

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Ryan Young Park

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

United States Circuit Judge for the Fourth Circuit

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

North Carolina Department of Justice
114 West Edenton Street
Raleigh, North Carolina 27603

Residence: Durham, North Carolina

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

1983; Fridley, Minnesota

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.

2007 – 2010, Harvard Law School; J.D., 2010

2001 – 2005, Amherst College; B.A., 2005

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.

2017 – present
North Carolina Department of Justice
114 West Edenton Street

Raleigh, North Carolina 27603
Solicitor General (2020 – present)
Deputy Solicitor General (2017 – 2020)

2022 – 2023
Duke University School of Law
210 Science Drive
Durham, North Carolina 27708
Senior Lecturing Fellow, Appellate Practice

2021 – 2024
University of North Carolina School of Law
160 Ridge Road
Chapel Hill, North Carolina 27514
Adjunct Professor, North Carolina Constitutional Law

2014 – 2017
Boies Schiller Flexner LLP
1401 New York Avenue, Northwest
Washington, DC 20005
Associate

2013 – 2014
United States Supreme Court
One First Street, Northeast
Washington, DC 20542
Law Clerk for the Honorable Ruth Bader Ginsburg and David H. Souter (retired)

2012 – 2013; Summer 2010
United States Department of State
Office of the Legal Adviser
2201 C Street, Northwest, HST, Room 6421
Washington, DC 20520
Attorney-Adviser (2012 – 2013)
Intern (Summer 2010)

2011 – 2012
United States Court of Appeals for the Second Circuit
40 Foley Square
New York, New York 10007
Law Clerk for the Honorable Robert A. Katzmann

2010 – 2011
United States District Court for the Southern District of New York
500 Pearl Street, Suite 1340
New York, New York 10007

Law Clerk for the Honorable Jed S. Rakoff

January 2010
Documentation Center of Cambodia
Mansion 11 Street 256
Phnom Penh 120207 Cambodia
January Intern

2009 – 2010
Harvard Law School
1585 Massachusetts Avenue
Cambridge, Massachusetts 02138
Research Assistant, Professor Matthew Stephenson

2009
Harvard Law School
1585 Massachusetts Avenue
Cambridge, Massachusetts 02138
Research Assistant, Professor Todd Rakoff

Summer 2009
WilmerHale
2100 Pennsylvania Avenue, Northwest
Washington, DC 20037
Summer Associate

2008
Harvard Law School
1585 Massachusetts Avenue
Cambridge, Massachusetts 02138
Teaching Assistant (Torts), Professor Jed Sugarman

Summer 2008
United States Department of Defense
Office of the General Counsel
Pentagon, Room 3B 710
Washington, DC 20001
Summer Intern

Summer 2008
Human Rights Law Network
576 Masjid Road, Jungpura, 110 014
Delhi, India
Summer Intern

2007

Harvard Law School
1585 Massachusetts Avenue
Cambridge, Massachusetts 02138
Research Assistant, Professor Derek Bok

2006 – 2007
United States Department of State
Fulbright Commission
168-15 Yomni-dong, Mapo-gu
Seoul, South Korea
Fulbright Program English Teaching Assistant

2005 – 2006
United States Department of Justice
Antitrust Division, Networks and Technology Section
600 E Street, Northwest #9000
Washington, DC 20530
Paralegal

Summer 2005
The Children's Village
Echo Hills
Dobbs Ferry, New York 10522
Summer Fellow

Other affiliations:

2023 – present
Triangle Day School
4911 Neal Road
Durham, North Carolina 27705
Board of Trustees, Member (uncompensated)
Trusteeship Committee

2021 – 2024
7Sage LSE, LP (online legal education company)
Limited Partner

2021 – 2024
7Sage Bar Prep, LP (online bar prep company)
Limited Partner

2005 – 2006
Women Empowered Against Violence
District of Columbia Superior Court
500 Indiana Avenue, Northwest

Washington, DC 20001
Volunteer Intake Counselor (uncompensated)

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 the selective service upon 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.

“Legal newsmaker,” North Carolina Lawyer magazine (2024)

Outstanding Achievement Award, Washington Lawyers’ Committee for Civil Rights (2016)

Harvard Law School

Summa cum laude academic honors (2010)
Pro bono graduation distinction (over 1,000 hours completed) (2010)
Co-Editor-in-Chief, Harvard International Law Journal (2009 – 2010)
Best Brief, American Constitution Society National Moot Court Competition, Eastern Region (2010)
Yong Kim Memorial Prize for best paper related to Asian Law (2009)
Cravath International Research Fellow (2009)
Heyman Public Service Fellow (2008)
Emma Gildersleeve Lane Scholarship (2007)

Amherst College

Graduation with distinction (2005)
Thomas H. Wyman Memorial Medal, “awarded to the student who best represents the highest standards in scholarship, athletics and/or extracurricular activities, community service, integrity, character and humanism” (2005)
Krupman-Allyn Award for Public Service (2005)
President, Student Government (three elected terms, 2003 – 2005)

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 Constitution Society (2009, 2015, 2017, 2020, 2021)

American Law Institute (2024 – present)
Constitutional Torts, Member Consultative Group

Fourth Circuit Advisory Committee on Rules and Procedure (2024 – present)

National Asian Pacific American Bar Association (2015, 2020, 2022 – present)

North Carolina State Bar Association (2017 – present)
Appellate Rules Committee (2020 – present)

The Appellate Project Mentorship Program (2024 – 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, 2016
New York, 2011
North Carolina, 2017

There have been no lapses in membership. I have been on inactive status in the District of Columbia since 2022 because I no longer practice there.

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

Supreme Court of the United States, 2014
United States Court of Appeals for the Second Circuit, 2015
United States Court of Appeals for the Fourth Circuit, 2016
United States Court of Appeals for the Ninth Circuit, 2015
United States Court of Appeals for the Eleventh Circuit, 2015
United States Court of Appeals for the District of Columbia Circuit, 2016
United States District Court for the Southern District of New York, 2016
United States District Court for the Eastern District of North Carolina, 2018
United States District Court for the Middle District of North Carolina, 2020

There have been no lapses in membership. I have been on inactive status in the U.S. Courts of Appeals for the Second Circuit and Eleventh Circuit since 2015. In these courts, attorneys must renew their admission after a certain number of years. I declined to renew my active membership in these courts because I no longer practice there.

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.

Triangle Day School Board of Trustees (2023 – present)

UNC Faculty-Staff Recreation Association (2020 – present)

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

To the best of my knowledge, neither of the listed organizations currently discriminates or formerly discriminated based on race, sex, religion, or national origin, either through formal membership requirements or the practical implementation of membership policies.

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

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

To the best of my recollection and through searches of my own records and publicly available databases, I have found the following works that I authored or co-authored. It is possible that there are other works that I have not found and do not recall.

Candidate Statement for Amherst College Board of Trustees (April 15, 2024).
Copy supplied.

With Mary Gen Sanner and Emma Ritter, *Diversity and the North Carolina Supreme Court: A Look At The Advocates*, North Carolina Lawyer Magazine (2023). Copy supplied.

My friend and boss, Ruth Bader Ginsburg, The Atlantic (2020). Copy supplied.

Tribute to Professor William P. Alford, Harvard International Law Journal (2020).

Copy supplied.

The Supreme Court Didn't Ban Corporal Punishment, Local Democracy Did, The Washington Post (2019). Copy supplied.

The Last of the Tiger Parents, The New York Times (2019). Copy supplied.

With Ally Coll, *#MeToo, Congress and the Supreme Court: Who gets the last word on sexual harassment?*, The Hill (2018). Copy supplied.

Medical Residents Are Overworked, Democracy Journal (2017). Copy supplied.

