Circuit. Text provided. I have not located any press coverage.
10/07/15	Washington, DC	District of Columbia Circuit Oral Arguments at George Washington University Law School	Answered questions from law students seeking career advice and information regarding my experiences as a judge and practicing lawyer. I do not have remarks or notes. I have not located any press coverage.
06/23/15-06/26/15	Philadelphia, PA	District of Columbia Circuit Judicial Conference	Presided over the District of Columbia Circuit's Judicial Conference. Text and press reports provided.
06/04/15	Washington, DC	Visit by J.O. Wilson Elementary School Students to United States Courthouse	Welcomed students to courthouse. I do not have remarks or notes, and have not located any press coverage.
05/14/15	Washington, DC	District of Columbia Circuit Court of Appeals, Attorney Admissions Ceremony	Presided over attorney admissions ceremony. Text provided. I have not located any press coverage.
05/11/15	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>Don Quixote</i>	Served as panelist at mock trial event. Transcript and press reports provided.

Date	Location	Organization/Event	Description
04/20/15	Oklahoma City, OK	Oklahoma City National Memorial and Museum, 20th Anniversary Commemoration	<p>Participated in panel titled “The Oklahoma City Bombing – 20 Years Later: The Investigation.”</p> <p>I do not have remarks or notes. Agenda and press reports provided.</p>
04/13/15	Washington, DC	Legal Services Corporation, Supreme Court Reception	<p>Gave remarks at Supreme Court of the United States regarding legal services for the poor.</p> <p>Text provided. I have not located any press coverage.</p>
04/09/15	Washington, DC	Visit by Harvard Chapter of the American Constitution Society to the District of Columbia Circuit Court of Appeals	<p>Answered questions from law students regarding careers in the law.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
04/01/15	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50 Judicial Pro Bono Recognition Breakfast	<p>Gave remarks recognizing law firms with substantial pro bono service.</p> <p>Text and press report provided.</p>
03/20/15	Washington, DC	Historical Society of the District of Columbia Circuit, 10th Annual Mock Court Argument Program	<p>Welcomed District of Columbia high school students participating in mock trial to courthouse.</p> <p>Text and press report provided.</p>
03/19/15	Washington, DC	District of Columbia Circuit Oral Arguments at the Catholic University of America Columbus School of Law	<p>Answered questions from law students seeking career advice and information regarding my experiences as a judge and practicing lawyer.</p> <p>I do not have remarks or notes. Press report provided.</p>

Date	Location	Organization/Event	Description
02/25/15	New Haven, CT	Yale Supreme Court Advocacy Clinic, Meeting with Clinic Students	<p>Answered questions from law students regarding appellate advocacy.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
12/04/14	Washington, DC	Council for Court Excellence, Meeting at United States Courthouse	<p>Participated in a conversation about court administration and serving as a judge.</p> <p>I do not have remarks or notes. Press report provided.</p>
11/05/14	Washington, DC	District of Columbia Circuit Oral Arguments at Howard Law School	<p>Answered questions from law students seeking career advice and information regarding my experiences as a judge and practicing lawyer.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
10/21/14	Washington, DC	Historical Society of the District of Columbia Circuit, Law Clerk Reception	<p>Introduced Justice Elena Kagan and Judge Ellen Segal Huvelle.</p> <p>Text and press report provided.</p>
09/19/14	Cambridge, MA	Joint Forum, Harvard Chapters of the Federalist Society and the American Constitution Society	<p>Answered questions from law students regarding careers in the law.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
09/12/14	Washington, DC	District of Columbia Circuit Court of Appeals, Investiture Ceremony for Judge Robert Wilkins	<p>Presided over investiture ceremony.</p> <p>Text and press report provided.</p>
07/11/14	Washington, DC	District of Columbia District Court, Investiture Ceremony for Judge Christopher Cooper	<p>Gave brief remarks.</p> <p>Text and press report provided.</p>

Date	Location	Organization/Event	Description
06/05/14	Washington, DC	Visit by J.O. Wilson Elementary School Students to United States Courthouse	Welcomed students to courthouse. I do not have remarks or notes, and have not located any press coverage.
05/21/14	Washington, DC	Visit by Officials of the Administrative Office of the United States Courts to United States Courthouse	Welcomed court executives and chief deputies of three circuits to courthouse. Text provided. I have not located any press coverage.
05/19/14	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>Measure for Measure</i>	Served as panelist at mock trial event. I do not have remarks or notes. Press report provided.
05/13/14	Washington, DC	District of Columbia Circuit Court of Appeals, Attorney Admissions Ceremony	Presided over attorney admissions ceremony. Text provided. I have not located any press coverage.
04/25/14	Washington, DC	Historical Society of the District of Columbia Circuit, 9th Annual Mock Court Argument Program	Welcomed District of Columbia high school students participating in mock trial to courthouse. Text and press report provided.
04/23/14	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50 Judicial Pro Bono Recognition Breakfast	Gave remarks recognizing law firms with substantial pro bono service. Text and press report provided.
04/10/14	Washington, DC	Visit by African Judges to District of Columbia Circuit Court of Appeals	Welcomed visiting judges. I do not have remarks or notes, and have not located any press coverage.
03/13/14	Washington, DC	District of Columbia Circuit Court of Appeals, Investiture	Presided over investiture ceremony.

Date	Location	Organization/Event	Description
		Ceremony for Judge Cornelia Pillard	Text, video, and press report provided.
02/28/14	Washington, DC	District of Columbia Circuit Court of Appeals, Investiture Ceremony for Judge Patricia Millett	Presided over investiture ceremony. Text, video, and press report provided.
02/27/14	Washington, DC	Visit by Yale Chapter of the American Constitution Society to the District of Columbia Circuit Court of Appeals	Answered questions from law students regarding careers in the law. I do not have remarks or notes, and have not located any press coverage.
02/19/14	Washington, DC	Cosmos Club, Meeting	Gave remarks regarding court administration. Notes provided. I have not located any press coverage.
01/29/14	Washington, DC	Federal Public Defenders Conference	Gave welcoming remarks. Text provided. I have not located any press coverage.
12/16/13	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Federal Government Pro Bono Recognition Reception	Gave remarks recognizing government lawyers for pro bono service. Text and press report provided.
11/12/13	Washington, DC	District of Columbia Circuit Oral Arguments at Georgetown University Law Center	Answered questions from law students seeking career advice and information regarding my experiences as a judge and practicing lawyer. I do not have remarks or notes. Press provided.
10/23/13	Cambridge, MA	Harvard Law School, Moot Court Competition	Served as panelist at moot court event. Video and press report provided.

Date	Location	Organization/Event	Description
10/17/13	Washington, DC	Washington Bar Association Event at Howard Law School	Greeted the Washington Bar Association. I do not have remarks or notes, and have not located any press coverage.
10/08/13	Washington, DC	District of Columbia Circuit Court of Appeals, Attorney Admissions Ceremony	Presided over attorney admissions ceremony. Text provided. I have not located any press coverage.
09/26/13	Washington, DC	District of Columbia Circuit Court of Appeals, Investiture Ceremony for Judge Sri Srinivasan	Presided over investiture ceremony. Notes and press reports provided.
08/05/13	Oklahoma City, OK	Oklahoma City National Memorial Foundation. Recorded oral history.	Video available from the Foundation.
05/22/13	Washington, DC	American Law Institute, 90th Annual Meeting	Presented the Henry J. Friendly Medal to William H. Webster. Text, video, and press report provided.
05/13/13	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>Latin Herald v. Gaius Marcius Coriolanus (Coriolanus)</i>	Served as panelist at mock trial event. I do not have remarks or notes. Press report provided.
05/06/13	Washington, DC	District of Columbia Circuit Court of Appeals, Attorney Admissions Ceremony	Presided over attorney admissions ceremony. Notes provided. I have not located any press coverage.
04/15/13	Washington, DC	Visit by African Judges to District of Columbia Circuit Court of Appeals	Welcomed visiting judges. I do not have remarks or notes, and have not located any press coverage.
04/12/13	Washington, DC	Historical Society of the District of Columbia Circuit, 8th Annual Mock Court Argument Program	Congratulated District of Columbia high school

Date	Location	Organization/Event	Description
			<p>students participating in mock trial.</p> <p>Text and press report provided.</p>
04/09/13	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50 Judicial Pro Bono Recognition Breakfast	<p>Gave remarks recognizing law firms with substantial pro bono service.</p> <p>Text and press reports provided.</p>
04/08/13	Washington, DC	Visit by Harvard Chapter of the American Constitution Society to the District of Columbia Circuit Court of Appeals	<p>Answered questions from law students regarding careers in the law and information regarding my experiences as a judge and practicing lawyer.</p> <p>I do not have remarks or notes. Press report provided.</p>
04/05/13	Washington, DC	District of Columbia Circuit Court of Appeals, Portrait Presentation Ceremony for Judge David B. Sentelle	<p>Presided over portrait presentation ceremony.</p> <p>Text and transcript provided. I have not located any press coverage.</p>
02/20/13	New Haven, CT	Yale Supreme Court Advocacy Clinic, Meeting with Clinic Students	<p>Answered questions from law students regarding appellate advocacy.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
02/16/13	Washington, DC	J. Reuben Clark Law Society, Annual Conference, Georgetown University Law Center	<p>Discussed life lessons learned throughout career.</p> <p>Video provided. I have not located any press coverage.</p>
02/12/13	Washington, DC	District of Columbia Circuit Court of Appeals, Ceremony Honoring Judge David B. Sentelle	<p>Gave remarks thanking Judge Sentelle for his service as Chief Judge.</p> <p>Text provided. I have not located any press coverage.</p>

Date	Location	Organization/Event	Description
01/22/13	Washington, DC	Edward Coke Appellate Inn of Court, January Meeting on the Life and Career of Judge Henry Friendly	Participated in panel discussion regarding Judge Friendly. I do not have remarks or notes. Press report provided.
12/03/12	New Haven, CT	Yale Law School, Moot Court Competition	Served as panelist at moot court event. Video and press report provided.
11/15/12	Washington, DC	The Federalist Society, 2012 National Lawyers Convention	Moderated panel titled "Prosecutorial Misconduct." Notes and video provided. I have not located any press coverage.
10/18/12	Washington, DC	George Washington University Law School, Conversation with Author of "Henry Friendly: Greatest Judge of His Era"	Participated in panel discussion. Video provided. I have not located any press coverage.
06/07/12	Washington, DC	Visit by J.O. Wilson Elementary School Students to United States Courthouse	Welcomed students to courthouse. I do not have remarks or notes, and have not located any press coverage.
04/30/12	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>Claudio v. Hero</i>	Served as panelist at mock trial event. I do not have remarks or notes. Press reports provided.
04/21/12	Washington, DC	15th Reunion of Garland Law Clerks at the District of Columbia Circuit Court of Appeals	Gave remarks to former law clerks. Text provided. I have not located any press coverage.
02/28/12	Washington, DC	Visit by Harvard Law School Class to the District of Columbia Circuit Court of Appeals	Answered questions from law students seeking career advice and information regarding my experiences as a judge and practicing lawyer.

