

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

John David Russell

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

United States District Judge for the Northern District of Oklahoma

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.

GableGotwals
110 North Elgin Avenue
Suite 200
Tulsa, Oklahoma 74120

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

1963; Enid, Oklahoma

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.

1985 – 1988, University of Oklahoma College of Law; J.D. (with Distinction), 1988

1982 – 1985, Oklahoma State University; B.S. (with Honors), 1985

1981 – 1981, Oklahoma City University; no degree received

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.

2015 – present
GableGotwals
110 North Elgin Avenue

Suite 200
Tulsa, Oklahoma 74120
Shareholder/Director

2002 – 2014
Fellers Snider Blankenship Bailey & Tippens
321 South Boston Avenue
Suite 800
Tulsa, Oklahoma 74103
Shareholder/Director (2003 – 2014)
Associate Attorney (2002)

2002
Gardere Wynne Sewell
100 West Fifth Street
Suite 200
Tulsa, Oklahoma 74103
Senior Attorney

1995 – 2002
United States Attorney's Office, Northern District of Oklahoma
110 West Seventh Street
Suite 300
Tulsa, Oklahoma 74119
Assistant United States Attorney

1993 – 1994
Sneed Lang Adams & Barnett
2300 Williams Tower II
Two West Second Street
Tulsa, Oklahoma 74103
Associate Attorney

1991 – 1993
United States Department of Justice, Tax Division
555 Fourth Street, Northwest
Washington, DC 20001
Trial Attorney

1988 – 1991; Summer 1987
Bracewell & Patterson
2001 M Street, Northwest
Suite 900
Washington, DC 20006
Associate Attorney (1988 – 1991)
Summer Associate (1987)

1987 – 1988
Professor Michael P. Cox
University of Oklahoma College of Law
300 Timberdell Road
Norman, Oklahoma 73019
Research Assistant

1987 – 1988
Oklahoma Supreme Court
2100 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105
Judicial Extern for the Honorable Hardy Summers

Summer 1984; Summer 1985; Summer 1986
Gungoll Jackson & Collins
323 West Broadway
Enid, Oklahoma 73701
Summer Associate (1986)
Law clerk (Summers 1984 and 1985)

Other Affiliations (Uncompensated)
2022 – present
Federal Bar Association for the Northern and Eastern Districts of Oklahoma
Director

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

I did not serve in the military. I registered for selective service after turning 18.

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 College of Trial Lawyers, Fellow (2023 – present)

Maurice Merrill Golden Quill Award for best written article published in the Oklahoma Bar Association Journal in 2023

Super Lawyers, Oklahoma Top 50 (2013, 2015, 2021, 2022, 2023)

Best Lawyers, Bet the Company Litigation (2010 – 2021, 2023)

Litigation Counsel of America, Fellow (2007 – present)

Super Lawyers, Oklahoma (2006 – 2023)

U.S. Department of Justice, Tax Division, Outstanding Attorney (1992)

University of Oklahoma College of Law, Phi Delta Phi (1987 – 1988)

Oklahoma State University, Blue Key Honor Society (1984 – 1985)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American College of Trial Lawyers, Fellow (2023 – present)

American Inns of Court, Council Oak Chapter, Term Master

Criminal Justice Act Committee to revise Criminal Justice Act Plan, Member (2017 – 2018)

Criminal Justice Act Panel, Panel Representative (2018 – present)

Criminal Justice Act Panel, Member (2003 – present)

District of Columbia Bar Association (1989 – present)

Defender Services Advisory Group of the Administrative Office of the Courts, 10th Circuit Representative (2023 – present)

Federal Bar Association, Northern and Eastern Oklahoma Chapter, Board of Directors (2022 – present)

Litigation Counsel of America, Fellow (2007 – present)

Merit Selection Panel on Re-appointment of Magistrate Judge Frank H. McCarthy, Chairman (2018)

Merit Selection Panel on Re-appointment of Magistrate Judge T. Lane Wilson, Member (2016)

Merit Selection Panel on Appointment of 10th Circuit Case Budgeting Attorney, Member (2014)

Oklahoma Bar Association (1988 – present)

10. **Bar and Court Admission:**

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

District of Columbia, 1989
Oklahoma, 1988

There have been no lapses in membership.

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

United States Court of Appeals for the Tenth Circuit, 1997
United States District Court for the District of Columbia, 1989
United States District Court for the Eastern District of Oklahoma, 2009
United States District Court for the Northern District of Oklahoma, 1994
United States District Court for the Western District of Oklahoma, 1991
United States Tax Court, 1994

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.

Knights of Columbus Council No. 13313 Church of St. Mary, Tulsa, Oklahoma
(2010 – present)

Tulsa Country Club, Tulsa, Oklahoma, Social Club member (approximately 1998
– 2002)

The Other Other Club of Tulsa, Tulsa, Oklahoma (2019 – 2022)

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

implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

Membership in the Knights of Columbus is limited to Catholic men. The Knights of Columbus is dedicated to the preservation of religious values of legitimate common interest to its members. This dedication demonstrates that it does not practice invidious discrimination as described in the Commentary to Canon 2C of the Code of Conduct for United States Judges.