Why So Many Young Doctors Work Such Awful Hours, The Atlantic (2016). Copy supplied.

With Lori Alvino McGill. *The Criticism of Ruth Bader Ginsburg Ignores Much of the Nation's History*, The Washington Post (2016). Copy supplied.

The Supremely Old, Supremely Sharp, Supreme Court, The Atlantic (2016). Copy supplied.

What Ruth Bader Ginsburg Taught Me About Being A Stay-at-Home Dad, The Atlantic (2015). Copy supplied.

Interview of Ruth Bader Ginsburg, *Ruth Bader Ginsburg's Life Lessons*, The Atlantic (2015), available at https://www.youtube.com/watch?v=3ys_oBCNf0Y.

Book review, *The Genocide Debate: Politicians, Academics, and Victims*, Journal of International Criminal Justice (2012). Copy supplied.

Proving Genocide: International Precedent and ECCC Case 002, Rutgers Law Review (2010). Copy supplied.

Exploring the Curious Lenience of International Criminal Law, Harvard International Law Journal (2010). Copy supplied.

The Globalizing Jury Trial, American Journal of Comparative Law (2010). Copy supplied.

Paedophilia, The American way, The Guardian (2007). Copy supplied.

The Shame Game, The Guardian (2007). Copy supplied.

Serving on the AAS betters the school and its members, The Amherst Student (2005). Copy supplied.

Increase prevention and punishment for cheating, The Amherst Student (2004). Copy supplied.

Take responsibility with the Honor Code, The Amherst Student (2004). Copy supplied.

Letter to the Editor, The Amherst Student (2003). 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.

I served on a sub-committee of the North Carolina State Bar Association's Appellate Rules Committee that was tasked with developing proposed amendments to the North Carolina Rules of Appellate Procedure on amicus participation. The sub-committee conveyed a proposed rule and an accompanying memorandum explaining the proposal to the North Carolina Supreme Court. Copy supplied.

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

I signed a May 31, 2023, letter on behalf of a bipartisan group of current and former state solicitors general to the Senate Judiciary Committee supporting the nomination of Loren AliKhan to the United States District Court for the District of Columbia. Copy supplied.

- 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 speeches or talks I have delivered. To compile this list, I have diligently searched my own records and online sources. There may be other speeches or talks that I have been unable to recall or identify.

April 11, 2024: Guest speaker, University of Virginia School of Law, Charlottesville, Virginia (Virtual). I was a guest speaker for a class on Federal Practice and Procedure, where I discussed my writing process and my career. I have no notes, transcript, or recording. The address for the University of Virginia School of Law is 580 Massie Road, Charlottesville, Virginia 22903.

March 19, 2024: Guest speaker, Georgetown University Law Center, Washington, DC (Virtual). I was a guest speaker for a class on constitutional litigation and discussed my career and state solicitor general offices. I have no notes, transcript, or recording. The address for Georgetown University Law Center is 600 New Jersey Avenue, Northwest, Washington, DC 20001.

February 17, 2024: Panelist, North Carolina Commission on Racial & Ethnic Disparities in the Criminal Justice System, Duke University School of Law, Durham, North Carolina. I participated in a panel on diversity in the judiciary and judicial proceedings. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

February 9, 2024: Speaker, State Constitutions: A State Solicitor General's Perspective, Brennan Center for Justice, New York University Law School, New York, New York. Recording available at <https://statecourtreport.org/our-work/analysis-opinion/state-constitutions-state-solicitor-generals-perspective>.

February 1, 2024: Speaker, 2024 Fred T. Korematsu Lecture, New York University Law School, New York, New York. Notes supplied.

January 24, 2024: Speaker, American Constitution Society, The University of Pennsylvania Carey Law School, Philadelphia, Pennsylvania. I spoke to a group of law students about my life and career. I have no notes, transcript, or recording. The address for The University of Pennsylvania Carey Law School is 3501 Sansom Street, Philadelphia, Pennsylvania 19104.

December 29, 2023: Panelist, Renaissance Weekend, Charleston, South Carolina. I spoke on panels about the Supreme Court and the importance of patriotism. I have no notes, transcript, or recording. The Renaissance Weekend's address is P.O. Box 22049, Charleston, South Carolina 29413.

November 22, 2023: Speaker, Tax Court of New Jersey, Trenton, New Jersey. I spoke to the judges on the New Jersey Tax Court about litigating tax appeals. I have no notes, transcript, or recording. The Tax Court of New Jersey's address is 25 Market Street, Trenton, New Jersey 08625.

November 13, 2023: Speaker, Litigating Tax Appeals to Generalist Courts, Multistate Tax Commission, Fall 2023 State Attorney Training, Montclair, New

Jersey. Remarks supplied.

November 9, 2023: Guest speaker, Campbell Law School. I was a guest speaker for a class on Judicial Writing and I spoke about my experiences clerking and my writing process. I have no notes, transcript, or recording. Campbell Law School's address is 225 Hillsborough Street, Raleigh, North Carolina 27603

October 26, 2023: Welcome speaker, Institute for Constitutional Advocacy and Protection, Georgetown University Law Center, Raleigh, North Carolina. I gave brief welcome remarks at a Southeast regional convening of elected leaders, law enforcement officials, academics, and others on safeguarding democracy. I have no notes, transcript, or recording. Georgetown University Law Center is located at 600 New Jersey Avenue, Northwest, Washington, DC. 20001.

October 17, 2023: Panelist, Merck 2023 Legal, Security and Aviation, Safety and the Environment, and Ethics and Compliance Organization Summit, Washington, DC. I was a panelist at a conference of Merck's in-house lawyers on diversity and inclusion in the workplace. I have no notes, transcript, or recording. Merck's address is 126 East Lincoln Avenue, Rahway, New Jersey 07065.

October 17, 2023: Guest speaker, Georgetown University Law Center, Washington, DC. I was a guest speaker for a class on constitutional litigation, and I discussed my career and state solicitor general offices. I have no notes, transcript, or recording. The address for Georgetown University Law Center is 600 New Jersey Avenue, Northwest, Washington, DC 20001.

October 11, 2023: Speaker, Harvard Kennedy School of Government, Cambridge, Massachusetts. I spoke to a study group about affirmative action in higher education. I have no notes, transcript, or recording. The Kennedy School's address is 79 John F. Kennedy Street, Cambridge, Massachusetts 02138.

October 10, 2023: Panelist, Amherst College Asian Alumni Network and Amherst Society of Black Alumni (Virtual). I spoke on a virtual panel about affirmative action in higher education. I have no notes, transcript, or recording. The alumni groups do not appear to have physical addresses.

October 5, 2023: Panelist, Center on Asian Americans and the Law, Fordham Law School, New York, New York. I spoke on a panel about affirmative action in higher education. I have no notes, transcript, or recording. Fordham Law School's address is 150 West 62nd Street, New York, New York.

July 11, 2023: Panelist, State Democracy Research Initiative, University of Wisconsin Law School, Madison, Wisconsin. I spoke on a panel about democracy-related litigation in the state and federal courts. I have no notes, transcript, or recording. University of Wisconsin Law School's address is 975 Bascom Mall, Madison, Wisconsin, 53706.

June 26, 2023: Speaker, Alston & Bird, Raleigh, North Carolina. I spoke to Alston & Bird's Raleigh office and virtually to their summer associates firm-wide about my life, career, and some of my cases. I have no notes, transcript, or recording. Alston & Bird's Raleigh office is located at 555 Fayetteville Street, Suite 600, Raleigh, North Carolina 27601.

June 14, 2023: Speaker, North Carolina Court of Appeals, Raleigh, North Carolina. I spoke to the summer interns and law clerks at the state court of appeals about North Carolina constitutional law. I have no notes, transcript, or recording. The North Carolina Court of Appeals' address is 1 West Morgan Street, Raleigh, North Carolina 27601.