Date	Location	Organization/Event	Description
			I do not have remarks or notes, and have not located any press coverage.
02/24/12	New Haven, CT	Yale Law Journal, Meeting with Editors	<p>Answered questions from law students regarding careers in the law.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
01/24/12	Washington, DC	United States Department of Justice, Jack Keeney Memorial Event	<p>Gave remarks regarding former Department official Jack Keeney.</p> <p>Text and video provided. I have not located any press coverage.</p>
01/18/12	Washington, DC	Visit by Harvard Law School Supreme Court Litigation Clinic to the District of Columbia Circuit Court of Appeals	<p>Answered questions from law students seeking career advice and information regarding my experiences as a judge and practicing lawyer.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
12/03/11	Washington, DC	Bar Association of the District of Columbia, Judge of the Year Ceremony	<p>Gave remarks accepting award at ceremony.</p> <p>Text provided. I have not located any press coverage.</p>
10/05/11	New Haven, CT	Yale Supreme Court Advocacy Clinic, Meeting with Clinic Students	<p>Discussed False Claims Act cases and legislation.</p> <p>Notes provided. I have not located any press coverage.</p>
06/20/11	Washington, DC	United States Presidential Scholars Program, Reception at Cannon House Building	<p>Gave remarks to students.</p> <p>Text provided. I have not located any press coverage.</p>
06/16/11	Washington, DC	American Constitution Society, Moot Court Competition	Served as panelist at moot court event.

Date	Location	Organization/Event	Description
			Agenda provided.
04/11/11	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>An Ideal Husband</i>	Served as panelist at mock trial event. I do not have remarks or notes. Press reports provided.
04/07/11	Washington, DC	District of Columbia Circuit Judicial Conference, Standing Committee on Pro Bono Legal Services, Annual 40 at 50 Judicial Pro Bono Recognition Breakfast	Gave remarks recognizing law firms with substantial pro bono service. Text and press reports provided.
03/29/11	Washington, DC	Visit by High School Students to District of Columbia Circuit Court of Appeals	Answered questions regarding my experiences as a judge. I do not have remarks or notes, and have not located any press coverage.
02/15/11	Washington, DC	Visit by Elementary School Students to District of Columbia Circuit Court of Appeals	Answered questions regarding my experiences as a judge. I do not have remarks or notes, and have not located any press coverage.
01/10/11	Washington, DC	National War College, Guest Lecture	Lectured students on federal courts and administrative law. Text provided. I have not located any press coverage.
12/09/10	Washington, DC	The Federalist Society, Panel	Moderated panel titled "Changing the Federal Rules of Civil Procedure: Has the Time Come?" Video provided. I have not located any press coverage.
12/06/10	New Haven, CT	Yale Law School, Moot Court Competition	Served as panelist at moot court event. Video provided. I have not located any press coverage.

Date	Location	Organization/Event	Description
12/01/10	Cambridge, MA	Harvard Law School, Meeting with Law School Class	Spoke to students about the roles of advocates in the legal system. I do not have remarks or notes. Press reports provided.
10/22/10	New Haven, CT	Yale Law Journal, Meeting with Editors	Answered questions from law students regarding careers in the law. I do not have remarks or notes, and have not located any press coverage.
04/11/10	Cambridge, MA	Harvard College, Meeting with Freshmen	Answered questions regarding college and law school. I do not have remarks or notes, and have not located any press coverage.
03/25/10	Washington, DC	Spoke with Students at District of Columbia Elementary School	Answered questions regarding my experiences as a judge. I do not have remarks or notes, and have not located any press coverage.
03/16/10	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>Judgment at Agincourt</i>	Served as panelist at mock trial event. Video provided. I have not located any press coverage.
01/22/10	Cambridge, MA	Harvard Law School Supreme Court Litigation Clinic, Meeting with Clinic Students	Answered questions from law students regarding appellate advocacy. I do not have remarks or notes, and have not located any press coverage.
01/19/10	Washington, DC	National War College, Guest Lecture	Lectured students on federal courts and administrative law. Text provided. I have not located any press coverage.

Date	Location	Organization/Event	Description
12/17/09	Washington, DC	Harvard Club of Washington	Introduced Justice Ruth Bader Ginsburg at Harvard Club event. Text provided. I have not located any press coverage.
11/03/09	New Haven, CT	Yale Supreme Court Advocacy Clinic, Meeting with Clinic Students	Lectured students regarding appellate advocacy. Notes provided. I have not located any press coverage.
09/15/09	Washington, DC	Harvard Alumni Association Event	Introduced Harvard President Drew Gilpin Faust at event. Text provided. I have not located any press coverage.
06/19/09	Washington, DC	American Constitution Society, 2009 Annual Convention	Moderated panel titled "The Internet Revolution and its Effect on the First Amendment." Notes, video, and press report provided.
04/06/09	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>Malvolio's Revenge</i>	Served as panelist at mock trial event. I do not have remarks or notes. Press reports provided.
03/25/09	Salt Lake City, UT	University of Utah Law School, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.
02/19/09	Washington, DC	Edward Bennett Williams Inn of Court	Moderated panel on legal blogs. Notes provided. I have not located any press coverage.
01/22/09	Washington, DC	Harvard Law School Supreme Court Litigation Clinic, Meeting with Clinic Students	Spoke with law students regarding appellate advocacy.

Date	Location	Organization/Event	Description
			I do not have remarks or notes, and have not located any press coverage.
01/15/09	Washington, DC	National War College, Guest Lecture	Lectured students on federal courts and administrative law. Text provided. I have not located any press coverage.
11/20/08	Washington, DC	The Federalist Society, 2008 National Lawyers Convention	Moderated panel titled "The Prosecution of Public Corruption." Notes and video provided. I have not located any press coverage.
06/13/08	Washington, DC	American Constitution Society, 2008 National Convention	Participated in panel titled "(In)effective Assistance of Counsel for Criminal Defendants." Video provided. I have not located any press coverage.
06/06/08	Farmington, PA	District of Columbia Circuit Judicial Conference	Moderated panel titled "How Are the Courts of the Circuit Doing?" Notes provided. I have not located any press coverage.
05/29/08	Washington, DC	The Federalist Society, Panel	Moderated panel titled "The Obstruction of Justice." Notes and video provided. I have not located any press coverage.
03/05/08	Washington, DC	National Association of Attorneys General, Appellate Advocacy Conference	Participated in panel regarding appellate advocacy. Notes provided. I have not located any press coverage.
01/17/08	Washington, DC	National War College, Guest Lecture	Lectured students on federal courts and administrative law. Text provided. I have not located any press coverage.

Date	Location	Organization/Event	Description
11/30/07	Cambridge, MA	Harvard Law School, Meeting with Law School Class	Spoke to students about the legal profession. I do not have remarks or notes, and have not located any press coverage.
11/15/07	Washington, DC	The Federalist Society, 2007 National Lawyers Convention	Moderated panel titled "The Independence of Federal Prosecutors." Notes, transcript, agenda, and video provided. I have not located any press coverage.
10/26/07	Washington, DC	American Bar Association Administrative Law and Regulatory Practice Section, Meeting	Introduced Judge A. Raymond Randolph upon his induction as a senior fellow. Participated on panel titled "D.C. Circuit Judges Talk About Deference." Text, notes, and press report provided.
07/27/07	Washington, DC	American Constitution Society, 2007 National Convention	Moderated panel titled "The Role of the Department of Justice." Notes and video provided. I have not located any press coverage.
02/23/07	Washington, DC	Visit by Justices of the European Court of Justice to the District of Columbia Circuit Court of Appeals	Welcomed Justices to courthouse and discussed U.S. administrative law. I do not have remarks or notes. Press report provided.