In 2019, I became a member of The Other Other Club, Tulsa, Oklahoma, an organization that celebrates Winston Churchill's birthday with an annual dinner and features a guest speaker on Churchill. Membership in The Other Other Club is restricted to men. I did not make an effort to change the club's policy on membership.

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.

With Andrew J. Hofland & Justin A. Lollman, *White-Collar Defense Alert – Recent Amendments to the U.S. Sentencing Guidelines Allows for More Lenient Sentencing of Nonviolent First-Time Offenders*, Client Alert, GableGotwals (Sept. 14, 2023). Copy supplied.

With Andrew J. Hofland & Justin A. Lollman, *The New Second Amendment Frontier: Litigating the Constitutionality of Firearm Offenses Under Bruen's Text-and-History Standard*, 94 Okla. B.J. 7 (Mar. 2023). Copy supplied.

With Andrew J. Hofland, *Gavel to Gavel: Two extra steps to protect your PPP loan forgiveness*, The Journal Record (Aug. 26, 2020). Copy supplied.

With Sheppard F. Miers, David McKinney & James M. Scears, *Pass-Through Entity 20% Qualified Business Income Deduction – IRS Gives Final Favorable Guidance for Rental Real Estate*, Lexology (Oct. 2, 2019). Copy supplied.

With Hope Forsyth, *Oklahoma Supreme Court Invalidates State's Noneconomic Damages Cap*, Client Alert, GableGotwals (May 10, 2019). Copy supplied.

With Andrew J. Hofland, *Managing Expectations in Criminal Tax Defense – Yours and Your Client's*, 90 Okla. B.J. 18 (2019). Copy supplied.

The Sarbanes-Oxley Act of 2002: New Criminal Penalties and Civil Remedies for Corporate Misconduct, 73 Okla. B.J. 3477 (2002). Copy supplied.

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

Criminal Justice Act Plan, Northern District of Oklahoma (2018 – 2019): following the release of the Cardone Report (*2017 Report of the Ad Hoc Committee to Review the Criminal Justice Act Program*), the Northern District of Oklahoma proposed a revision to the CJA Plan for the Northern District. I was the principal author of the revised plan that was adopted by the district judges.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

The following list reflects my best efforts to identify the speeches or talks that I have delivered. To compile the list, I consulted my own records and internet sources. There may, however, be other speeches or talks that I have been unable to recall or identify as I may have spoken briefly at events for which I did not retain any record.

October 6, 2023: Panelist, Creative Case Solutions: Thinking Outside the Box, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. Notes supplied.

April 12, 2023: Speaker, Challenging Government Motions for Pretrial Detention, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. Materials supplied.

December 29, 2022: Panelist, Tenth Circuit Year in Review, Criminal Law,

Northern/Eastern Oklahoma Chapter of the Federal Bar Association, Tulsa, Oklahoma. The panel reviewed and presented the most significant Tenth Circuit cases affecting criminal law in 2022. I have no notes, transcript, or recording. The address for the FBA Chapter is FBA (NE Okla.) President, Justin A. Lollman, 110 North Elgin Avenue, Suite 200, Tulsa, Oklahoma 74120.

December 19, 2022: Speaker, Current Issues: Challenging the Constitutionality of 18 U.S.C. 922(g) after *Bruen*, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. I discussed the Supreme Court's decision in *Bruen*. I have no notes, transcript, or recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

December 10, 2021: Panelist, Successful Case Outcomes, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. The panel discussed recent victories by CJA Panel attorneys. I have no notes, transcript, or recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

December 19, 2019: Panelist, The New NDOK Plan for Implementing the Criminal Justice Act: Presentation with Questions and Answer Session, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. The panel discussed the new CJA Plan and how the changes would affect panel members. I have no notes, transcript, or recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

November 2, 2018: Panelist, Use of Experts in Criminal Justice Act Cases, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. The panel discussed the availability and utility of expert witnesses in appointed criminal cases. I have no notes, transcript, or recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

December 28, 2017: Panelist, Tenth Circuit Year in Review, Criminal Law, Northern/Eastern Oklahoma Chapter of the Federal Bar Association, Tulsa, Oklahoma. The panel reviewed and presented the most significant Tenth Circuit cases affecting criminal law in 2017. I have no notes, transcript, or recording. The address for the FBA Chapter is FBA (NE Okla.) President, Justin A. Lollman, 110 North Elgin Avenue, Suite 200, Tulsa, Oklahoma 74120.