May 19, 2023: Panelist, Stanford Law School, Stanford Law and Policy Review, Stanford, California. I spoke on a panel about affirmative action in higher education. I have no notes, transcript, or recording. Stanford Law School's address is 559 Nathan Abbott Way, Stanford, California 94305-8610.

April 19, 2023: Guest speaker, Cornell Law School (Virtual). I was a guest speaker and discussed my writing process, cases that I have worked on, and my career. I have no notes, transcript, or recording. Cornell Law School's address is Myron Taylor Hall, Ithaca, New York 14853.

March 31, 2023: Moderator, The North Carolina Constitution in Practice, North Carolina State Bar Association, 2023 Appellate Practice CLE, Cary, North Carolina. Notes supplied.

March 21, 2023: Guest speaker, Georgetown University Law Center, Washington, DC (virtual). I was a guest speaker for a class of law students on constitutional litigation, and I discussed my career and state solicitor general offices. I have no notes, transcript, or recording. The address for Georgetown University Law Center is 600 New Jersey Avenue, Northwest, Washington, DC 20001.

March 2, 2023: Panelist, Amherst College, Amherst, Massachusetts. I spoke on a panel about affirmative action in higher education. I have no notes, transcript, or recording, but press coverage is supplied. Amherst College's address is 220 South Pleasant Street, Amherst, Massachusetts 01002.

February 27, 2023: Panelist, The Role of the Modern State Solicitor General, The Federalist Society for Law and Public Policy, Washington, DC (Virtual). Recording available at <https://fedsoc.org/events/the-role-of-the-modern-state-solicitor-general-current-and-former-sgs-weigh-in>.

February 24, 2023: Panelist, States at the Forefront of Constitutional Litigation: A Conversation with Two State Solicitor Generals, Minnesota CLE Appellate Practice Institute, Minneapolis, Minnesota (Virtual). I spoke on a panel about state solicitors general offices and the role of states in constitutional litigation. I

have no notes, transcript, or recording. Minnesota CLE's address is 2550 University Avenue West, Suite 160-S, Saint Paul, Minnesota 55114.

February 22, 2023: Guest speaker, Duke University School of Law, Durham, North Carolina. I was a guest speaker in a law school class and discussed my life, career, and cases I have worked on. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

February 17, 2023: Panelist, University of North Carolina School of Law, Festival of Legal Learning, Chapel Hill, North Carolina. I spoke on a panel about affirmative action in higher education. I have no notes, transcript, or recording. The address for the University of North Carolina School of Law is 160 Ridge Road, Chapel Hill, North Carolina 27599-3380.

February 11, 2023: Speaker, Harvard Law School Asian Pacific American Law Students Association, Cambridge, Massachusetts. I spoke about my life, my career, and litigating constitutional cases. I have no notes, transcript, or recording. Harvard Law School's address is 1585 Massachusetts Avenue, Cambridge, Massachusetts 02138.

February 9, 2023: Guest speaker, North Carolina Central University School of Law, Durham, North Carolina. I was a guest speaker in a constitutional law class and spoke about my career and litigating constitutional cases. I have no notes, transcript, or recording. North Carolina Central University School of Law is located at 640 Nelson Street, Durham, North Carolina 27707.

February 9, 2023: Speaker, Investiture of Hon. Allison J. Riggs to the North Carolina Court of Appeals, North Carolina Court of Appeals, Raleigh, North Carolina. Remarks supplied.

February 2, 2023: Guest speaker, North Carolina State University, Raleigh, North Carolina. I was a guest speaker at an undergraduate class at NC State called "Insights: Transformative Texts in American Life" where I discussed the Constitution. I have no notes, transcript, or recording. North Carolina State University's address is 2610 Cates Avenue, Raleigh, North Carolina 27695.

January 26, 2023: Panelist, The Federalist Society for Law and Policy, Duke University School of Law, Durham, North Carolina. I spoke on a panel with Mississippi Solicitor General Scott Stewart about our careers, state solicitors general offices, and constitutional litigation. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

January 23, 2023: Speaker, Duke Law School Asian Pacific American Law Students Association, Durham, North Carolina. I spoke with students about my

life and career. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

January 18, 2023: Speaker, Duke Law School Asian Pacific American Law Students Association, Durham, North Carolina. I spoke with students about my life and career. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

October 11, 2022: Guest speaker, Harvard Law School, Cambridge, Massachusetts. I was a guest speaker and spoke about my career, state solicitors general offices, and cases I have worked on. I have no notes, transcript, or recording. Harvard Law School's address is 1585 Massachusetts Avenue, Cambridge, Massachusetts 02138.

September 9, 2022: Panelist, State Constitutionalism in North Carolina, The Federalist Society for Law and Public Policy, North Carolina Chapter, Raleigh, North Carolina. Recording available at <https://fedsoc.org/conferences/inaugural-north-carolina-chapters-conference#agenda-item-panel-1-state-constitutionalism-in-north-carolina>.

July 20, 2022: Panelist, American Constitution Society, Washington, DC (Virtual). I spoke on a panel of current and former state solicitors general about career opportunities in state government. I have no notes, transcript, or recording. The American Constitution Society's address is 601 13th Street, Suite 610, Washington, DC 20005.

April 27, 2022: Panelist, North Carolina State Bar Association, Cary, North Carolina. Notes supplied.

February 3, 2022: Speaker, North Carolina v. Juul, University of North Carolina School of Law, Festival of Legal Learning, Chapel Hill, North Carolina (Virtual). Notes supplied.

October 7, 2021: Panelist, State Democracy Research Initiative, University of Wisconsin Law School, Madison, Wisconsin. I spoke on a panel of current and former state solicitors general about our offices and state constitutional law. I have no notes, transcript, or recording. University of Wisconsin Law School's address is 975 Bascom Mall, Madison, Wisconsin 53706.

June 11, 2021: Panelist, University of Texas Conference on State and Federal Appeals, University of Texas School at Austin School of Law, Austin, Texas (Virtual). I spoke on a panel about my experiences clerking for Justice Ginsburg. I have no notes, transcript, or recording. UT Law's address is 717 East Dean Keeton Street, Austin, Texas 78705.

April 6, 2021: Speaker, Duke Law School Asian Pacific American Law Students

Association, Durham, North Carolina. I spoke with students from Duke Law School about my life and career. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

February 13, 2021: Panelist, Harvard Law School Asian Pacific American Law Students Association, Cambridge, Massachusetts (Virtual). I spoke at the HLS APALSA annual conference on a panel about Asian Americans in government. I have no notes, transcript, or recording. Harvard Law School's address is 1585 Massachusetts Avenue, Cambridge, Massachusetts 02138.

February 4, 2021: Speaker, COVID and the Constitution, University of North Carolina School of Law, Festival of Legal Learning, Chapel Hill, North Carolina (Virtual). Notes supplied.

February 2, 2021: Panelist, Justice Ginsburg's Impact on Gender Parity in the Practice of Law, The University of Texas at Austin School of Law, Center for Women in Law, Austin, Texas (Virtual). Recording available at <https://www.youtube.com/watch?v=-jVzybQBLLg>.

January 27, 2021: Speaker, Amherst Asian Alumni Network (Virtual). I spoke about my life and career in a virtual discussion with other Amherst College Asian American alumni. I have no notes, transcript, or recording. The alumni group does not appear to have a physical address.

December 18, 2020: Panelist, Appellate Practice Section's Virtual Ruth Bader Ginsburg Celebration, North Carolina State Bar Association, Cary, North Carolina (Virtual). I spoke along with other former law clerks to Justice Ginsburg about our experiences clerking. I have no notes, transcript, or recording. The North Carolina State Bar Association's address is 8000 Weston Parkway, Cary, North Carolina 27513.