Date	Location	Organization/Event	Description
11/14/06	Cambridge, MA	Harvard Law School, Ames Moot Court Competition	<p>Served as panelist at moot court event.</p> <p>I do not have remarks or notes. Press report provided.</p> <p>Link: https://www.youtube.com/watch?app=desktop&v=fOYztADJNJo&feature=youtu.be</p>
10/24/06	Annapolis, MD	United States Naval Academy, Guest Lecture	<p>Lectured students on American government.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
06/21/06	Washington, DC	Georgetown University Law Center, Meeting with Chinese Legal Officials at U.S. District Court	<p>Gave remarks to Chinese legal officials regarding United States law relating to suits against the government.</p> <p>Notes provided. I have not located any press coverage.</p>
06/17/06	Washington, DC	American Constitution Society, 2006 National Convention	<p>Moderated panel titled "Can the Department of Justice Police the Executive and Legislative Branches?"</p> <p>Notes and agenda provided. I have not located any press coverage.</p>
05/15/06	Washington, DC	Reunion of Judge Friendly Clerks	<p>Gave a toast to Chief Justice John G. Roberts, Jr.</p> <p>Text provided. I have not located any press coverage.</p>
04/11/06	Washington, DC	Visit by New Hampshire High School Students to District of Columbia Circuit Court of Appeals	<p>Answered questions regarding my experiences as a judge.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>

Date	Location	Organization/Event	Description
03/22/06	Washington, DC	Visit by Middle School Students to District of Columbia Circuit Court of Appeals	<p>Answered questions regarding my experiences as a judge.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
01/26/06	Philadelphia, PA	University of Pennsylvania Law School, Moot Court Competition	<p>Served as panelist at moot court event.</p> <p>I do not have remarks or notes. Press report provided.</p>
12/12/05	New Haven, CT	Yale Law School, Moot Court Competition	<p>Served as panelist at moot court event.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
12/12/05	New Haven, CT	Yale Law School, Panel on Judicial Clerkships	<p>Participated on panel regarding judicial clerkships.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
11/12/05	Washington, DC	The Federalist Society, 2005 National Lawyers Convention	<p>Moderated panel titled "Originalism and the Administrative Procedure Act."</p> <p>Notes and agenda provided. I have not located any press coverage.</p>
10/01/05	Cambridge, MA	Harvard Law School, Meeting with Law School Class	<p>Answered questions regarding criminal law and professional responsibility.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
08/03/05	Washington, DC	Historical Society of the District of Columbia Circuit, Panel	<p>Participated in panel on arguing cases before the District of Columbia Circuit.</p> <p>I do not have remarks or notes. Press reports provided.</p>

Date	Location	Organization/Event	Description
06/01/05	New Haven, CT	Yale Law School, China-Yale Senior Government Leadership Program	Gave remarks regarding judicial review of administrative actions. Notes provided. I have not located any press coverage.
05/19/05	Washington, DC	Woodrow Wilson International Center for Scholars, Discussion of <i>Becoming Justice Blackmun</i>	Participated in panel regarding a biography of Justice Harry Blackmun. I do not have remarks or notes. Press report provided.
05/04/05	Chicago, IL	University of Chicago Law School, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.
04/18/05	Washington, DC	Metropolitan Police Department Retirement Dinner	Gave remarks at retirement of MPD Detective Lorren Leadmon. Notes provided. I have not located any press coverage.
04/07/05	Washington, DC	American Bar Association Administrative Law and Regulatory Practice Section, Panel	Participated in panel titled "Agency Law Making In Action: The Process from Beginning to End Using the Landmark <i>State Farm</i> Case." I do not have remarks or notes, and have not located any press coverage.
03/30/05	Washington, DC	Harvard Law School, Admitted Students Reception	Answered questions regarding law school experience. I do not have remarks or notes, and have not located any press coverage.
03/15/05	Washington, DC	Joint Meeting of the Edward Coke Appellate Inn of Court and the Giles Sutherland Rich American Inn of Court	Participated in panel regarding differences between the circuit courts.

Date	Location	Organization/Event	Description
			I do not have remarks or notes. Press report provided.
02/24/05	Washington, DC	Federal Public Defenders Conference, Panel	Participated in panel regarding effective appellate writing. Notes provided. I have not located any press coverage.
11/08/04	Washington, DC	Edward Bennett Williams Inn of Court, Meeting	Participated in moot court event. I do not have remarks or notes, and have not located any press coverage.
10/21/04	Washington, DC	American Bar Association Administrative Law and Regulatory Practice Section, Administrative Law Conference, Awards Luncheon	Gave address titled "Scholars and Public Servants at the Founding (of the APA)." Text and press reports provided.
10/14/04	Washington, DC	Visit by Chinese Justices to the District of Columbia Circuit Court of Appeals	Welcomed visiting Justices and discussed Chinese and American legal systems. I do not have remarks or notes, and have not located any press coverage.
10/12/04	Washington, DC	Discussion with Visiting Chinese Justices at the Supreme Court of the United States	Discussed Chinese and American legal systems. I do not have remarks or notes, and have not located any press coverage.
05/17/04	Washington, DC	American Bar Association Section of Litigation, Panel	Participated in panel titled "Courts, Cases, and the Media: Can We Talk? A Workshop To Improve News Coverage And Public Perception Of The Justice System."

Date	Location	Organization/Event	Description
			I do not have remarks or notes, and have not located any press coverage.
04/12/04	Washington, DC	Shakespeare Theatre Company, Mock Trial: <i>Falstaff v. King Henry V</i>	Served as panelist at mock trial event. I do not have remarks or notes, and have not located any press coverage.
02/29/04	Washington, DC	George Washington University Law School, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.
4/21/03	Champaign, IL	University of Illinois College of Law, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.
06/14/02	Kingsmill, VA	District of Columbia Circuit Judicial Conference	Moderated panel titled "Privacy and Security in an Age of Emerging Technologies." Notes provided. I have not located any press coverage.
02/24/02	Washington, DC	American University Washington College of Law, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.
12/17/01	New Haven, CT	Yale Law School, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.

Date	Location	Organization/Event	Description
12/12/01	Washington, DC	American Bar Association Administrative Law and Regulatory Practice Section, Panel	Participated in panel titled “ <i>State Farm</i> and the Arbitrary and Capricious Standard.” Notes and press report provided.
10/30/01	Washington, DC	District of Columbia Bar, Panel	Participated in panel on appellate advocacy. Notes provided. I have not located any press coverage.
05/04/01	Palo Alto, CA	Stanford Law School, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.
04/21/01	Boston, MA	Harvard Law Review, Annual Banquet	Gave address at annual banquet. Text provided. I have not located any press coverage.
01/07/00	Washington, DC	Association of American Law Schools, Panel	Participated in panel titled “Do Antitrust Teachers and Scholars Matter?” Notes provided. I have not located any press coverage.
11/15/99	Crystal City, VA	United States Department of Justice, National Institute of Justice Panel	Moderated panel titled “The Role of U.S. Attorney’s Offices in Case Selection, Investigation, and Enforcement.” Notes provided. I have not located any press coverage.
11/04/99	Washington, DC	American University Washington College of Law, American Bar Association Criminal Justice Section, Meeting	Participated in panel titled “Holding Prosecutors Accountable: What Rules Apply and Who Should Enforce Them?” I do not have remarks or notes. Agenda provided. I

Date	Location	Organization/Event	Description
			have not located any press coverage.
10/26/99	Washington, DC	District of Columbia Bar, Panel	Participated in panel discussion on appellate advocacy. Notes and press report provided.
09/02/99	Washington, DC	Federal Public Defenders Conference, Panel	Participated in panel discussion on appellate advocacy. Notes provided. I have not located any press coverage.
04/17/99	Dallas, TX	American Bar Association Section of Litigation, Panel	Participated in moot court and discussion of appellate advocacy. Notes provided. I have not located any press coverage.
04/15/99	Washington, DC	Visit by High School Students to District of Columbia Circuit Court of Appeals	Answered questions regarding my experiences as a judge. I do not have remarks or notes, and have not located any press coverage.
04/02/99	Berkeley, CA	University of California Law School, Berkeley, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes, and have not located any press coverage.
11/04/98	Washington, DC	Council for Court Excellence, Panel	Participated in panel titled "Lawyers, the Courts, and the Press." I do not have remarks or notes, and have not located any press coverage.
05/02/98	Chevy Chase, MD	Ohr Kodesh Congregation	Gave Law Day speech.

Date	Location	Organization/Event	Description
			Text provided. I have not located any press coverage.
02/21/98	Washington, DC	Toast to Seth Waxman on Occasion of His Becoming Solicitor General	Gave toast to Seth Waxman. Text and notes provided. I have not located any press coverage.
11/18/97	Cambridge, MA	Harvard Law School, Moot Court Competition	Served as panelist at moot court event. I do not have remarks or notes. Press report provided.
11/14/97	Washington, DC	Federal Judicial Center Program for Chinese Judges	Gave remarks titled "The Role of the Appellate Court in Criminal Cases." Notes provided. I have not located any press coverage.
08/12/97	Washington, DC	Attorney General's Advocacy Institute, Panel	Participated in panel discussion on appellate advocacy. Notes provided. I have not located any press coverage.
08/02/97	San Francisco, CA	American Bar Association Annual Meeting	Participated in panel titled "The Press and Terrorism Trials." Notes and press report provided.
06/03/97	Washington, DC	District of Columbia Circuit Court of Appeals Investiture Ceremony	Gave remarks at my investiture ceremony. Text and press report provided.
04/17/97	Washington, DC	Edward Bennett Williams Inn of Court, Meeting	Moderated panel titled "Corporate Cooperation in Criminal Investigations." Notes provided. I have not located any press coverage.
04/08/97	Washington, DC	United States Department of Justice, Farewell Ceremony	Gave remarks at my farewell ceremony.