December 19, 2014: Speaker, Representing Targets, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. I provided guidance and strategy for federal defenders and panel members on representing targets of federal investigations before charges are filed. I have no notes, transcript, or

recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

December 12, 2013: Panelist, Ethics Panel, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. The panel spoke about ethical issues arising in federal criminal defense. I have no notes, transcript, or recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

December 19, 2012: Speaker, Civil and Criminal Forfeiture: The Basics, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. I provided insight to federal defenders and panel members on forfeiture strategy. I have no notes, transcript, or recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

November 14, 2008: Speaker, Plea Negotiations, Federal Public Defender for the Northern District of Oklahoma, Tulsa, Oklahoma. I provided strategy to federal defenders and panel members on effective plea negotiations. I have no notes, transcript, or recording. The address for the Federal Public Defender for the Northern District of Oklahoma is Williams Tower I, Suite 1225, One West Third Street, Tulsa, Oklahoma 74103.

November 3, 2006: Speaker, White Collar Crime, Ethics, Oklahoma Bar Association, Oklahoma City, Oklahoma. Notes supplied.

October 27, 2006: Speaker, White Collar Crime, Ethics, Oklahoma Bar Association, Tulsa, Oklahoma. Notes supplied.

December 1999 (specific date unknown): Speaker, Business Crimes, Tulsa County Bar Association, Tulsa, Oklahoma. I presented basic information on federal white-collar offenses. I have no notes, transcript, or recording. The address for the Tulsa County Bar Association is 1446 South Boston Avenue, Tulsa, Oklahoma 74119.

June 1998 (specific date unknown): Speaker, Appellate Advocacy, National Advocacy Center, U.S. Department of Justice, Columbia, South Carolina. I presented appellate advocacy tips to prosecutors who handle their own appeals. I have no notes, transcript, or recording. The address for the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

- 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.

Curtis Killman, *Final romance-scam suspect sentenced in million-dollar fraud, money-laundering case*, Tulsa World (Sept. 11, 2021). Copy supplied.

Curtis Killman, *Man guilty in bankruptcy fraud sentenced to probation in federal court*, Tulsa World (Dec. 31, 2019). Copy supplied.

Curtis Killman, *Man gets 20 years for kidnapping ex-wife at gunpoint in attempt to win her back, federal prosecutors say*, Tulsa World (May 28, 2019). Copy supplied.

David Harper, *Former Grove bank official sentenced to probation for conspiracy*, Tulsa World (Oct. 2, 2010). Copy supplied.

David Harper, *Grove man sentenced in loan conspiracy case*, Tulsa World (Oct. 1, 2010). Copy supplied.

Tony Thornton, *Courts: Former Sen. Gene Stipe's businesses*, The Oklahoman (Sept. 12, 2007). Copy supplied.

Manny Gamallo, *Report on Stipe-Phipps firms must be released, judge says*, Tulsa World (Jul. 26, 2007). Copy supplied.

P.J. Lassek, *Mayor fires suspended deputy city attorney*, Tulsa World (Feb. 24, 2007). Copy supplied.

P.J. Lassek, *Lawyer: City botched rights case*, Tulsa World (Jan. 7, 2007). Copy supplied.

David Harper, *Woman handed prison term in Sand Springs bank fraud*, Tulsa World (Aug. 17, 2006). Copy supplied.

David Harper, *Debt to society lightens criminals' wallets*, Tulsa World (Jun. 5, 2005). Copy supplied.

Local, Area Briefs: Rental-car company ex-employee sentenced in theft, Tulsa World (May 12, 2005). Copy supplied.

David Harper, *Judge limits recovery of legal fees*, Tulsa World (Apr. 17, 2004). Copy supplied.

David Harper, *DOJ to take on legal fees*, Tulsa World (Mar. 11, 2004). Copy supplied.

David Harper, *Former CFS exec hopes to be repaid*, Tulsa World (Mar. 4, 2004).

Copy supplied.

David Harper, *Charges dismissed against ex-CFS exec*, Tulsa World (Feb. 7, 2004). Copy supplied.

David Harper and Shaun Schafer, *Judge tosses former CFS exec's charges*, Tulsa World (Sept. 20, 2003). Copy supplied.

David Harper, *Efforts in CFS case defended by U.S.*, Tulsa World (Sept. 3, 2003). Copy supplied.

David Harper, *Medical fraud nets 51 months, big restitution*, Tulsa World (Mar. 2, 2002). Copy supplied.

David Harper, *Man gets prison term of 51 months, bill for \$789,088 restitution*, Tulsa World (Mar. 2, 2002). Copy supplied.

Local Briefs: Fire of unknown origin burns Tuley residence, Tulsa World (Jun. 26, 2001). Copy supplied.

David Harper, *Former official guilty in theft*, Tulsa World (May 11, 2001). Copy supplied.

Woman admits to investment fraud, Tulsa World (Apr. 27, 2001). Copy supplied.

David Harper, *Former school official charged*, Tulsa World (Mar. 21, 2001). Copy supplied.

Ruling for leniency, deals left intact, Tulsa World (Jun. 22, 1999). Copy supplied.

David Harper, *Jay man named by U.S. in firearms allegations*, Tulsa World (Jan. 26, 1999). Copy supplied.