November 13, 2020: Panelist, Duke Law Moot Court Board and Duke Law Journal, Duke University School of Law, Durham, North Carolina (Virtual). I spoke on a panel with current and former North Carolina solicitors general on our offices and state government litigation. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

November 7, 2020: Speaker, National Asian Pacific American Bar Association, Washington, DC (Virtual). I spoke along with other former law clerks to Justice Ginsburg about our experiences clerking. I have no notes, transcript, or recording. The National Asian Pacific American Bar Association's address is 1612 K Street, Northwest, Suite 300, Washington, DC 20006.

October 24, 2020: Moot Court Judge, Elon University School of Law, Greensboro, North Carolina (Virtual). I was a judge for the final round of the Billings, Exum & Frye National Moot Court Competition. I have no notes, transcript, or recording. Elon University School of Law's address is 201 North Greene Street, Greensboro, North Carolina 27401.

September 22, 2020: Panelist, American Constitution Society, Duke University School of Law, Durham, North Carolina (Virtual). I spoke on a panel with current and former North Carolina solicitors general on our offices and state government litigation. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

June 18, 2020: Panelist, American Constitution Society, Washington, DC (Virtual). I spoke on a panel about working in state attorneys general offices. I have no notes, transcript, or recording. The American Constitution Society's address is 601 13th Street, Northwest, Suite 610, Washington, DC 20005.

April 6, 2020: Guest speaker, Harvard Law School, Cambridge, Massachusetts (Virtual). I was a guest speaker in a legal writing class. I have no notes, transcript, or recording. Harvard Law School's address is 1585 Massachusetts Avenue, Cambridge, Massachusetts 02138.

February 18, 2020: Speaker, Duke Law School Asian Pacific American Law Students Association, Durham, North Carolina. I spoke with students about my life and career. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

February 7, 2020: Panelist, University of North Carolina School of Law, Festival of Legal Learning, Chapel Hill, North Carolina. I spoke on a panel about the pending Supreme Court term. I have no notes, transcript, or recording. The address for the University of North Carolina School of Law is 160 Ridge Road, Chapel Hill, North Carolina 27599.

November 15, 2019: Speaker, Wake Forest University School of Law, Winston-Salem, North Carolina. I spoke with a group of students about working in a state solicitor general's office. I have no notes, transcript, or recording. Wake Forest University School of Law's address is 1965 Wake Forest Road, Winston-Salem, North Carolina 27109.

September 27, 2019: Panelist, American Constitution Society, North Carolina Central University School of Law, Durham, North Carolina. I spoke on a panel of judges and lawyers discussing state attorneys general offices. I have no notes, transcript, or recording. North Carolina Central University School of Law is located at 640 Nelson Street, Durham, North Carolina 27707.

March 4, 2019: Panelist, Columbia Law School, Asian Pacific American Law

Students Association. I spoke to a group of students about my life and career. I have no notes, transcript, or recording. Columbia Law School's address is 435 West 116th Street, New York, New York 10027.

February 23, 2019: Panelist, Progressive Federalism, 2019 American Constitution Society Student Convention, University of Virginia School of Law, Charlottesville, Virginia. Video available at <https://www.acslaw.org/video/progressive-federalism-panel-at-the-2019-student-convention>.

November 15, 2018: Panelist, Cardozo Society, Raleigh, North Carolina. I was on a panel about clerking on the Supreme Court. I have no notes, transcript, or recording. The Cardozo Society is a part of the Jewish Federation of Greater Raleigh, whose address is 8210 Creedmore Road, Suite 104, Raleigh, North Carolina 27613.

October 19, 2018: Panelist, The Law Student's Guide to Becoming Solicitor General, University of Virginia School of Law, Charlottesville, Virginia. Recording available at <https://soundcloud.com/uva-law/the-law-students-guide-to-becoming-solicitor-general>.

October 4, 2018: Speaker, Preserving Issues for Appeal, North Carolina Department of Justice, Raleigh, North Carolina. Remarks supplied.

September 27, 2018: Panelist, American Constitution Society, North Carolina Lawyer Chapter, Raleigh, North Carolina. I spoke on a panel previewing the Supreme Court's upcoming term. I have no notes, transcript, or recording. The American Constitution Society's address is 601 13th Street, Northwest, Suite 610, Washington, DC 20005.

June 12, 2018: Panelist, Harvard Law School Association of Washington, DC, Washington, DC. I spoke on a panel about addressing sexual harassment in the workplace. I have no notes, transcript, or recording. The Association does not appear to have a physical address.

April 11, 2018: Speaker, Duke University School of Law, Durham, North Carolina. I spoke with a group of students alongside the founder of a nonprofit organization focused on ending workplace sexual harassment. I have no notes, transcript, or recording. The address for Duke University School of Law is 210 Science Drive, Durham, North Carolina 27708.

November 3, 2017: Panelist, The National Asian Pacific American Law Student Association, Washington, DC. I spoke on a panel about judicial clerkships. I have no notes, transcript, or recording. The National Asian Pacific American Law Student Association's address is 1612 K Street, Northwest, Suite 300, Washington, DC 20006.

October 17, 2017: Panelist, Campbell Law School, Raleigh, North Carolina. I spoke on a panel about judicial clerkships. I have no notes, transcript, or recording. Campbell Law school is located at 225 Hillsborough Street, Raleigh, North Carolina 27603.

October 6, 2017: Speaker, Supreme Court Term Review and Preview, North Carolina Department of Justice, Raleigh, North Carolina. Remarks supplied.

October 17, 2015: Panelist, University of the District of Columbia David A. Clarke School of Law, Washington, DC. I spoke on a panel about judicial clerkships. I have no notes, transcript, or recording. UDC Law School's address is 4340 Connecticut Avenue, Northwest, Washington, DC 20008.

September 19, 2015: Panelist, Asian American Bar Association of New York, New York, New York. I spoke on a panel of Asian American lawyers about work-life balance in the legal profession. I have no notes, transcript, or recording. AABANY's address is 45 Rockefeller Plaza, 20th Floor, New York, New York 10111.

July 28, 2012: Speaker, PreProBono (now 7Sage LSAT), New York, New York. I spoke to a group of pre-law students about law school and my career. I have no notes, transcript, or recording. PreProBono's address is 424 West 54th Street, New York, New York 10019.

April 8, 2010: Panelist, Amherst College, Amherst, Massachusetts. I spoke on a panel of Amherst alumni on applying for post-graduate fellowships. I have no notes, transcript, or recording. Amherst College's address is 220 South Pleasant Street, Amherst, Massachusetts 01002.

April 2010 (specific date unknown): Speaker, Rutgers Law School, Newark, New Jersey. I spoke at a conference organized by the Rutgers Law Review about my law review article on proving genocidal intent. I have no notes, transcript, or recording. Rutgers Law School is located at 217 North Fifth Street, Camden, New Jersey 08102.

February 27, 2010: Moderator, Harvard Law School Asian Pacific American Law Students Association, Cambridge, Massachusetts. I moderated a panel at the HLS APALSA annual conference about Asian Americans and the law. I have no notes, transcript, or recording. Harvard Law School's address is 1585 Massachusetts Avenue, Cambridge, Massachusetts 02138.

February 5, 2010: Panelist, University of Hong Kong, Law and Society Association, Hong Kong. I spoke on a panel at a conference of the Law and Society Association in Hong Kong, discussing my law review article on the spread of the jury trial around the globe. I have no notes, transcript, or recording. The Law and Society Association's address is 240 Hicks Way,

Amherst, Massachusetts 01003.

- 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.

To the best of my recollection and through searches of my own records and publicly available databases, I have found the following interviews I have given. It is possible that there are other interviews that I have not found and do not recall.