Date	Location	Organization/Event	Description
			Text provided. I have not located any press coverage.
03/25/97	Washington, DC	United States Department of Justice, Farewell Ceremony for Deputy Attorney General Jamie Gorelick	Gave remarks at farewell ceremony. Text provided. I have not located any press coverage.
03/07/97	New Orleans, LA	American Bar Association Criminal Justice Section, Meeting	Participated in panel titled "Trial Strategies in White Collar Criminal Cases." I do not have remarks or notes, and have not located any press coverage.
01/16/97	Washington, DC	Washington Metropolitan Area Chapter of the American Corporate Counsel Association	Gave remarks regarding corporate and white collar crime. Text and press report provided.
10/23/96	Airlie, VA	American Bar Association Section of Litigation, Symposium on Corporate Criminal Liability	Participated in panel on corporate criminal liability. I do not have remarks or notes, and have not located any press coverage.
05/29/96	Baltimore, MD	United States Attorneys National Conference	Gave remarks regarding the Department of Justice's Critical Incident Response Plan. Notes provided. I have not located any press coverage.
07/16/95	Las Vegas, NV	National District Attorneys Association Convention	Spoke to Board of Directors regarding relations with the Department of Justice. I do not have remarks or notes, and have not located any press coverage.
10/15/94	Washington, DC	American Bar Association Criminal Justice Section, White Collar Crime Committee	Gave remarks regarding the Department of Justice's

Date	Location	Organization/Event	Description
			<p>Professional Responsibility Initiatives.</p> <p>Notes and press report provided.</p>
09/01/94	Washington, DC	District of Columbia Bar, George Washington University Annual Institute on Program Fraud	<p>Gave remarks regarding the Department of Justice's Professional Responsibility Initiatives.</p> <p>Notes and press report provided.</p>
08/06/94	New Orleans, LA	American Bar Association Convention	<p>Participated in panel on high publicity cases.</p> <p>I do not have remarks or notes. Press reports provided.</p>
06/15/94	Washington, DC	District of Columbia Bar, Administrative Law and Agency Practice Section Meeting	<p>Moderated discussion of talk by Walter Dellinger.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
05/23/94	Washington, DC	District of Columbia Bar, Panel	<p>Participated in panel discussion regarding plea negotiations.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
10/22/93	Washington, DC	American Bar Association Section of Litigation, Meeting	<p>Participated in question and answer session regarding Department of Justice initiatives.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
06/24/93	Philadelphia, PA	American Corporate Counsel Association, Panel	<p>Participated in panel titled "Will There Be a New Antitrust Agenda?"</p> <p>Notes provided. I have not located any press coverage.</p>

Date	Location	Organization/Event	Description
05/21/93	San Antonio, TX	St. Mary's University School of Law Symposium, Panel	<p>Participated in panel titled "Will There Be a New Antitrust Agenda?"</p> <p>I likely used the same notes as for the previous entry. I have not located any press coverage.</p>
02/22/93	Washington, DC	District of Columbia Bar, Winter Convention	<p>Moderated panel titled "Property Rights and Regulatory Takings."</p> <p>Notes and press report provided.</p>
02/28/86	New Haven, CT	Yale Law School, Meeting with Law School Class	<p>Spoke to law school class regarding administrative law.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
02/21/86	Kings Point, NY	Office of Personnel Management, Executive Seminar Center, U.S. Merchant Marine Academy, Guest Lecture	<p>Explained basic administrative law concepts.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
02/15/85	Kings Point, NY	Office of Personnel Management, Executive Seminar Center, U.S. Merchant Marine Academy, Guest Lecture	<p>Explained basic administrative law concepts.</p> <p>I do not have remarks or notes, and have not located any press coverage.</p>
05/22/84	Williamsburg, VA	District of Columbia Circuit Judicial Conference	<p>As an audience member, I asked the panel a question about administrative law.</p> <p>Transcript provided. I do not have remarks or notes, and have not located any press coverage.</p>
05/11/83	Skokie, IL	Niles West High School	Discussed high school and college experiences.

Date	Location	Organization/Event	Description
			I do not have remarks or notes, and have not located any press coverage.

- 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.

Using my own records and publicly available electronic databases, the following includes all entries that I could find in which I was interviewed, gave remarks to the press, or was quoted. Most are not original interviews, but rather include quotations from other interviews or court proceedings. I have supplied clips or transcripts where available.

“Deborah Rhode, Stanford law professor and authority on legal ethics, dies at 68,” The Washington Post, January 12, 2021.

“Law Clerk Hiring Plan Extended,” U.S. Court News, November 12, 2020.

D.C. Circuit Judges’ “Statement On Passing of Judge Stephen F. Williams,” August 8, 2020.

News Release: “Chief Judges Announce Adoption of New Employment Dispute Resolution Plans,” February 10, 2020.

Press Briefing at Supreme Court Regarding Actions of Judicial Conference, September 17, 2019.

“Detroit News editor and publisher Jonathan Wolman dead at 68,” The Detroit News, April 15, 2019.

Press Briefing at Supreme Court Regarding Actions of Judicial Conference, March 12, 2019.

“Judges make rules changes to address #MeToo complaints,” Politico, March 12, 2019.

“Sexual Harassment Policies Adopted for Federal Judiciary,” Bloomberg, March 12, 2019.

“Federal Judiciary leaders approve new rules to protect court employees from workplace harassment,” Washington Post, March 12, 2019.

“Sexual misconduct the aim of crackdown by the federal courts,” USA Today, March 12, 2019.

Press Briefing at Supreme Court Regarding Actions of Judicial Conference, September 13, 2018.

News Release: “Chief Judges Announce Formation of Workplace Conduct Committee,” June 4, 2018.

News Release: “Policy Regarding Live Audio Streaming of Arguments, D.C. Circuit,” May 23, 2018.

Press Briefing at Supreme Court Regarding Actions of Judicial Conference, March 13, 2018.

News Release: “Further Expansion of D.C. Circuit Policy Regarding Live Audio Streaming of Arguments,” D.C. Circuit, December 19, 2017.

News Release: “Statement by Chief Judge Garland Regarding Posting of D.C. Circuit Judgments,” D.C. Circuit, June 22, 2016.

Bridget Bowman, “Senators Speak About Their Meetings with Merrick Garland,” Atlanta Journal-Constitution, April 27, 2016.

“Senator Cory Booker Meeting with Merrick Garland,” C-SPAN, April 12, 2016. Video provided.

Mary Clare Jalonick, “GOP Senator Meets with Garland, Says Hearings Should Be Held,” Associated Press, April 6, 2016.

Mary Clare Jalonick, “Nominee Garland Smiles, Stays Quiet While in Public View,” Associated Press, April 6, 2016.

“Senator Susan Collins Meeting with Merrick Garland,” C-SPAN, April 5, 2016. Video provided.

“Senator Joe Manchin Meeting with Merrick Garland,” C-SPAN, April 5, 2016. Video provided.

“Senator Jeanne Shaheen Meeting with Merrick Garland,” C-SPAN, April 5, 2016. Video provided.

“Senator Mark Kirk Meeting with Merrick Garland,” C-SPAN, March 29, 2016. Video provided.

Lynn Sweet, “Senate GOP Must Be ‘Rational’ About Court Pick, Kirk Says,”

Chicago Sun-Times, March 29, 2016.

Denise Lavoie, “Supreme Court Nominee Formed Lasting Bonds at Harvard,” The Associated Press, March 28, 2016.

Sheryl Gay Stolberg, Matt Apuzzo & Katharine Q. Seelye, “Merrick Garland Is a Deft Navigator of Washington’s Legal Circles,” New York Times, March 26, 2016.

“Merrick Garland, The Tutor,” The White House, March 19, 2016. Video provided.

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Advanced Commc'ns Corp. v. FCC, 376 F.3d 1153 (D.C. Cir. 2004)

Kilburn v. Socialist People's Libyan Arab Jamahiriya, 376 F.3d 1123 (D.C. Cir. 2004)

Summers v. Howard Univ., 374 F.3d 1188 (D.C. Cir. 2004)

Barbour v. Wash. Metro. Area Transit Auth., 374 F.3d 1161 (D.C. Cir. 2004)

Francis v. Rodman Local Union 201 Pension Fund, 367 F.3d 937 (D.C. Cir. 2004)

United States v. Goree, 365 F.3d 1086 (D.C. Cir. 2004)

United States v. Thomas, 361 F.3d 653 (D.C. Cir. 2004)

United States v. Heard, 359 F.3d 544 (D.C. Cir. 2004)

Sierra Club v. EPA, 356 F.3d 296 (D.C. Cir. 2004), *amended* 2004 WL 877850 (D.C. Cir. Apr. 16, 2004)

Ciralsky v. CIA, 355 F.3d 661 (D.C. Cir. 2004)

Singletary v. District of Columbia, 351 F.3d 519 (D.C. Cir. 2003)

Ranger Cellular v. FCC, 348 F.3d 1044 (D.C. Cir. 2003)

United States v. Pettigrew, 346 F.3d 1139 (D.C. Cir. 2003)

Shamrock Foods Co. v. NLRB, 346 F.3d 1130 (D.C. Cir. 2003)

United States v. Hanson, 339 F.3d 983 (D.C. Cir. 2003)

United States v. Taylor, 339 F.3d 973 (D.C. Cir. 2003)

Information Handling Servs., Inc. v. Def. Automated Printing Servs., 338 F.3d 1024 (D.C. Cir. 2003)

Missouri Pub. Serv. Comm'n v. FERC, 337 F.3d 1066 (D.C. Cir. 2003)

Kappus v. Commissioner, 337 F.3d 1053 (D.C. Cir. 2003)

United States v. Lafayette, 337 F.3d 1043 (D.C. Cir. 2003)

Lathram v. Snow, 336 F.3d 1085 (D.C. Cir. 2003)

Transp. Intelligence, Inc. v. FCC, 336 F.3d 1058 (D.C. Cir. 2003)

United States v. Pindell, 336 F.3d 1049 (D.C. Cir. 2003)

United States v. Brown, 334 F.3d 1161 (D.C. Cir. 2003)

Ark Las Vegas Restaurant Corp. v. NLRB, 334 F.3d 99 (D.C. Cir. 2003)