Judges Question Trial's Procedure, The Oklahoman (Jan. 23, 1999). Copy supplied.

David Harper, *Tulsan's case raises questions at appellate level*, Tulsa World (Jan. 23, 1999). Copy supplied.

David Harper, *Man pleads guilty to illegal gambling charges*, Tulsa World (Dec. 15, 1998). Copy supplied.

Local New Briefs: Last suspect in double shooting arrested, Tulsa World (Oct. 28, 1998). Copy supplied.

David Harper, *Ex-Tulsa stockbroker sentenced in forgery*, Tulsa World (Jul. 24,

1998). Copy supplied.

Mark A. Hutchison, *Company President Accused of Tax Fraud*, The Oklahoman (Jul. 8, 1997). Copy supplied.

Prosecutors Hope To Delay Trial Of Ex-Sheriff, Daily Oklahoman (Feb. 26, 1997). Copy supplied.

Ex-Sheriff's Lawyer Cites Trail Danger, The Oklahoman (Jan. 24, 1997). Copy supplied.

Mark A. Hutchison and Anthony Thornton, *Ex-Sheriff's Attorneys Stay on Case*, The Oklahoman (Jan. 16, 1997). Copy supplied.

David Harper, *Conflict of Interest Cited in Law Firm, Walker Case*, Tulsa World (Jan. 4, 1997). Copy supplied.

Anthony Thornton, *Dispute Let to Change in Attorneys*, The Oklahoman (Sept. 20, 1996). Copy supplied.

Anthony Thornton, *Sheriff Allowed to Switch Lawyers; Trial Delayed*, The Oklahoman (Sept. 17, 1996) Copy supplied.

Anthony Thornton, *Judge Allows New Lawyers for Sheriff*, The Oklahoman (Sept. 17, 1996). Copy supplied.

Manny Gamallo, *Sting Witness Tells of Bribing Sheriff*, Tulsa World (Jul. 12, 1996). Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?
- i. Of these cases, approximately what percent were:
- | | |
|---------------|-------------------|
| jury trials: | ___% |
| bench trials: | ___% [total 100%] |
- ii. Of these cases, approximately what percent were:
- | | |
|-----------------------|-------------------|
| civil proceedings: | ___% |
| criminal proceedings: | ___% [total 100%] |
- b. Provide citations for all opinions you have written, including concurrences and

dissents.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
 - d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
 - e. Provide a list of all cases in which certiorari was requested or granted.
 - f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
 - h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
 - i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.
14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an “automatic” recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;

- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

15. Public Office, Political Activities and Affiliations:

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

I have not held any public offices, and I have not had unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

I have not held any membership or office in any political party or election committee.

16. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I did not serve as a law clerk to a judge.
 - ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced alone.
 - iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each;

1988 – 1991
Bracewell & Patterson
2001 M Street, Northwest
Suite 900
Washington, DC 20006
Associate Attorney

1991 – 1993
United States Department of Justice, Tax Division
555 Fourth Street, Northwest
Washington, DC 20001
Trial Attorney

1993 – 1994
Sneed Lang Adams & Barnett
2300 Williams Tower II
Two West Second Street
Tulsa, Oklahoma 74103
Associate Attorney

1995 – 2002
United States Attorney's Office, Northern District of Oklahoma
110 West Seventh Street
Suite 300
Tulsa, Oklahoma 74119
Assistant United States Attorney

2002
Gardere Wynne Sewell
100 West Fifth Street
Suite 200
Tulsa, Oklahoma 74103
Senior Attorney

2002 – 2014
Fellers Snider Blankenship Bailey & Tippens
321 South Boston Avenue
Suite 800
Tulsa, Oklahoma 74103
Shareholder/Director (2003 – 2014)
Associate Attorney (2002)

2015 – present
GableGotwals
110 North Elgin Avenue

Suite 200
Tulsa, Oklahoma 74120
Shareholder/Director

- 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.

Since 2004, I have been part of the Adjunct Settlement program for the Northern District of Oklahoma. Adjunct Settlement Judges volunteer to mediate cases in a confidential setting to allow parties an opportunity to resolve their lawsuit without the cost of private mediation.

1. *Windes v. Richmond Hyperbaric Med., Inc.*, Case No. 04-CV-854-JHP-FHM (N.D. Okla.)

This was a breach of contract lawsuit that originally included some tort claims. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case settled for a confidential amount.

2. *Easterwood v. MicahTek, Inc.*, Case No. 05-CV-125-TCK (N.D. Okla.)

This was a sex discrimination suit against the plaintiff's employer. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case settled for a confidential amount.

3. *Knight v. Kimberly Clark*, Case No. 05-CV-446-CVE-FHM (N.D. Okla.)

Plaintiff sued her employer for employment discrimination under the Civil Rights Act. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case settled for a confidential amount.

4. *Pinson et al. v. Equifax Info. Services LLC, et al.*, Case No. 06-CV-162-GKF-SAJ

Plaintiff sued Equifax and other credit reporting services for violations of the Fair Credit Reporting Act. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case did not settle. The court granted summary judgment to the defendants.