AAPI profiles, The Appellate Project (May 16, 2023). Copy supplied.

Jessica Junqueira, *Solicitor General Ryan Park on Becoming a Lawyer, Learning from Mentors Past and Present and Serving the Public*, North Carolina Lawyer Magazine (February 15, 2021). Copy supplied.

Hailey Fuchs, *Ginsburg Clerks Remember Her as a Mentor Who Treated Them Like Family*, The New York Times (September 23, 2020). Copy supplied.

Kyle Midura, *Blackbeard resurfaces as Supreme Court hears N.C. copyright case*, Gray Washington News Bureau (November 5, 2019). Copy supplied.

Kellie Meyer, *Piracy case over sunken pirate ship heard at Supreme Court*, WFLA News (November 5, 2019). Video available at <https://www.wfla.com/news/washington-dc/piracy-case-over-sunken-pirate-ship-heard-at-supreme-court>.

Meghna Chakrabarti and Jamie Bologna, *Tiger Parenting And 'Third Generation Decline'*, WBUR Radio Boston (June 28, 2018). Recording available at <https://www.wbur.org/radioboston/2018/06/28/lats-tiger-parent>.

Rachel Gillett, *An employment lawyer explains whether you can legally be fired while you're on parental leave*, Business Insider (August 24, 2016). Copy supplied.

Katherine Duke, *Swing Set Vote*, Amherst Magazine (May 7, 2015). Copy supplied.

Delayed Gratification: Two diplomas, then two decisions, Harvard Law Bulletin (Winter 2012). Copy supplied.

Park Soo-mee, *Taking a stroll around change and tradition*, Korea JoongAng Daily (March 29, 2007). Copy supplied.

Diana Hong, *Park leaves legacy as AAS President*, The Amherst Student (May 19, 2005). Copy supplied.

Megan Klein, *Park wins second AAS Presidency*, The Amherst Student (April 28, 2004). Copy supplied.

Allison Rung, *The Personals: questions for Ryan Park '05*, The Amherst Student. (September 23, 2003). Copy supplied.

Tracy Ke, *331 students elect Park in run-off for AAS President*, The Amherst Student (March 12, 2003). Copy supplied.

Additionally, in college I co-hosted a weekly, two-hour radio show called "Tea and Cookies with Amrit and Ryan." We played jazz music. I have no transcripts or recordings of the show.

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 served as a judge.

- 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 served as a judge.

- 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.

On March 1, 2017, I was appointed Deputy Solicitor General of North Carolina by North Carolina Attorney General Joshua H. Stein. On March 18, 2020, I was appointed Solicitor General of North Carolina by North Carolina Attorney General Joshua H. Stein.

I have never run for elective office or been nominated for another 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 office or a title in a political party or election committee. In the summer of 2004, I worked at an organization called Grassroots Campaigns, Inc. in St. Paul, Minnesota. My primary role was to knock on doors in support of John Kerry's presidential campaign. That fall, while enrolled in college, I traveled to New Hampshire to volunteer for the Kerry campaign, knocking on doors, holding signs, and making phone calls.

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

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

From 2010 to 2011, I served as a law clerk to the Honorable Jed S. Rakoff, of the United States District Court for the Southern District of New York.

From 2011 to 2012, I served as a law clerk to the Honorable Robert A. Katzmann, of the United States Court of Appeals for the Second Circuit.

From 2013 to 2014, I served as a law clerk to both the Honorable Ruth Bader Ginsburg and the Honorable David H. Souter (retired), of the Supreme Court of the United States.

- 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;

2010, 2012 – 2013
United States Department of State
Office of the Legal Adviser
2201 C Street, Northwest, HST, Room 6421
Washington, DC 20520
Attorney-Adviser (2012 – 2013)
Summer Intern (2010)

2014 – 2017
Boies Schiller Flexner LLP
1401 New York Avenue, Northwest
Washington, DC 20005
Associate

2017 – present
North Carolina Department of Justice
114 West Edenton Street
Raleigh, North Carolina 27603
Solicitor General (2020 – present)
Deputy Solicitor General (2017 – 2020)

- 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 not served as a mediator or an arbitrator.

b. Describe:

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

My practice has consisted mainly of complex and constitutional litigation in state and federal appellate courts. In the North Carolina Solicitor General's Office, I work on appeals and constitutional issues across a wide variety of subject areas, including criminal law. This role has included substantial responsibility for cases in the U.S. Supreme Court, the U.S. Court of Appeals for the Fourth Circuit, the North Carolina Supreme

Court, and the North Carolina Court of Appeals. In private practice, I focused on briefing complex legal issues in civil cases, both in trial court and on appeal. I also conducted discovery on complex commercial cases. Earlier in my career, I briefly worked as a lawyer for the U.S. State Department focused on international property transactions for the federal government.

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

During my time at the State Department, I provided legal advice on property issues to diplomatic, military, and intelligence officials across the federal government.

During my time in private practice, I represented a range of private clients, including technology companies, financial institutions, and food and beverage companies. I also represented individuals, including corporate officers, a journalist, and former government officials.

At the North Carolina Solicitor General's Office, I exclusively represent the State of North Carolina, its agencies, and its officials.

- 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 vast majority of my practice has been in litigation, with the exception of the year I practiced transactional law at the State Department. Since that time, my practice has primarily involved litigation in the Supreme Court of the United States, the U.S. Courts of Appeals, and the North Carolina state appellate courts. While in private practice, I most often appeared in court in a support capacity. In my current role as North Carolina's Solicitor General, I frequently appear in state and federal appellate courts. I also occasionally appear in trial courts in legally complex cases.

- i. Indicate the percentage of your practice in:

- 1. federal courts: 60%
- 2. state courts of record: 40%
- 3. other courts: 0%
- 4. administrative agencies: 0%

- ii. Indicate the percentage of your practice in:

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

- 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 participated as part of trial team in one case that was tried to judgment. Additionally, I have presented argument in more than 30 appeals, including twice in the U.S. Supreme Court and ten times in the U.S. Courts of Appeals.

- 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.

In the North Carolina Solicitor General's Office, I have regularly practiced in the Supreme Court of the United States. I have presented argument in two cases, participated in briefing five merits cases, and have regularly filed or opposed certiorari petitions. In addition, on multiple occasions, I have represented broad, bipartisan coalitions of states in areas of mutual interest. While in private practice, I filed one amicus brief on behalf of former government officials in a merits case.

Argued cases:

Students for Fair Admissions, Inc. v. the University of North Carolina, 600 U.S. 181 (2023) (transcript, 2022 WL 22297227; brief for respondent, 2022 WL 2975486, brief in opposition to certiorari, 2021 WL 6118282).

Allen v. Cooper, 589 U.S. 248 (2020) (transcript, 2019 WL 5727279; brief for respondent, 2019 WL 4671006, brief in opposition to certiorari, 2019 WL 1858786).

On brief:

Official Committee of Asbestos Claimants v. Bestwall LLC, No. 23-675 (amicus brief of North Carolina, 22 states and D.C. in support of petition for writ of certiorari, 2024 WL 305618) (pending).

Porter v. Board of Trustees of North Carolina State University, No. 23-363 (2024) (brief in opposition, 2023 WL 8789719) (cert. denied).

Stein v. People for the Ethical Treatment of Animals, Inc., No. 22-1150 (2023) (reply in support of certiorari, 2023 WL 5530361; petition for a writ of certiorari, 2023 WL 3738940) (cert. denied).

North Carolina Division of Sons of Confederate Veterans, Inc. v. North Carolina Department of Transportation, No. 22-932 (2023) (brief in opposition to certiorari, 2023 WL 3321531) (cert. denied).