Fontana v. White, 334 F.3d 80 (D.C. Cir. 2003)

United States v. Powell, 334 F.3d 42 (D.C. Cir. 2003)

Sec'y of Labor v. Excel Mining, LLC, 334 F.3d 1 (D.C. Cir. 2003)

Public Citizen, Inc. v. HHS, 332 F.3d 654 (D.C. Cir. 2003)

United States v. Johnson, 331 F.3d 962 (D.C. Cir. 2003)

United States v. Hinds, 329 F.3d 184 (D.C. Cir. 2003)

Morgan v. Fed. Home Loan Mortg. Corp., 328 F.3d 647 (D.C. Cir. 2003)

United States v. Hall, 326 F.3d 1295 (D.C. Cir. 2003)

Rancho Viejo v. Norton, 323 F.3d 1062 (D.C. Cir. 2003)

Fund for Animals, Inc. v. Norton, 322 F.3d 728 (D.C. Cir. 2003)

Waters v. Rumsfeld, 320 F.3d 265 (D.C. Cir. 2003)

Lee Lumber & Bldg. Material Corp. v. NLRB, 310 F.3d 209 (D.C. Cir. 2002)

United States v. Arrington, 309 F.3d 40 (D.C. Cir. 2002)

United States v. Brooke, 308 F.3d 17 (D.C. Cir. 2002)

Sturm, Ruger & Co. v. Chao, 300 F.3d 867 (D.C. Cir. 2002)

Republican Nat. Comm. v. Taylor, 299 F.3d 887 (D.C. Cir. 2002)

U.S. Air Tour Ass'n v. FAA, 298 F.3d 997 (D.C. Cir. 2002)

Waterhouse v. District of Columbia, 298 F.3d 989 (D.C. Cir. 2002)

United States v. Samuel, 296 F.3d 1169 (D.C. Cir. 2002)

World Wide Minerals, Ltd. v. Repub. of Kazakhstan, 296 F.3d 1154 (D.C. Cir. 2002)

Darrell Andrews Trucking, Inc. v. Fed. Motor Carrier Safety Admin., 296 F.3d 1120 (D.C. Cir. 2002)

A.E. Staley Mfg. Co. v. Sec'y of Labor, 295 F.3d 1341 (D.C. Cir. 2002)

U.S. Telecom Ass'n v. FCC, 295 F.3d 1326 (D.C. Cir. 2002)

Watters v. Wash. Metro. Area Transit Auth., 295 F.3d 36 (D.C. Cir. 2002)

Gerber v. Norton, 294 F.3d 173 (D.C. Cir. 2002)

Ned Chartering & Trading, Inc. v. Repub. of Pakistan, 294 F.3d 148 (D.C. Cir. 2002)

United States v. Wesley, 293 F.3d 541 (D.C. Cir. 2002)

Gorman v. Ameritrade Holding Corp., 293 F.3d 506 (D.C. Cir. 2002)

Power v. Barnhart, 292 F.3d 781 (D.C. Cir. 2002)

Musengo v. White, 286 F.3d 535 (D.C. Cir. 2002)

Breen v. Dep't of Transp., 282 F.3d 839 (D.C. Cir. 2002)

Arizona v. Thompson, 281 F.3d 248 (D.C. Cir. 2002)

United States v. Bookhardt, 277 F.3d 558 (D.C. Cir. 2002)

Antelope Valley Bus Co. v. NLRB, 275 F.3d 1089 (D.C. Cir. 2002)

Curtin v. United Airlines, Inc., 275 F.3d 88 (D.C. Cir. 2001)

RAG Cumberland Res. LP v. Fed. Mine Safety & Health Review Comm'n, 272 F.3d 590 (D.C. Cir. 2001)

United States v. Venable, 269 F.3d 1086 (D.C. Cir. 2001)

Gilvin v. Fire, 259 F.3d 749 (D.C. Cir. 2001)

Glob. Crossing Telecomms., Inc. v. FCC, 259 F.3d 740 (D.C. Cir. 2001)

Tourus Records, Inc. v. DEA, 259 F.3d 731 (D.C. Cir. 2001)

Pac. Bell v. NLRB, 259 F.3d 719 (D.C. Cir. 2001)

Students Against Genocide v. Dep't of State, 257 F.3d 828 (D.C. Cir. 2001)

Kirby Produce Co. v. U.S. Dep't of Agriculture, 256 F.3d 830 (D.C. Cir. 2001)

United States v. Webb, 255 F.3d 890 (D.C. Cir. 2001)

CF Indus., Inc. v. Surface Transp. Bd., 255 F.3d 816 (D.C. Cir. 2001)

Al-Fayed v. CIA, 254 F.3d 300 (D.C. Cir. 2001)

United States v. Johnson, 254 F.3d 279 (D.C. Cir. 2001)

Tenet HealthSystems HealthCorp. v. Thompson, 254 F.3d 238 (D.C. Cir. 2001)

United States v. Green, 254 F.3d 167 (D.C. Cir. 2001)

Tasty Baking Co. v. NLRB, 254 F.3d 114 (D.C. Cir. 2001)

United States v. Saro, 252 F.3d 449 (D.C. Cir. 2001)

United States v. Young, 247 F.3d 1247 (D.C. Cir. 2001)

Halle Enters., Inc. v. NLRB, 247 F.3d 268 (D.C. Cir. 2001)

United States v. Greenfield, 244 F.3d 158 (D.C. Cir. 2001)

Gray v. Poole, 243 F.3d 572 (D.C. Cir. 2001)

Dynaquest Corp. v. U.S. Postal Serv., 242 F.3d 1070 (D.C. Cir. 2001)

United States v. McCoy, 242 F.3d 399 (D.C. Cir. 2001)

Sloan v. U.S. Dep't of Housing & Urban Dev., 236 F.3d 756 (D.C. Cir. 2001)

Daskalea v. District of Columbia, 227 F.3d 433 (D.C. Cir. 2000)

United States v. Gbemisola, 225 F.3d 753 (D.C. Cir. 2000)

Hi-Tech Furnace Sys., Inc. v. FCC, 224 F.3d 781 (D.C. Cir. 2000)

Cone v. Caldera, 223 F.3d 789 (D.C. Cir. 2000)

United Food & Commercial Workers Intern. Union Local 400, AFL-CIO v. NLRB, 222 F.3d 1030 (D.C. Cir. 2000)

Transitional Hosps. Corp. v. Shalala, 222 F.3d 1019 (D.C. Cir. 2000)

First Am. Discount Corp. v. CFTC, 222 F.3d 1008 (D.C. Cir. 2000)

Graham v. SEC, 222 F.3d 994 (D.C. Cir. 2000)

Natural Resources Defense Council v. NRC, 216 F.3d 1180 (D.C. Cir. 2000)

United States v. Johnson, 216 F.3d 1162 (D.C. Cir. 2000)

Sparrow v. United Air Lines, Inc., 216 F.3d 1111 (D.C. Cir. 2000)

United States v. Evans, 216 F.3d 80 (D.C. Cir. 2000)

El-Hadad v. United Arab Emirates, 216 F.3d 29 (D.C. Cir. 2000)

Allied Local & Reg'l Mfrs. Caucus v. EPA, 215 F.3d 61 (D.C. Cir. 2000)

Contemporary Media, Inc. v. FCC, 214 F.3d 187 (D.C. Cir. 2000)

Lomak Petroleum, Inc. v. FERC, 206 F.3d 1193 (D.C. Cir. 2000)

Mohave Elec. Co-op., Inc. v. NLRB, 206 F.3d 1183 (D.C. Cir. 2000)

Borgo v. Goldin, 204 F.3d 251 (D.C. Cir. 2000)

Schoenbohm v. FCC, 204 F.3d 243 (D.C. Cir. 2000)

McGill v. Munoz, 203 F.3d 843 (D.C. Cir. 2000)

Fort Sumter Tours, Inc. v. Babbitt, 202 F.3d 349 (D.C. Cir. 2000)

Panhandle E. Pipe Line Co. v. FERC, 196 F.3d 1273 (D.C. Cir. 1999)

Trunkline LNG Co. v. FERC, 194 F.3d 68 (D.C. Cir. 1999)

*Telecom*USA, Inc. v. United States*, 192 F.3d 1068 (D.C. Cir. 1999)

Garvey v. Nat'l Transp. Safety Bd., 190 F.3d 571 (D.C. Cir. 1999)

Novecon Ltd. v. Bulgarian-Am. Enter. Fund, 190 F.3d 556 (D.C. Cir. 1999)

In re United Mine Workers of Am. Int'l Union, 190 F.3d 545 (D.C. Cir. 1999)

United States v. Christian, 187 F.3d 663 (D.C. Cir. 1999)

United States v. Weathers, 186 F.3d 948 (D.C. Cir. 1999)

United States v. Gloster, 185 F.3d 910 (D.C. Cir. 1999)

In re Sealed Case No. 99-3096 (Brady Obligations), 185 F.3d 887 (D.C. Cir. 1999)

United States v. Clark, 184 F.3d 858 (D.C. Cir. 1999)

United Seniors Ass'n, Inc. v. Shalala, 182 F.3d 965 (D.C. Cir. 1999)

Pioneer Hotel, Inc. v. NLRB, 182 F.3d 939 (D.C. Cir. 1999)

In re Sealed Case No. 97-3112, 181 F.3d 128 (D.C. Cir. 1999) (en banc)

Anderson v. Zubieta, 180 F.3d 329 (D.C. Cir. 1999)

United States v. Bridges, 175 F.3d 1062 (D.C. Cir. 1999)

Davenport v. Int'l Bhd. of Teamsters, AFL-CIO, 166 F.3d 356 (D.C. Cir. 1999)

United States v. Dozier, 162 F.3d 120 (D.C. Cir. 1998)