5. *Russell v. Chase Inv. Services, Corp.*, Case No. 06-CV-538 (N.D. Okla.)

Plaintiff sued Chase for breach of fiduciary duties. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case did not settle and was ultimately dismissed.

6. *Omni-2 Mech. Services, LLC v. Ivey Mech. Co., LLC*, Case No. 08-CV-340-GKF-FHM (N.D. Okla.)

This was a breach of contract case removed to federal court on diversity jurisdiction. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case did not settle at the settlement conference. The case settled just prior to trial.

7. *UMB Bank N.A. v. Asbury Communities, Inc.*, Case No. 20-CV-160-TCK-CDL (N.D. Okla.)

UMB sued for breach of contract and related tort claims involving a large retirement community in Tulsa that had been in financial distress. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case settled for a confidential amount.

8. *Harris v. Liberty Ins. Corp.*, Case No. 21-CV-222 (N.D. Okla.)

Harris sued Liberty for breach of the insurance contract and for bad faith claim handling. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case settled for a confidential amount.

9. *United Financial Cas. Co. v. Rasier, LLC et al.*, Case No. 21-CV-412-GKF-JFJ (N.D. Okla.)

This was an insurance coverage dispute arising out of a death claim by an estate against an Uber driver who ran over his passenger. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case did not settle and is pending.

10. *Castillo v. Rosario et al.*, Case No. 22-CV-54-CVE-CDL (N.D. Okla.)

Castillo sued Rosario and others for personal injuries resulting from a truck accident. I was an Adjunct Settlement Judge appointed by the court to conduct a settlement conference. The case did not settle and is pending.

b. Describe:

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

My law practice began in September 1988 at Bracewell & Patterson's Washington, DC office. I was assigned to work with a partner who represented Canadian natural gas producers in pipeline certificate matters before the Federal Energy Regulatory Commission. The clients were supporting construction of a pipeline project to deliver gas to our clients' customers in the Northeastern United States. I also became involved in two significant, but very different, antitrust matters. One matter involved an antitrust suit challenging set-aside contracts for road construction projects in the District of Columbia. The second matter involved an extensive opinion letter on the extraterritorial application of the U.S. antitrust laws to the privatization of a foreign, government-owned corporation. My role in these matters was primarily to research and write.

In April 1991 I joined the U.S. Department of Justice, Tax Division. The Tax Division is composed of sections responsible for geographic regions of the United States, and each section handles several specific types of cases regardless of location. I was assigned to the Civil Trial Section, Central Region, which handled cases across much of the middle of the United States. Our section also handled abusive tax shelter cases and abusive preparer cases regardless of location. I was immediately given first-chair responsibility over cases, and I was co-counsel on several significant cases, one of which went to trial for two weeks in January 1992.

I returned to Oklahoma in late 1993 and joined the Sneed Lang law firm as a litigation associate. At Sneed Lang I spent most of my time researching and writing briefs, but I also served as second chair in a jury trial.

In January 1995, I began my second round of government service as an Assistant U.S. Attorney in Tulsa handling white-collar prosecutions. I was given first-chair responsibility for investigating and prosecuting all manner of white-collar cases, but I specialized in tax prosecutions given my background. I tried several complex white-collar cases, including a four-week jury trial involving fraudulent loan collectors. In 1998, the office needed an appellate coordinator, and I was asked to take on the responsibility on top of my white-collar caseload. I began writing and reviewing my colleagues' briefs to the Tenth Circuit. I served the dual role of prosecutor and appellate coordinator for about three years. During that time, I wrote, edited, and argued a number of cases before the Tenth Circuit.

In 2002 I returned to private practice as Senior Attorney with the Tulsa office of Gardere Wynne Sewell, a Dallas-based law firm. As a Senior

Attorney, I was to have primary responsibility for civil litigation matters on behalf of the firm's clients. In an unusual twist of events, the firm announced on my first day of work that it was closing the Tulsa office by the end of August 2002. Most of the attorneys in the Tulsa office joined the Fellers Snider firm. I joined Fellers Snider as an associate attorney handling the same type of civil litigation that I was hired to handle at the Gardere firm. I became a shareholder of Fellers Snider in January 2003. At Fellers Snider I tried many cases as lead counsel and co-counsel. After joining Fellers Snider, I was recruited to join the Criminal Justice Act Panel for the Northern District of Oklahoma. The Panel is composed of attorneys who accept appointments to serve as counsel for indigent clients charged with federal criminal offenses. I began taking appointments in 2003, and I continue to take appointments today. Together with my appointed cases, my practice evolved to handle retained criminal cases. The complexity and magnitude of the cases I handled steadily grew. During my tenure at Fellers Snider, I was involved as co-counsel with my colleagues in several class action cases in which the potential client exposure was in the hundreds of millions of dollars. The complexity of my criminal cases also increased over time. For more than half of my time at Fellers Snider, I served on the firm's five-member Executive Committee, the governing body of the firm.