Quad Graphics, Inc. v. North Carolina Department of Revenue, No. 22-890 (2023) (brief in opposition, 2023 WL 3585141) (cert. denied).

Diaz-Tomas v. North Carolina, No. 22-887 (2023) (brief in opposition, 2023 WL 3550721) (cert. denied).

B-21 Wines, Inc. v. Bauer, No. 22-285 (2023) (brief in opposition, 2022 WL 17487946) (cert. denied).

J.R. v. North Carolina, No. 22-1013 (2023) (brief in opposition, 2023 WL 4149469) (cert. denied).

Moore v. Harper, 600 U.S. 1 (2022) (brief by state respondents, 2022 WL 14052447).

State Health Plan for Teachers and State Employees v. Lake, No. 21-1565 (2022) (reply in support of certiorari, 2022 WL 4287597; petition for a writ of certiorari, 2022 WL 2181592) (cert. denied).

Berger v. North Carolina State Conference of the NAACP, 597 U.S. 179 (2022) (brief for state respondents, 2022 WL 468987; brief in opposition by state respondents, 2021 WL 4847079).

Wise v. Circosta, Moore v. Circosta, Nos. 20A71, 20A72 (2020) (response to applications, copy supplied) (applications denied).

Facebook, Inc. v. Duguid, 592 U.S. 395 (2021) (brief of North Carolina, Indiana, 35 other states, and DC in support of respondent, 2020 WL 6364661).

Guskiewicz v. DTH Media Corporation, et al., No. 20-527 (2021) (reply in support of certiorari, 2020 WL 7391524; petition for a writ of certiorari, 2020 WL 6162030) (cert. denied).

Barr v. American Association of Political Consultants, Inc., 140 S. Ct. 2335 (2020) (brief of North Carolina, Indiana, and 31 other states in support of petitioners, 2020 WL 1372785).

State of North Carolina v. Courtney, No. 19-766 (2020) (reply in support of certiorari, 2020 WL 1853471; petition for a writ of certiorari, 2019 WL 6875525) (cert. denied).

North Carolina Department of Revenue v. The Kimberly Rice Kaestner 1992 Family Trust, 588 U.S. 262 (2019) (reply brief for petitioner, 2019 WL 1532016; brief for petitioner, 2019 WL 949892).

Bethea v. State of North Carolina, No. 18-308 (2019) (brief in opposition, 2018 WL 6445983) (cert. denied).

State of North Carolina v. Alcoa Power Generating, Inc., No. 17-683 (2018) (reply in support of petition for writ of certiorari, 2018 WL 565678; petition for writ of certiorari, 2017 WL 5187591) (cert. denied).

Ohio Democratic Party v. Donald J. Trump for President, Inc., No. 16A461 (2016) (application to vacate stay, copy supplied) (application denied).

Bolivarian Republic of Venezuela v. Helmerich & Payne International Drilling Co., 581 U.S. 972 (2017) (brief of former State Department Attorneys as amici curiae, 2016 WL 5800342).

My name also appears on the following briefs drafted by another state attorney general's office:

California v. Texas, 19-840, 19-1019, 593 U.S. 659 (2021) (response and reply brief for petitioners-cross-respondents, 2020 WL 4450448; reply brief for petitioners, 2020 WL 730290; opening brief for petitioners, 2020 WL 2475940, petition for a writ of certiorari, 2020 WL 58603).

At the North Carolina Department of Justice, I have also advised on a handful of petitions for writs of certiorari and briefs in opposition in the U.S. Supreme Court on which my name does not appear.

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. *National Association for Rational Sexual Offense Laws v. Stein*, No. 23-2040 (4th Cir.) (pending) (Diaz, C.J., Niemeyer, Richardson, JJ.).

Since 2023, I have represented the Attorney General and several district attorneys in this facial constitutional challenge to North Carolina's sex-offender registration law. Like all states, North Carolina requires all persons who are convicted of certain sex crimes to register with the state for a certain period of time. Registrants are further restricted from certain activities and from accessing certain locations, such as schools and playgrounds. Plaintiffs are two nonprofit groups that advocate on behalf of sex offenders and individual sex offenders. They brought this lawsuit claiming that North Carolina's registration statute is punitive and thus cannot be applied retroactively to sex offenders under the Constitution's Ex Post Facto Clause. After a bench trial, a federal district court rejected these claims and upheld the statute's constitutionality. On appeal, the state defendants argue that the registry is neither punitive in intent or effect, and therefore may be retroactively applied to sex offenders who were convicted prior to the registry statute's enactment (or the enactment of the relevant statutory amendment). The appeal remains pending in the Fourth Circuit. On appeal, I serve as lead counsel on behalf of the state, have led the briefing team, and argued the case.

Co-Counsel:

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Opposing Counsel:

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P.M. Dubbeling, PLLC
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Chapel Hill, NC 27514
(919) 635-6005

2. *McKinney v. Goins*, 290 N.C. App. 403 (2023) (Riggs, Gore, Carpenter, JJ.), No. 109PA22-2 (N.C.) (pending) (Newby, C.J. & Earls, Berger, Barringer, Allen, Dietz, Riggs, JJ.).

Since 2020, I have represented the State of North Carolina in this facial constitutional challenge to a state statute that temporarily revived, for a two-year period, certain time-barred tort claims for child sexual abuse. Plaintiffs were victims of sexual abuse perpetrated by their high school wrestling coach, who was convicted on numerous criminal charges for this abuse. They sued the coach and the school board that employed him, alleging that the district had received numerous complaints about the coach's sexual abuse while it was ongoing but did nothing to stop it. The board defended the lawsuit by claiming that the revival statute violated the state constitution's "law of the land" clause,

because it interferes with the board's vested right not to be sued after an original statute of limitations had expired. The State of North Carolina intervened as a defendant to defend the statute's constitutionality. A three-judge panel of state trial judges agreed that the revival statute was unconstitutional, but a panel of the North Carolina Court of Appeals reversed and upheld the statute. The appeal is currently pending before the North Carolina Supreme Court. I consulted extensively on strategy and the briefing when the case was in the trial court. On appeal, I serve as lead counsel and have led the team that briefed the case in both the state Court of Appeals and Supreme Court. I argued the case in the Court of Appeals. The case remains pending in the North Carolina Supreme Court.

Co-Counsel:

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3. *Students for Fair Admissions, Inc. v. the University of North Carolina*, 600 U.S. 181 (2023) (Roberts, C.J. & Thomas, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, Barrett, Jackson, JJ.)

From 2021 to 2023, I represented the University of North Carolina in this constitutional challenge to the University's race-conscious admissions policy. The plaintiff alleged that by considering race as part of a holistic analysis of prospective applicants, the University violated its members' rights under the Equal Protection Clause. The district court ruled after a bench trial that the University's admissions policy complied with existing Supreme Court precedent. Plaintiff filed a petition for a writ of certiorari before judgment seeking direct review in the Supreme Court. The Supreme Court granted the petition and reversed, concluding that the University's consideration of race in its admissions process did not comply with the strict scrutiny standard under the Equal Protection Clause. In the

trial court, I assisted with briefing pre- and post-trial motions. On appeal, I led the team of lawyers that briefed the case in the Supreme Court. I also presented oral argument in the Supreme Court. Following the Court's decision, I worked closely with the University to help ensure that its admissions process complies fully with the Court's ruling.

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4. *Quad Graphics, Inc. v. North Carolina Department of Revenue*, 383 N.C. 356 (2022) (Newby, C.J. & Hudson, Ervin, Morgan, Earls, Berger, Barringer, JJ.), *cert. denied*, 143 S. Ct. 2638 (2023) (Roberts, C.J. & Thomas, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, Barrett, Jackson, JJ.).