United States v. Perkins, 161 F.3d 66 (D.C. Cir. 1998)

Evans Fin. Corp. v. Dir., Office of Workers' Comp. Programs, 161 F.3d 30 (D.C. Cir. 1998)

Nat'l Ass'n of Mfrs. v. Dep't of Labor, 159 F.3d 597 (D.C. Cir. 1998)

Serono Labs., Inc. v. Shalala, 158 F.3d 1313 (D.C. Cir. 1998)

Cassell v. FCC, 154 F.3d 478 (D.C. Cir. 1998)

Grand Canyon Air Tour Coal. v. FAA, 154 F.3d 455 (D.C. Cir. 1998)

In re Sealed Case No. 96-3167, 153 F.3d 759 (D.C. Cir. 1998)

United States v. Glover, 153 F.3d 749 (D.C. Cir. 1998)

United States ex rel. Yesudian v. Howard Univ., 153 F.3d 731 (D.C. Cir. 1998)

LaRouche v. Fowler, 152 F.3d 974 (D.C. Cir. 1998)

United States v. Gartmon, 146 F.3d 1015 (D.C. Cir. 1998)

United States v. Andrews, 146 F.3d 933 (D.C. Cir. 1998)

La. Energy & Power Auth. v. FERC, 141 F.3d 364 (D.C. Cir. 1998)

Appalachian Power Co. v. EPA, 135 F.3d 791 (D.C. Cir. 1998) (per curiam, authored in part)

Hunter-Boykin v. George Wash. Univ., 132 F.3d 77 (D.C. Cir. 1998)

United States v. Davis, 127 F.3d 68 (D.C. Cir. 1997)

United States v. Turner, 119 F.3d 18 (D.C. Cir. 1997)

Opinions Concurring in Part

United States v. Linares, 367 F.3d 941 (D.C. Cir. 2004)

Opinions Concurring in Part and Concurring in the Result

Hutchins v. District of Columbia, 188 F.3d 531 (D.C. Cir. 1999) (en banc) (Garland, J. et al.)

Opinions Concurring in the Judgment/Result

AKM LLC v. Sec'y of Labor, 675 F.3d 752 (D.C. Cir. 2012)

Sottera, Inc. v. FDA, 627 F.3d 891 (D.C. Cir. 2010)

Bennett v. Islamic Repub. of Iran, 618 F.3d 19 (D.C. Cir. 2010)

Citizens for Responsibility & Ethics in Wash. v. FEC, 475 F.3d 337 (D.C. Cir. 2007)

Wertheimer v. FEC, 268 F.3d 1070 (D.C. Cir. 2001)

Pub. Citizen Health Research Group v. Food & Drug Admin., 185 F.3d 898 (D.C. Cir. 1999)

Opinions Concurring in Part and Dissenting in Part

McDonnell Douglas Corp. v. Air Force, 375 F.3d 1182 (D.C. Cir. 2004)

Am. Corn Growers Ass'n v. EPA, 291 F.3d 1 (D.C. Cir. 2002)

United States v. Wilson, 240 F.3d 39 (D.C. Cir. 2001)

Ross Stores, Inc. v. NLRB, 235 F.3d 669 (D.C. Cir. 2001)

Berger v. Iron Workers Reinforced Rodmen, Local 201, 170 F.3d 1111 (D.C. Cir. 1999)

Opinions Dissenting in Part

FedEx Home Delivery v. NLRB, 563 F.3d 492 (D.C. Cir. 2009)

Ne. Beverage Corp. v. NLRB, 554 F.3d 133 (D.C. Cir. 2009)

United States v. Spinner, 152 F.3d 950 (D.C. Cir. 1998)

Dissenting Opinions

In re Aiken County, 725 F.3d 255 (D.C. Cir. 2013)

Saleh v. Titan Corp., 580 F.3d 1 (D.C. Cir. 2009)

Fin. Planning Ass'n v. SEC, 482 F.3d 481 (D.C. Cir. 2007)

Valdes v. United States, 475 F.3d 1319 (D.C. Cir. 2007) (en banc)

United States ex rel. Totten v. Bombardier Corp., 380 F.3d 488 (D.C. Cir. 2004)

Akinseye v. District of Columbia, 339 F.3d 970 (D.C. Cir. 2003)

United States v. Watson, 171 F.3d 695 (D.C. Cir. 1999)

Opinions Concurring in the Denial of Rehearing En Banc

Al-Bihani v. Obama, 619 F.3d 1 (D.C. Cir. 2010) (Garland, J., et al.)

Bismullah v. Gates, 514 F.3d 1291 (D.C. Cir. 2008)

Opinions Dissenting From the Denial of Rehearing En Banc

Lee v. Dep't of Justice, 428 F.3d 299 (D.C. Cir. 2005)

13. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have never held or sought elected office. Other than judicial offices, I have held the following public offices:

Special Assistant to the Attorney General, United States Department of Justice, 1979-81, appointed by Attorney General Benjamin Civiletti.

Associate Independent Counsel, In re Nofziger (Wedtech), 1987-88, appointed by the United States Court of Appeals for the District of Columbia Circuit, Special Division for the Purpose of Appointing Independent Counsels.

Assistant United States Attorney, United States Attorney's Office for the District of Columbia, 1989-92, appointed by Attorney General Richard Thornburgh.

Deputy Assistant Attorney General, Criminal Division, United States Department of Justice, 1993-94, appointed by Attorney General Janet Reno.

Principal Associate Deputy Attorney General, United States Department of Justice, 1994-97, appointed by Attorney General Janet Reno.

- 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 was a volunteer for presidential candidates William J. Clinton in October 1992, Michael Dukakis in October 1988, and Walter Mondale in 1983-84. As a student, I worked parts of two summers in 1972 and 1974 for the campaign of Representative Abner Mikva in my congressional district.

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

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;
- 1978-79 Supreme Court of the United States
Law Clerk, Justice William J. Brennan, Jr.
- 1977-78 United States Court of Appeals for the Second Circuit
Law Clerk, Judge Henry J. Friendly

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.

1993-97 United States Department of Justice
Principal Associate Deputy Attorney General 1994-97
Deputy Assistant Attorney General
Criminal Division, 1993-94
950 Pennsylvania Avenue, NW
Washington, DC 20530

1992-93 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Partner
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001

1989-92 United States Attorney's Office for the
District of Columbia
Assistant United States Attorney
555 4th Street, NW
Washington, DC 20530

1981-89 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Partner, 1985-89
Associate, 1981-85
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001

1987-88 In re Nofziger (Wedtech)
Associate Independent Counsel (part time)
(Then at) 1201 Pennsylvania Avenue, NW
Washington, DC 20530

1979-81 United States Department of Justice
Special Assistant to the Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530

1978 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Summer Associate
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001

1977 Arnold & Porter
(Now Arnold & Porter Kaye Scholer LLP)
Summer Associate
(Now at) 601 Massachusetts Avenue, NW
Washington, DC 20001

- 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.

- v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

1997-present United States Court of Appeals for the
 District of Columbia Circuit
Circuit Judge, 2020-present
Chief Judge, 2013-2020
Circuit Judge, 1997-2013
E. Barrett Prettyman United States Courthouse
333 Constitution Avenue, NW
Washington, DC 20001

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, I served from 1979-81 as Special Assistant to the Attorney General. In that position, I was the point of contact for the Civil and Antitrust Divisions, and had some miscellaneous responsibilities in other areas, including some criminal matters.

From 1981-85, I was an associate and from 1985-89 a partner at Arnold & Porter (now Arnold & Porter Kaye Scholer LLP). I had a general litigation practice that included administrative, antitrust, civil, criminal, and appellate

matters. During that period, I participated as a defense counsel (primarily arguing legal motions) in a 2-month criminal bid-rigging trial and as a trial counsel for the Maryland Deposit Insurance Fund in a 4.5-month civil trial against the officers and directors of a failed savings & loan. While at Arnold & Porter (now Arnold & Porter Kaye Scholer LLP), I also served, from 1987-88, as a part-time associate independent counsel in the Nofziger investigation and trial. During my career in private practice, I participated in every phase of complex civil and criminal litigation, including initial complaints, discovery, depositions, motions, trial, and appeal.

In 1989, I left Arnold & Porter (now Arnold & Porter Kaye Scholer LLP) to become an Assistant United States Attorney in the District of Columbia, serving until the late summer of 1992. As an AUSA, I investigated and prosecuted narcotics trafficking, public corruption, and government fraud cases. During that period, I tried 12 jury cases. I also participated in the full range of other judicial proceedings, including preliminary examinations, detention hearings, arraignments, motions hearings, pleas, and sentencing. I also planned and approved investigations, search warrants, and undercover operations. Among the investigative matters in which I was involved were the investigation of the Bank of Credit and Commerce International (BCCI), which led to a guilty plea by the bank, and of Mayor Marion Barry, which led to the indictment of the Mayor. (The case was tried by two of my colleagues.)

I briefly returned to Arnold & Porter (now Arnold & Porter Kaye Scholer LLP) as a partner in 1992-93. My practice involved general litigation and counseling in the civil, criminal, and antitrust fields.

From 1993-94, I served as a Deputy Assistant Attorney General in the Criminal Division of the Department of Justice, where my responsibilities included supervision of the Division's Appellate and Fraud Sections. I also shared responsibility for the approval of Title III (wiretap) applications nationwide. In addition, I helped develop the Department's National Anti-Violent-Crime Initiative, as well as a structure for coordinating the work of Justice Department investigative agencies.