Over the past 21 years, my criminal defense and government investigation practice has grown significantly. In addition to the appointed cases I take as a CJA attorney, I handle a wide variety of criminal defense engagements, most of which involve white-collar offenses. My government investigation practice has grown significantly over the past ten years to include a number of healthcare-related engagements that include civil allegations of false claims, anti-kickback allegations, and Stark violations.

In late 2014, several clients expressed a desire to have a deeper bench of lawyers to handle their matters. Four of us who serviced these clients left Fellers Snider and joined GableGotwals in January 2015 to broaden the scope of services we could provide. Since joining GableGotwals, my practice has broadened further to include a variety of healthcare engagements in administrative, civil, and criminal practice areas. For the past five years, I served on the firm's Board of Directors.

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

My first area of specialization was tax controversy work at the Department of Justice, Tax Division. I have continued with my tax litigation work since then. At Sneed Lang, I represented several individual clients who had disputes with the Internal Revenue Service. At the U.S. Attorney's

Office, I specialized in criminal tax cases against individuals and entities. At Fellers Snider, I was engaged on several occasions to defend clients against criminal tax charges, and the scope of my criminal tax defense practice expanded after joining GableGotwals. At GableGotwals, my tax controversy practice expanded to include litigating protests at the Oklahoma Tax Commission involving significant assessments.

At Fellers Snider and GableGotwals, I have had a significant energy and insurance litigation practice. Initially I was defending insurers for breach of contract and bad faith claim handling, and two of those cases involved jury trials. My insurance litigation practice has evolved from bad-faith defense to litigating coverage issues between competing insurers involving large dollar claims. I also assist insurers in multi-state market conduct examinations and unclaimed property audits. Throughout my private practice experience, I have litigated and tried oil and gas disputes, including environmental claims involving the energy industry.

For the past 20 years, I have grown my criminal defense specialty to account for a significant portion of my overall caseload. I have a sub-specialty in criminal tax cases because of my background as a Trial Attorney at the Tax Division and my prior prosecutions of tax crimes while an Assistant U.S. Attorney.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.
- i. Indicate the percentage of your practice in:
 - 1. federal courts: 80%
 - 2. state courts of record: 20%
 - 3. other courts: 0%
 - 4. administrative agencies: 0%
 - ii. Indicate the percentage of your practice in:
 - 1. civil proceedings: 60%
 - 2. criminal proceedings: 40%
- 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 been trial counsel in 28 trials consisting of approximately 109 days of trial. Fifty-seven percent of those trials were jury trials, 39 percent were bench trials, and 4 percent were arbitration proceedings. I was the chief counsel in 19 of those

trials and associate counsel in nine of those trials. I was sole counsel in seven of the 28 trials.

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

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

I have not practiced before the Supreme Court of the United States.

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

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

- 1. *In re Genentech Herceptin (Trastuzumab) Marketing and Sales Practices Litigation*, Case No. 16-MD-2700 (N.D. Okla.)

From 2022 to present, I have been co-lead MDL counsel for the plaintiffs in what is now a putative class action on behalf of all U.S. purchasers of 440 mg vials of Genentech's breast cancer drug Herceptin. The case is pending in the Northern District of Oklahoma (Frizzell, J.); the case was originally assigned to the Honorable Terence Kern. Plaintiffs are oncology practices across the United States that purchased Herceptin to administer to breast cancer patients whose condition warranted administration of the drug. Plaintiffs contend that Genentech falsely labeled its Herceptin 440 mg vials such that purchasers expected to receive 440 mg of active ingredient when the majority of vials did not contain 440 mg of active ingredient. The putative class is pursuing claims for breach of warranty, violation of consumer protection laws, unjust enrichment and fraud stemming from the misleading label claim. The putative class members allege that Genentech hid the underfill for two decades by falsely stating that the vials were labeled for what they contain, not what the purchasers could extract. The potential damages in this case exceed \$1 billion. I took over as lead MDL counsel in 2022 following the retirement of my

colleague. I have supervised attorneys working on the case in all phases of the litigation, including the drafting of pleadings, briefs, the conduct of extensive fact and expert discovery, and the preparation of motions and responses to motions. The case is currently in Phase II discovery on class certification issues.

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2. *Casillas Petroleum v. Continental Res. Partners II, LLC*, Case No. CJ-2020-1346
(Okla. Dist. Ct., Tulsa Cnty.)

From March 2020 to September 2020, I was co-lead counsel for defendant Continental Resources against a contract counterparty that sought an injunction to force Continental Resources to close on a \$200 million purchase and sale agreement allegedly breached in the week before the coronavirus pandemic struck the United States. I co-wrote the injunction briefing, prepared witnesses for trial, and participated in all aspects of the trial, which took place over two days in August 2020 before the Honorable Doug Drummond. While awaiting Judge Drummond's decision, the parties resolved the matter.

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3. *State v. Windstream Communications et al.*, Case No. CF-12-3841 (Okla. Dist. Ct. Tulsa Cnty.)