From 2021 to 2023, I represented the North Carolina Department of Revenue in this constitutional challenge under the dormant commerce clause to a North Carolina sales tax statute. The Department of Revenue assessed an out-of-state commercial printing company for unpaid sales taxes on products that the company had delivered to North Carolina customers. Relying on the U.S. Supreme Court's decision in *McLeod v. J.E. Dilworth Co.*, 322 U.S. 327 (1944), the company challenged the assessment on the ground that states lack constitutional authority to tax sales that take place outside the taxing state. It argued that was the case here, because the company transferred ownership of the products to a common carrier outside of North Carolina. The North Carolina Supreme Court upheld the tax assessment and the underlying statutory regime. It held that the U.S. Supreme Court's recent decision in *South Dakota v. Wayfair, Inc.*, 138 S. Ct. 2080 (2018), made clear that *Dilworth's* categorical rule no longer applied to dormant commerce challenges to state taxation of out-of-state transactions. Instead, it held that the modern dormant commerce clause test—which focuses on economic realities and a tax's

practical effects—applies. The company filed a petition for a writ of certiorari in the U.S. Supreme Court to challenge this decision. The Court denied cert.

On appeal, I served as lead counsel and was the sole drafter of the briefs in both the North Carolina Supreme Court and U.S. Supreme Court. I argued the case in the North Carolina Supreme Court.

Co-Counsel:

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Allon Kedem
Arnold & Porter, Kaye Scholer LLP
601 Massachusetts Avenue, Northwest
Washington, DC 20001
(202) 942-5000

5. *State ex rel. Stein v. E.I. duPont de Nemours and Company*, 382 N.C. 549 (2022)
(Newby, C.J. & Hudson, Ervin, Morgan, Earls, Berger, Barringer, JJ.)

From 2021 to 2022, I represented the State of North Carolina in this case against a chemical company and its corporate successors under state tort law for allegedly releasing massive amounts of PFAS chemicals into the state's environment for more than 40 years and engaging in a fraudulent restructuring to avoid liability for these harms. The successor companies moved to dismiss for lack of personal jurisdiction under the federal Due Process Clause. The North Carolina Supreme Court unanimously held that the state's courts could exercise jurisdiction over the successors for two reasons. First, the successors had expressly assumed the predecessor's liabilities. Second, the state had sufficiently alleged that the predecessor had fraudulently restructured its operations in order to shield its assets from its PFAS-related liabilities. I led the team that briefed the appeal, personally briefed many of the contested legal issues, and argued the case. On remand in the trial court, the state has continued to pursue its claims against the chemical company and its successors.

Co-Counsel:

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6. *B-21 Wines, Inc. v. Bauer*, 36 F.4th 214 (4th Cir. 2022) (King, Quattlebaum, Wilkinson), *cert. denied*, 143 S. Ct. 567 (2023) (Roberts, C.J. & Thomas, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, Barrett, Jackson, JJ.).

From 2021 to 2023, I represented the state in this constitutional challenge to North Carolina’s alcohol beverage control regime. North Carolina law makes it unlawful for any out-of-state alcohol retailer to ship alcohol directly to North Carolina consumers. Instead, North Carolina has long regulated alcohol through its “three-tier system.” This system separates alcohol producers, wholesalers, and retailers—and requires most alcohol to pass through all three tiers before reaching consumers. One exception to this system allows in-state retailers to ship wine directly to consumers. Plaintiff is a Florida-based wine retailer that sought to sell wine online to North Carolina consumers and ship it directly to them. It claimed that North Carolina’s alcohol-control regime discriminated against interstate commerce in violation of the dormant commerce clause. The Fourth Circuit rejected this claim. It agreed with plaintiff that North Carolina’s regime discriminates against interstate commerce, but it held that this discrimination is authorized by the Twenty-first Amendment. That amendment confers explicit authority on states to regulate alcohol, the only consumer product mentioned in the Constitution. It thus allows states to discriminate against interstate commerce in alcohol, so long as the regulation can be justified as a public health or safety measure. The Fourth Circuit held that this standard was satisfied in this case. Plaintiff then filed a petition for a writ of certiorari in the Supreme Court. The petition was denied. I served as lead counsel, worked with my co-counsel on the briefs, and argued the case in the Fourth Circuit.

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7. *State of North Carolina v. Caballero*, 383 N.C. 464 (2022) (Newby, C.J. & Hudson, Ervin, Morgan, Earls, Berger, Barringer, JJ.).

From 2021 to 2022, I represented the State in this criminal case involving convictions for first-degree murder and attempted first-degree murder in Durham, North Carolina. The evidence at trial showed that defendant intentionally murdered his neighbor by luring him outside and repeatedly stabbing him with a knife. The evidence also showed that defendant then attempted to murder his neighbor's wife and baby. On appeal, defendant argued that the trial court had erred by failing to exclude testimony by the investigating officer that the wife's account of the night's events was "rock solid, never wavered, never changed." Defendant claimed that this testimony constituted improper vouching for the witness's credibility. A panel of the North Carolina Court of Appeals held that the testimony was appropriate, because the officer merely testified as to the witness's consistency, not the truthfulness of her statements. The Court of Appeals further held that any error was not prejudicial. By a 4-3 margin, a majority of the North Carolina Supreme Court held that the testimony constituted improper vouching. But the court unanimously affirmed the convictions on the ground that the error was not prejudicial because there was no reasonable probability that the testimony affected the jury's guilty verdict. In the state Court of Appeals, I worked with my co-counsel on the briefs; there was no argument. In the North Carolina Supreme Court, after my colleague's departure from the Department of Justice, I was the sole counsel for the State, drafted the briefs, and argued the case.

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8. *Lake v. State Health Plan for Teachers and State Employees*, 264 N.C. App. 174

(2019) (Tyson, Bryant, Hunter), 380 N.C. 502 (2022) (Newby, C.J. & Hudson, Ervin, Morgan, Earls, Berger, Barringer, JJ.), *cert. denied*, 143 S. Ct. 111 (2022) (Roberts, C.J. & Thomas, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, Barrett, Jackson, JJ.).

From 2017 to 2022, I represented the state in this case involving claims brought by a class of 220,000 former state employees, asserting that the State of North Carolina is contractually and constitutionally barred from reducing health benefits afforded to retired state employees. A state trial court agreed, entering summary judgment in favor of the retirees on their claim under the U.S. Constitution's Contract Clause and enjoining state statutes that prospectively altered their benefits. The North Carolina Court of Appeals reversed, holding that plaintiffs had failed to establish the existence of a contractual obligation by the state to provide retiree health-care benefits at a fixed level for life. The North Carolina Supreme Court disagreed in part, holding that plaintiffs had established a right to benefits under the Contract Clause. However, the North Carolina Supreme Court further held that the trial court had erred in granting summary judgment to plaintiffs, because they had failed to prove at that stage of the proceedings that their contractual rights had been substantially impaired. It therefore remanded to the trial court for further proceedings. The State Health Plan filed a petition for a writ of certiorari in the U.S. Supreme Court. The petition was denied. In the state Court of Appeals, I was the lead drafter of our briefs. In the North Carolina Supreme Court and the U.S. Supreme Court, I served as lead counsel and was the primary drafter of the briefs. I also argued the case in the North Carolina Supreme Court. The case remains pending on remand in state trial court.

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9. *Zito v. North Carolina Coastal Resources Commission*, 8 F.4th 281 (4th Cir. 2021) (Gregory, Motz, Thacker, JJ.), *cert. denied*, 142 S. Ct. 465 (2021) (Roberts, C.J. & Thomas, Breyer, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, Barrett, JJ.).