From 1994-97, I served as Principal Associate Deputy Attorney General. In that position, my responsibilities spanned the work of the Department of Justice, including criminal, civil, antitrust, appellate, espionage, and national security matters. The majority of my work focused on criminal and law enforcement issues. This included supervision of some of the Department's most significant criminal investigations and prosecutions, including the Oklahoma City bombing and UNABOM cases. In the spring of 1995, I was the lead Justice Department prosecutor on site in Oklahoma City, responsible for nationwide prosecution efforts and the initial proceedings against Timothy McVeigh and Terry Nichols. After putting together the trial team, I returned to Washington, where I continued to supervise the case. Upon my return, I

drafted the Department's critical incident response plan, worked on intra- and inter-agency plans for responding to terrorist attacks, and oversaw the United States Marshals Service's vulnerability assessment of federal facilities.

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

As an attorney for the Department of Justice, my client was the United States. As Principal Associate Deputy Attorney General, my areas of responsibility cut across the work of the Department. As noted above, the majority of my work focused on criminal and law enforcement matters, but it also included civil, antitrust, appellate, espionage, and national security matters. As Deputy Assistant Attorney General in the Criminal Division, my work was limited to criminal matters, including supervision of the Division's Appellate and Fraud sections. As an Assistant United States Attorney, I prosecuted narcotics trafficking, public corruption, and government fraud cases. As Special Assistant to the Attorney General, my focus was on civil and antitrust matters.

As an attorney in private practice, my clients were corporations, individuals, and the State of Maryland. My areas of concentration included administrative, antitrust, civil, criminal, and appellate law. My practice primarily involved litigation, but also included counseling.

- 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 percentages below are an estimate based on my recollection of the time.)

As a Department of Justice employee, the percentage of my practice that involved litigation and the frequency of my court appearances varied. From 1993-97, about 15% of my time involved supervision of matters in litigation. In April and May of 1995, I regularly appeared in federal district court in Oklahoma in proceedings relating to the Oklahoma City bombing case. From the fall of 1993 through 1994, I appeared in court twice (once in the United States Court of Appeals for the District of Columbia Circuit and once in the United States District Court for the District of Columbia). As an Assistant United States Attorney for the District of Columbia from 1989-92, almost 100% of my work involved litigation and I appeared in court very frequently, at times almost daily. As an Associate Independent Counsel from 1987-88, I appeared in court frequently. As Special Assistant to the Attorney General in 1979-81, I appeared once in the United States Court of Appeals for the Ninth Circuit.

As an associate and then partner at Arnold & Porter (now Arnold & Porter Kaye Scholer LLP) during 1981-89, about 75% of my practice involved litigation, and the frequency of my court appearances varied. I appeared frequently in 1983-84 and in

1987-88, and occasionally in other years.

- i. Indicate the percentage of your practice in:
 1. federal courts:
 2. state courts of record:
 3. other courts:
 4. administrative agencies:

Overall, approximately 90% of my practice was in federal court, except during 1989-92 when the appearances were 100% in federal court, and during 1987-88 when the appearances were approximately 80% in state court and 20% in federal court. A small percentage of my practice in the early years involved administrative proceedings.

- ii. Indicate the percentage of your practice in:
 1. civil proceedings:
 2. criminal proceedings:

As a prosecutor from 1989-92, 100% of my practice was criminal. The same was true during my service in the Criminal Division from 1993-94. During my time in the Office of the Deputy Attorney General, about 70% of my work involved criminal and law enforcement matters. At Arnold & Porter (now Arnold & Porter Kaye Scholer LLP), less than 20% of my practice was criminal, and the balance was civil.

- 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 fifteen cases total, including one case as chief counsel for the United States; nine cases as sole counsel for the United States (including one case in which the defendant pleaded to the indictment mid-trial); three cases as associate counsel for the United States; one case as associate counsel for the State of Maryland Deposit Insurance Fund; and one case as associate counsel for Commonwealth Electric Co., where I was responsible for legal arguments.

- i. What percentage of these trials were:
 1. jury: 100%
 2. non-jury: 0%

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable,

any oral argument transcripts before the Supreme Court in connection with your practice.

While I was at Arnold & Porter (now Arnold & Porter Kaye Scholer LLP), my practice did not focus on Supreme Court litigation, but I did participate in four matters before the Supreme Court. I have provided copies of all of the following:

1. Brief in Opposition to Petitions for Writs of Certiorari; and Brief of Respondents State Farm Mutual Automobile Insurance Company in *Motor Vehicle Mfrs. Ass'n of U.S. v. State Farm Mut. Auto. Ins.*, 463 U.S. 29 (1983).

The National Highway Traffic Safety Administration rescinded its regulation requiring automakers to install passive restraints (automatic seatbelts or airbags) in all automobiles by 1984. The question before the Court was whether the agency's rescission of its regulation was arbitrary and capricious. We argued, on behalf of respondent State Farm, that the agency's decision was arbitrary and capricious because it ignored existing effective restraints and inappropriately relied instead on automakers' assertions that they would install seatbelts that could be easily detached and hence would not increase safety. The Supreme Court held that the agency's action was arbitrary and capricious.

2. Reply to Motion to Dismiss on behalf of Wisconsin Elections Board in *Wisconsin Elections Board v. Republican Party of Wisconsin*, 469 U.S. 1081 (1984).

As of counsel for the appellant Elections Board, I was on a Reply to a motion to dismiss this case. The appellees had advised the Court that there was no longer a matter in controversy before the Court and suggested that the judgment below be vacated. The Reply advised the Court that the appellants did not oppose entry of an order vacating the judgment and remanding with instructions to dismiss appellees' complaint. The Supreme Court issued that order.

3. Brief for the Speaker of the House of Representatives and Chairman of the Committee on the Judiciary as Amici Curiae in *Nat'l Org. for Women v. Idaho*, 459 U.S. 809 (1982).

A district court had declared that Congress' extension of time for the ratification of the Equal Rights Amendment was null and void, and that any state could rescind its prior ratification of the amendment without regard to a possible decision by Congress. On behalf of the Speaker and Chairman, we argued that the Court should reverse the decision of the district court because the two issues upon which it had ruled presented non-justiciable political questions. Thereafter, the Court invited responses to the suggestion that the judgment of the district court be vacated on grounds of lack of ripeness, and we filed a motion on behalf

of the Speaker and Chairman for leave to file as amici curiae in support of that suggestion. The Supreme Court ultimately vacated the decision of the district court and remanded for dismissal of the case as moot.

4. Petition for Writ of Certiorari on behalf of Betty G. Browning in *Browning v. Clerk, United States House of Representatives*, No. 86-547, cert. denied, 479 U.S. 996 (1986).

Betty Browning was the first African-American Official Reporter employed by the United States House of Representatives. When she was dismissed from her position, she filed suit under the Fifth Amendment, alleging that she had been dismissed because of racial animus. The District of Columbia Circuit held that the dismissal was shielded from judicial review by the Speech or Debate Clause because Browning's duties were directly related to the due functioning of the legislative process. We argued in the petition for certiorari that the D.C. Circuit's decision was inconsistent with that of other circuits, one of which had held that congressional personnel decisions were not immunized by the Clause and another of which had held that only personnel decisions involving employees with meaningful input into the legislative process were immunized. We also argued that the Circuit's decision failed to strike a balance between the Speech or Debate Clause and the Fifth Amendment. The Supreme Court denied the petition. Twenty years later, in *Fields v. Office of Eddie Bernice Johnson*, 459 F.3d 1 (D.C. Cir. 2006) (en banc), a case in which I did not participate, the D.C. Circuit rejected the test it had employed in *Browning*.

15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. *United States v. Kaczynski*, No. MCR 96-6-H-CCL (D. Mont. 1996); No. CR S-96-259 (E.D. Cal. 1997). I was the supervising attorney for the prosecution of Theodore Kaczynski, the "Unabomber," until I became a Circuit Judge. Kaczynski carried out sixteen bombings (two of which were defused before explosion) over a seventeen-year period, killing three people and injuring twenty-nine. On June 28, 1995, he also threatened to attack a flight out of Los Angeles

International Airport. He was apprehended in Montana on April 3, 1996, and charged with federal weapons violations in Montana the following day. On June 18, 1996, he was indicted in California for four bombings that had occurred in Sacramento, and on November 30, 1996, he was indicted in New Jersey for a 1994 bombing that killed an advertising executive. My participation in the case ended when I became a judge of the District of Columbia Circuit in April 1997. On January 22, 1998, after the district court (E.D. Cal.) rejected his request to represent himself, Kaczynski pled guilty to all charges and was sentenced to life imprisonment without the possibility of parole.

- a. I worked on the case from 1995 through March 1997.
- b. The District Judges were Garland Burrell (E.D. Cal.), Charles Lovell (D. Mont.), and Dickinson Debevoise (D.N.J.).

c. Co-counsel: Robert Cleary
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2. *United States v. McVeigh*, 896 F. Supp. 1549, No. M-95-98 (W.D. Okla. 1995), and *United States v. Nichols*, 897 F. Supp. 542, No. M-95-105 (W.D. Okla. 1995). These cases involved the investigation and prosecution of the perpetrators of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City. Beginning two days after the bombing in April 1995, through the end of May, I was the lead Department of Justice prosecutor on site in Oklahoma City, responsible for emergency coordination of nationwide prosecution efforts and for handling court proceedings in Oklahoma City, including the preliminary hearings of Timothy McVeigh and Terry Nichols. The magistrate judge found probable cause with respect to both defendants and held both without bond. Thereafter, I helped put in place a long-term prosecution team for the indictment and trial of the case and returned to Washington where I continued to supervise the prosecution. My participation in the case ended when I became a judge of the District of Columbia Circuit in April 1997. McVeigh was subsequently convicted, sentenced to death, and executed. Nichols was convicted and sentenced to life imprisonment.