In 2012, I was co-counsel representing Windstream in a criminal indictment by the Multi-County Grand Jury alleging Windstream bribed a local school superintendent with tickets to the NCAA Final Four men's basketball tournament. A felony conviction would have resulted in the loss of contracts valued in the hundreds of millions of dollars. We moved to dismiss the indictment on the grounds that the indictment was returned the day after the grand jury's term expired. Following argument on the motion and while awaiting a decision, Windstream resolved the matter with the Oklahoma Attorney General and received a deferred prosecution and expungement. The case was pending before the Honorable William Kellough.

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4. *Smith et al. v. Collingsworth et al.*, Case No. CV-2004-742-2 (Ark. Cir. Ct. Saline Cnty.)

From 2007 to 2012, I was co-counsel for defendant United American Insurance Company in a nationwide class action asserting that United American's policyholders were defrauded in the sale of limited benefit health insurance policies with the promise that the policies would provide the same coverage as major medical insurance. I shared responsibilities with my colleagues in all areas of the litigation including motions, briefing, depositions, expert preparation, expert depositions, and trial preparation. We negotiated a favorable settlement two weeks before the class action trial was to begin. The case was pending before the Honorable Gary Arnold.

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5. *[Publicly-traded corporation] v. [Oklahoma statutorily created corporation]*, Private, 3-judge arbitration (Oklahoma City, Okla.)

The parties' names are not disclosed because the arbitration was private. In 2007, I was co-counsel for an Oklahoma statutorily created corporation in a private arbitration over the alleged breach of a supply contract. The value at issue was approximately \$28 million. I was responsible for briefing and depositions of the opposing party's witnesses in preparation for trial. I prepared witnesses for our client and cross-examined witnesses for the opposing party. The three-judge panel consisted of two retired federal judges (Honorable Thomas R. Brett (deceased) and Honorable Layne Phillips) and a senior private practitioner from Oklahoma (Kenneth McKinney (deceased)). Following a three-day trial before the arbitrators, the arbitrators ruled 2-1 in favor of our client.

Co-Counsel

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6. *United States v. Bumblis*, Case No. 05-CR-187-CMH (E.D. Va.)

From 2005 to 2006, I defended Ms. Bumblis on charges of false claims to the government and theft. The government alleged that Ms. Bumblis had submitted false travel vouchers for an extended period of temporary duty. Her supervisor had approved all of the travel vouchers and was aware of Ms. Bumblis's travel circumstances. The court (Honorable Claude Hilton) granted our motion for judgment of acquittal at the close of the government's evidence. We sought attorneys' fees from the government under the Hyde Amendment. The government settled the Hyde Amendment claim with Ms. Bumblis. I was in charge of all aspects of defense and trial of the case.

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7. *Source Rock Energy Partners, LLC v. Tag Team Res, LLC*, Case No. CJ-2004-5869
(Okla. Dist. Ct. Tulsa Cnty.)

From 2004 to 2012, I was co-counsel for defendant Tag Team in Source Rock's lawsuit over an alleged violation of an "area of mutual interest" clause in a gas exploration contract. Source Rock was claiming approximately \$30 million in damages from Tag Team, alleging it owed Source Rock for minerals extracted from the area of mutual interest. I was responsible for briefing all pretrial motions. I assisted in preparing our expert witness and the deposition of the opposing expert. I supervised the post-trial and appellate briefing. Following a two-week jury trial, the trial judge, the Honorable J. Michael Gassett (retired), granted Tag Team's motion for directed verdict. I co-wrote the brief to the Oklahoma Court of Civil Appeals; the court did not hear argument. The Oklahoma Court of Civil Appeals affirmed Judge Gassett's directed verdict.

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8. *United States v. Lorson and Evans*, Case No. 97-CR-135-TCK (N.D. Okla. 1998)

From 1996 through 1998, I was lead counsel in a case charging Lorson and Evans with conspiracy, wire fraud, and money laundering involving a fraudulent loan collection company. The defendants defrauded investors who entrusted the defendants to collect delinquent loans purchased by investors. I was responsible for supervising the grand jury investigation, all pretrial and trial briefing, pretrial preparation of witnesses, and trial. After a four-week jury trial in February 1998 before the Honorable Terence Kern, the jury convicted the defendants of all counts.

Co-Counsel

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Counsel for Defendants

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John Hall (Deceased)

9. *Streetman v. United States (In re Russell)*, 154 B.R. 723 (Bankr. W.D. Ark. 1993)

From 1992 to 1993, I was sole counsel for the United States to defend this adversary proceeding seeking a refund of approximately \$6 million. I was assigned this case in February 1992, six weeks before trial was to begin. The case was on remand from the Eighth Circuit Court of Appeals to the Bankruptcy Court to try a discrete issue: whether the bankruptcy debtor's election to forgo the three-year carryback of net operating losses was a fraudulent conveyance. The bankruptcy trustee was seeking to set aside the election. The question at trial was whether the debtor intended to defraud creditors by making the election and whether the debtor was insolvent at the time of the election. If the election had been set aside and the NOLs had been carried back, the bankruptcy trustee would have been entitled to a tax refund in the millions of dollars. After a five-day trial, the court (Honorable James G. Mixon (deceased)) ruled that the election to forgo the carryback period was not fraudulent. I was solely responsible for all pre- and post-trial

briefing, conducting all discovery, hiring and preparing an expert witness, and deposing witnesses across the country during the six-week period prior to trial.