From 2020 to 2021, I represented the state in this case involving whether states have sovereign immunity in federal court from Fifth Amendment takings claims. Plaintiffs

owned a beachfront vacation home in North Carolina's outer banks that caught fire and burned to the ground. North Carolina's Coastal Resources Commission denied a permit to rebuild the home because the proposed building did not comply with state regulations requiring properties to be built a certain distance from the "vegetation line"—the first line of natural vegetation between the beach and more stable land. Plaintiffs sued, claiming that enforcing these setback requirements constituted an unconstitutional taking without just compensation. The Commission moved to dismiss based on sovereign immunity, arguing that plaintiffs were required to bring this claim in state court. The Fourth Circuit agreed, holding that the Eleventh Amendment bars takings claims against states where the state courts remain open to adjudicating such claims. Because North Carolina affords a constitutionally adequate process for plaintiffs to vindicate their federal rights against takings without just compensation, the court held that sovereign immunity applied. Plaintiffs filed a petition for a writ of certiorari in the Supreme Court. The petition was denied. I led the briefing team on appeal and argued the case in the Fourth Circuit.

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10. *Allen v. Cooper*, 895 F.3d 337 (4th Cir. 2018) (Niemeyer, King, Brinkema, JJ.), 589 U.S. 248 (2020) (Roberts, C.J. & Thomas, Ginsburg, Breyer, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, JJ.)

From 2017 to 2020, I represented the state in this case involving an allegation by an underwater photographer that the State of North Carolina engaged in copyright infringement by using photographs he had taken of Blackbeard's flagship *Queen Anne's Revenge*, which sunk off the coast of North Carolina in 1718 and was discovered in 1996. The state and the photographer had entered an agreement to document the state's excavation of the shipwreck. The photographer claimed that the state exceeded the scope of that agreement by using his images without authorization.

The state defendants moved to dismiss the lawsuit, arguing that they enjoyed sovereign immunity from copyright claims. They further argued that a federal statute, the Copyright Remedy Clarification Act, which purported to strip states of their sovereign immunity for copyright claims was unconstitutional. A panel of the Fourth Circuit and the Supreme

Court agreed, both unanimously. The courts first noted the general rule that federal courts cannot hear suits by individuals against nonconsenting states. They then held that no exception applied. Specifically, they held that Congress lacked the authority under the Copyright Clause of Article I to abrogate state sovereign immunity. They then held that the Copyright Remedy Clarification Act did not pass the test for a proper abrogation of state sovereign immunity under Section 5 of the Fourteenth Amendment. That is, the Act was not “congruent and proportional” to the constitutional injury that it seeks to remedy.

In both the Fourth Circuit and the Supreme Court, I was the primary architect of the state’s legal strategy and the primary drafter of the state’s briefs. I presented oral argument in both courts.

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

As Solicitor General of North Carolina, my primary role is to represent the State of North Carolina in its most important appeals. In this role, I have represented a wide variety of state agencies and officials, including the Governor and the state’s legislative leaders, in civil lawsuits challenging the constitutionality of state statutes and other significant matters. I have also represented the state in over a dozen criminal appeals, often in cases

arising from the most-serious crimes. For example, in five cases, we have successfully persuaded appellate courts to affirm convictions for murder and attempted murder. In two of those cases, *State v. Oldroyd*, 380 N.C. 613 (2022) and *State v. Goins*, 377 N.C. 475 (2021), we successfully persuaded the North Carolina Supreme Court to reinstate murder and attempted murder convictions that the state Court of Appeals had vacated, where the victims were law-enforcement officers.

As Solicitor General, I have also advised the Attorney General and other state officials on legal and constitutional issues. For example, I provided legal advice to the North Carolina Department of Justice's legislative and policy staff when our office drafted a law that became the Sexual Assault Fast reporting and Enforcement Act (or SAFE Child Act), which was passed unanimously by the North Carolina General Assembly in 2019 after securing broad bipartisan sponsorship. This law was designed to protect North Carolina's children from sexual abuse, including through being targeted online, and modernize our state's sexual assault laws. I then assisted in the legal defense of the Act, including by serving as lead counsel in opposing facial constitutional challenges to important parts of the law.

In both government service and in private practice, I have often represented clients in civil litigation that resolved through settlement. For example, I provided legal advice in the Attorney General's lawsuit against JUUL Labs, Inc. for deceptively marketing its products to children. I also served as lead counsel for the state when JUUL sought to file an extraordinary petition in the North Carolina appellate courts prior to trial. After the petition was denied, the state and JUUL entered into a consent order that required the company to pay the state \$40 million in funds used to prevent and ameliorate e-cigarette addiction, as well as make significant changes to its business practices to prevent it from selling and marketing its products to minors.

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

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

From Spring 2021 to Spring 2024, I have taught a course on North Carolina Constitutional Law at the University of North Carolina School of Law. This is an upper-level seminar that focuses on learning the substantive law of the state constitution. It is also classified as a rigorous writing-intensive course and so students are required to write independent research papers. Syllabi supplied.

In Fall 2022 and Fall 2023, I co-taught a fall semester appellate practice course at Duke University School of Law. This is an advanced skills-based course, where students research and draft an appellate brief based on a real case. Students then have the opportunity to present oral argument to appellate judges whom we invite to campus. Syllabi supplied.

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

None.

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

None.

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

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

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

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

If confirmed, I would recuse from any case in which I had previously participated as an attorney. I am unaware of any individuals, whether relatives or otherwise, who would be likely to present a conflict of interest. I would review, on a case-by-case basis, the existence of a potential conflict of interest arising from any personal or former client relationships or financial interests, and would apply generally applicable principles and rules concerning ethics and conflicts of interest in conducting such an inquiry and assessing whether a recusal is warranted. For example, as North Carolina's Solicitor General, I supervise all the State's civil appeals, and so I anticipate recusing from any case against the State

of North Carolina (or its agencies or officials) that was pending at any point during my time at the North Carolina Department of Justice.

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

I would evaluate and resolve any potential conflicts of interest by applying the rules and standards set forth in 28 U.S.C. § 455 and the Code of Conduct for United States Judges. I would also consult relevant judicial decisions and opinions by the Judicial Conference of the United States.

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.

During my time in government service, I have been prohibited from providing pro bono legal services. But I have sought to remain engaged in my community, frequently speaking to student groups, bar associations, and other groups.

While in private practice, a significant amount of my practice was devoted to pro bono work. For example, I was appointed by the Eleventh Circuit to represent an indigent plaintiff in his lawsuit against a financial institution related to his eviction from his home. I also represented pro bono a journalist who sued his employer for its allegedly discriminatory leave policy, a case that resulted in a favorable negotiated resolution. My work on this case was recognized with an outstanding achievement award by the Washington Lawyers' Committee for Civil Rights. I also filed multiple amicus briefs in a pro bono capacity, including briefs representing law professors and former government officials.

While at the State Department after law school, I would occasionally participate in drop-in clinics to provide legal advice on housing issues to indigent tenants, as part of the federal government's pro bono legal assistance program. Finally, before law school, while employed by the Department of Justice as a paralegal, I regularly volunteered as an intake counselor at Women Empowered Against Violence, which at the time operated a satellite office in the District of Columbia Superior Court. My work primarily involved assisting individuals fill out the necessary paperwork to seek domestic-violence protective orders.

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 January 13, 2024, I was contacted by attorneys from the White House Counsel's Office inviting me to interview for a position on the Fourth Circuit Court of Appeals. That interview took place on January 16, 2024. On April 11, 2024, an attorney from the White House Counsel's Office informed me that they would like me to move forward in the selection process. Since that date, I have been in contact with officials from the Office of Legal Policy at the Department of Justice and the White House Counsel's Office. On June 3, 2024, I was interviewed separately by Senators Thom Tillis and Ted Budd. On July 3, 2024, the President announced his intent to nominate me.

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

No.