- a. The bombing occurred on April 19, 1995; the preliminary hearings were held in April and May 1995; the grand jury returned indictments on August 10, 1995. I worked on the case through March 1997.
- b. The preliminary hearings were conducted before United States Magistrate Judge Ronald Howland (W.D. Okla.); the district court proceedings in Oklahoma City were before Judge David L. Russell.

- c. Co-counsel:
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3. *United States v. Kelley*, Crim. No. 92-152 (D.D.C. 1992), *aff’d*, 36 F.3d 1118 (D.C. Cir. 1994). This case involved the investigation, prosecution, and appeal of a senior official of the United States Agency for International Development (AID) for a transnational conspiracy to bribe, to defraud the United States, and to obstruct justice in connection with two AID computer contracts in Guatemala and Washington. The bribes were laundered from Guatemalan subcontractors to black-market currency traders to Panamanian shell corporations and, through further financial transactions in the United States, to Kelley. I was the sole prosecutor at trial and argued the appeal in the District of Columbia Circuit. Kelley was convicted after trial and his conviction was affirmed on appeal. Three other participants in the crimes pled guilty.

- a. I investigated the case during 1990-92 and tried it during July and August of

1992. I argued the appeal in 1993.

- b. The case was tried before United States District Judge Stanley S. Harris (D.D.C.). The appeal was argued before Circuit Judges Douglas H. Ginsburg and A. Raymond Randolph (D.C. Cir.), and District Judge Hubert Will (N.D. Ill.).
- c. Opposing counsel: Charles F.C. Ruff (deceased)

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4. *United States v. Richardson et al.*, Crim. Nos. 92-117 through 92-126 (D.D.C. 1992). This case involved a long-term undercover investigation (FBI Operation Inside Track) and prosecution of ten District of Columbia corrections officers and one civilian for smuggling narcotics to inmates in the District of Columbia Jail. The case involved the use of undercover agents and inmate informants, as well as audio-taped and photographed stings. I was the lead prosecutor. Ten of the eleven defendants pled guilty. One went to trial and was convicted after I left the United States Attorney's Office.

- a. The case was investigated during 1991-92; the defendants were indicted, pled guilty, and were sentenced in 1992.
- b. The case was litigated before United States District Judge Royce Lamberth (D.D.C.).

- c. Co-counsel: Wendy Wysong
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5. *United States v. Whitehead, et al.*, Crim. No. 89-231 (D.D.C. 1991), *aff'd*, No. 91-3176, 1992 WL 20639 (D.C. Cir. Feb. 5, 1992). This case involved the investigation and trial of a New York gang trafficking in cocaine and heroin in the District of Columbia. I was sole counsel for the United States at trial. The gang's enforcer went to trial and was convicted of conspiracy to distribute cocaine; the conviction was upheld on appeal. Seven other gang members, including the leader and his principal lieutenant, pled guilty or were convicted in related cases.

- a. The case was investigated during 1989-91 and tried during April 1991.
- b. The case was tried before United States District Judge John H. Pratt (D.D.C.).
- c. Co-counsel: Eileen Mayer
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Opposing counsel: Samuel Edgar Wilhite (Deceased)

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6. *United States v. Yansane*, Crim. No. 89-240 (1990), *aff’d in substantial part*, No. 90-3235, 1991 WL 216865 (D.C. Cir. Oct. 25, 1991). This case involved the investigation and trial of bank fraud by a Nigerian national. Victims included Riggs Bank and the Embassy of Nigeria. I was sole counsel for the United States at trial. The defendant was tried and convicted, and the conviction was affirmed in substantial part on appeal.

- a. The case was tried in July 1990.
- b. The case was tried before United States District Judge June L. Green (D.D.C.).
- c. Opposing Counsel: Patrick Donahue
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(410) 280-2023

7. *United States v. Palmer, et al.*, Crim. No. 89-036 (D.D.C. 1989), *aff’d in substantial part sub nom. United States v. Harris*, 959 F.2d 246 (D.C. Cir. 1992). This case involved the prosecution and trial of a large-scale, violent narcotics organization that imported crack cocaine from New York City and distributed it in District of Columbia public housing. This was the first mandatory life Continuing Criminal Enterprise case tried in the District. I represented the United States at trial with lead counsel Judith Retchin. The kingpin (Michael Palmer) and four lieutenants were all convicted at trial. Four other members of the organization pled guilty. The case was affirmed in substantial part on appeal. Some of the defendants later had some counts of their convictions vacated and sentences reduced based on intervening judicial decisions concerning firearms offenses and changes to relevant provisions of the U.S. Sentencing Guidelines.

- a. The case was tried during June and July of 1989.
- b. The case was tried before United States District Judge Harold Greene.
- c. Lead counsel: Judith Retchin
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8. *State of Md. Deposit Ins. Fund (MDIF) v. Billman, et al.*, No. 11073 (Cir. Ct., Montgomery County MD 1988), *aff’d in substantial part*, 593 A.2d 684 (Md. Ct. Spec. App. 1991). This case involved the investigation and trial of six former officers and directors of a Maryland savings and loan for breach of fiduciary duty in connection with the operation of a complex tax shelter syndication scheme known as EPIC. Funds were siphoned from the bank to the two principal defendants through a series of payments to parent companies and loans to subsidiaries and limited partnerships. I represented the plaintiff Maryland Deposit Insurance Fund during the investigation and at trial; Neil Dilloff of Piper & Marbury was lead counsel. After a more than four-month jury trial, the six defendants were held liable for \$112 million in damages to the savings and loan. The jury verdict was affirmed in substantial part on appeal. The United States Attorney’s Office for the District of Maryland later convicted the principal defendant of fraud.

- a. The case was investigated during 1986-88, and was tried from May until October of 1988.

b. The case was tried before Montgomery County (MD) Circuit Judge James McKenna.

c. Co-counsel: Neil Dilloff
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9. *United States v. Fischbach & Moore, Inc., et al.*, No. CR 83-169C (W.D. Wash.). This case involved the criminal prosecution of the country's five largest electrical contracting companies and their chief executives for an alleged conspiracy to fix prices on nuclear power plants. As an attorney at Arnold & Porter, I argued the legal motions for defendant Commonwealth Electric Company; lead counsel was Richard Wertheimer. All defendants were acquitted on all counts.

- a. The case was tried from November 1983 until January 1984.
- b. The case was tried before United States District Judge John C. Coughenour (W.D. Wash.)

c. Co-counsel: Richard Wertheimer (Retired)
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10. *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Ins. Co.*, 463 U.S. 29 (1983), *vacating and remanding State Farm Mut. Auto Ins. Co. v. Dep't of Transp.*, 680 F.2d 206 (D.C. Cir. 1982). This case involved a challenge by automobile insurers to the Department of Transportation's decision to rescind a rule requiring the installation of passive restraints (airbags or automatic seatbelts) in automobiles. I represented State Farm Mutual Insurance Company and was on the brief in both the Supreme Court and the District of Columbia Circuit, and on the papers in the agency. James Fitzpatrick of Arnold & Porter was lead counsel and argued the cases. The Supreme Court upheld State Farm's challenge to the rescission, holding that the agency's action was arbitrary and capricious and remanding the case to the agency for further consideration. A modified airbag rule was ultimately issued.

- a. The case was decided by the Department of Transportation in 1981, decided by the D.C. Circuit in 1982, and decided by the Supreme Court in 1983.
- b. The case was litigated before the Supreme Court, the United States Court of Appeals for the D.C. Circuit, and the Department of Transportation.
- c. Co-counsel: James F. Fitzpatrick
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Opposing counsel: Rex Lee, in Supreme Court (deceased)

Lloyd Cutler, in Supreme Court (deceased)

David W. Allen
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16. **Legal Activities:** Describe the most significant legal activities you have pursued including significant litigation which did not progress to trial or legal matters that

did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

My most significant legal activities are described in the answers above. I have no recollection of ever having performed lobbying activities.

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

I taught Advanced Antitrust at Harvard Law School in the 1986 Winter Term. The course covered such topics as antitrust objectives, state action, political speech and petitioning, regulated industries, extraterritorial jurisdiction, antitrust standing, and remedial issues. I have provided the syllabus.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

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

No.

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

See attached Financial Disclosure Report.

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

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.
- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

a.& b. In connection with the nomination process, I have consulted with and will continue in the future to consult with, the Department of Justice's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I will enter into with the Department's Designated Agency Ethics Official.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional 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. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

For 21 years I have tutored second through fifth grade students at J.O. Wilson Elementary School, 660 K Street, NE, Washington, DC 20002. I have driven to the school approximately twice each month to tutor students in reading and math. Throughout the 2020 pandemic, I tutored 6th grade students at Stuart-Hobson Middle School remotely, approximately once each week.

While I was in private practice, I was involved in pro bono matters providing professional assistance to disadvantaged individuals. These included: representation of an African-American stenographer in a claim of racial discrimination against her former employer, the House of Representatives; representation of a mother in a custody dispute; representation of an individual in connection with a minor criminal matter; representation of a prisoner at the request of the United States Court of Appeals for the Fourth Circuit; and representation of anti-apartheid demonstrators arrested outside the Embassy of South Africa. As part of Arnold & Porter's pro bono program, I also advised junior lawyers in their representations on such matters.

In addition, while I was at Arnold & Porter (now Arnold & Porter Kaye Scholer LLP) in the

1980s, a young man who worked as a photocopier operator at the firm asked me to help him with his writing. I worked with and mentored him over many years, both while I was in private practice and in the government, from the time we met through his successful graduation from law school and entry into the legal profession.

Finally, when I served as Principal Associate Deputy Attorney General in 1995-96, I helped develop a new pro bono policy for the Justice Department that encouraged and facilitated pro bono and other volunteer service by Department employees, including attorneys, on their own time. The policy subsequently served as the model for policies issued by other federal agencies.