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10. *United States v. Bailey*, 789 F. Supp. 788 (N.D. Tex. 1992)

From 1991 to 1992, I was co-counsel in this case against four abusive tax return preparers from Fort Worth, Texas. The defendants prepared hundreds of false and fraudulent tax returns to reduce or eliminate their clients' tax liabilities. I shared all briefing, deposition, and trial responsibilities with my co-counsel. Following a two-week bench trial in January 1992 in which most of the taxpayer witnesses were hostile, the court (Honorable Terry Means) enjoined the preparers from preparing federal tax returns.

Co-Counsel

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Counsel for Defendants

Jack N. Price (deceased)

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

Perhaps the most significant matters of my career were never public and cannot be disclosed. Those matters involved declinations of criminal charges or civil resolutions before a case was filed. For these matters, the pre-filing resolution represented a life-changing event. Simply being criminally charged or being sued would have ruined the client. I cannot, however, reveal any further details to ensure I maintain client confidentiality.

I have played an active role in the management of GableGotwals. I served on the firm's Board of Directors which oversees all aspects of the firm's business, from 2018 to 2023. I chaired the firm's pro bono program from 2015 to 2018, and I was a member of the firm's recruiting committee for several years. When I was at Fellers Snider, I served on the firm's Executive Committee for eight years. The Executive Committee oversaw all aspects of the firm's business. At both GableGotwals and Fellers Snider, I frequently supervised other attorneys in cases and mentored junior attorneys on all aspects of legal practice.

I have been an active member of the Criminal Justice Act Panel for the Northern District of Oklahoma since 2003, representing clients in federal criminal cases as appointed counsel. In 2018 the Court and Federal Public Defender asked me to serve as the Panel Representative for the Northern District, a position I hold today. As the Panel Representative, I serve on the committee that trains and reviews new applicants to the CJA Panel. I have served for many years on the continuing legal education committee for the Panel. In 2023, my fellow Panel Representatives from the Tenth Circuit selected me as their representative on the Defender Services Advisory Group that advises the Administrative Office of the United States Courts. The DSAG meets twice a year in Washington to address issues involving representation of indigent clients charged in federal court around the country.

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

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

None.

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

Upon resignation from Gable & Gotwals, P.C., the firm will repurchase my shares, and any final income amount will be paid. I will be entitled to a profit sharing distribution for 2023 to be paid in 2024.

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

None.

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

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

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed, I will recuse in any litigation in which I have ever played a role. For a period of time, I also anticipate recusing in all cases where my current employer, Gable & Gotwals, P.C., is or represents a party. I will evaluate any other real or potential conflict, as well as any relationship that could give rise to the appearance of such a conflict, on a case-by-case basis and determine appropriate actions with the advice of parties and their counsel, including by recusing where necessary or appropriate.

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

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

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

My current law firm actively encourages its lawyers to provide pro bono representation. When I first joined GableGotwals, I was the pro bono coordinator for the firm. In this

role I monitored the pro bono work performed by the firm's lawyers and mentored many young lawyers who were handling litigated matters. I mentored an associate attorney in a contested guardianship trial on behalf of a client referred to our firm by Legal Aid of Eastern Oklahoma. I also served as co-counsel with one of my colleagues representing the local Girl Scouts of America with respect to potential litigation involving the recent anniversary of the murders of three girl scouts. Additionally, since 2021, I have served as co-counsel with national counsel, non-profit organizations, and university clinics in six compassionate release cases.

In one of my pro bono matters, I served as counsel for grandparents obtaining guardianship of their grandson. I prepared all of the guardianship papers and represented, counseled them through the proceeding, and followed up with post-guardianship proceedings. They have had guardianship of their grandson for the past three years while their daughter has struggled with addiction.

26. Selection Process:

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

On March 16, 2023, I submitted my resume to Senator James Lankford to be considered for one of the two judicial vacancies in the Northern District of Oklahoma. On April 14, 2023, I interviewed with the Advisory Panel established by Senators Lankford and Markwayne Mullin. On April 28, 2023, I interviewed with Senator Lankford. On June 5, 2023, Senator Lankford informed me that I had been recommended to the White House Counsel's Office as a potential candidate for nomination. On June 12, 2023, I interviewed with attorneys from the White House Counsel's Office. On August 26, 2023, the White House Counsel's Office informed me that I would be moving forward with the selection process. Since that date, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On October 18, 2023, the President announced his intent to nominate me.

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

No.