

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Brantley David Starr

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

United States District Judge for the Northern District of Texas

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

Office of the Texas Attorney General
209 West 14th Street, Eighth Floor
Austin, Texas 78701

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

1979; San Antonio, Texas

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.

2001 – 2004, University of Texas School of Law; J.D., 2004

1997 – 2001, Abilene Christian University; B.A. (*summa cum laude*), 2001

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

Office of the Texas Attorney General
209 West 14th Street, Eighth Floor
Austin, Texas 78701

Deputy First Assistant Attorney General (2016 – Present)

Deputy Attorney General for Legal Counsel (2015 – 2016)

2011 – 2014

Texas Supreme Court
201 West 14th Street, Third Floor
Austin, Texas 78701
Staff Attorney to Justice Eva Guzman

2008 – 2011

King & Spalding LLP
401 Congress Avenue, Suite 3200
Austin, Texas 78701
Associate

2006 – 2008

Office of the Texas Attorney General
209 West 14th Street, Seventh Floor
Austin, Texas 78701
Fellow and Assistant Solicitor General

2005 – 2006

Texas Supreme Court
201 West 14th Street, Third Floor
Austin, Texas 78701
Law Clerk to Justice Don Willett

2004 – 2005

Office of the Texas Attorney General
209 West 14th Street, Sixth Floor
Austin, Texas 78701
Assistant Attorney General

2003 – 2004

The Terrill Firm
810 West 10th Street
Austin, Texas 78701
Intern

Summer 2003

Evans & Peek, PLLC
1214 East 7th Street
Austin, Texas 78702
Intern

Summer 2002

International Justice Mission

1235 South Clark Street, Suite 1400
Arlington, Virginia 22202
Intern

Other Affiliations (Uncompensated):

2004 – Present
Texas Review of Law & Politics
727 East Dean Keeton Street
Austin, Texas 78705
Board of Directors (2004 – Present)
Chair/Co-Chair, Steering Committee (2010 – Present)

2010 – 2016
Abilene Christian University
1600 Campus Court
Abilene, Texas 79601
Alumni Advisory Board

January – May 2003
State of Texas, Office of State Representative Bob Hunter
1100 Congress Avenue, Room E2.820
Austin, Texas 78701
Intern

Summer 2001
Vintage German Auto
173 Ruidosa Avenue
Abilene, Texas 79605
Volunteer

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

I have not served in the military. I registered with 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.

National Association of Attorneys General, Best Brief Award (2007)

Texas Review of Law & Politics
Editor-in-Chief (2003 – 2004)
Chief Manuscripts Editor (2002 – 2003)

Abilene Christian University

Honor Man (co-highest honor bestowed by faculty) (2001)
Mr. ACU (co-highest honor bestowed by student body) (2001)
Students' Association Executive Treasurer (1999 – 2001)
Jack Pope Public Service Fellowship (1998 – 2001)
Presidential Scholar (1997 – 2001)
Community Foundation of Abilene Scholar (1997 – 2001)
Houston Livestock Show & Rodeo Scholar (1997 – 2001)
Junior Achievement Abilene Scholar (1997 – 2001)

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.

None.

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.

Texas, 2004

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 Supreme Court, 2016
United States Court of Appeals for the Fifth Circuit, 2016
United States District Court for the Eastern District of Texas, 2016
United States District Court for the Northern District of Texas, 2016
United States District Court for the Southern District of Texas, 2016
United States District Court for the Western District of Texas, 2011

There have been no lapses in memberships.

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.

Federalist Society for Law and Public Policy Studies (2005 – Present)
Austin Lawyers Chapter Board of Advisors (2017 – Present)

Texas Review of Law & Politics (2004 – Present)
Board of Directors (2004 – Present)
Chair/Co-Chair, Steering Committee (2010 – Present)

Abilene Christian University Alumni Advisory Board (2010 – 2016)

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

To the best of my knowledge, none of these organizations discriminates or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

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

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

Executive Power over Immigration, 22 Tex. Rev. L. & Pol. 283 (2018).

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.

None.

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.

On August 23, 2018, I sent a letter on behalf of the Office of the Texas Attorney General

to Christian Genetski of FanDuel Group, Inc. regarding pending litigation over paid daily fantasy sports. Letter supplied.

On April 10, 2018, I sent a letter on behalf of the Office of the Texas Attorney General to Katharine Sullivan of the Department of Justice regarding compliance of Texas law with requirements for the Rape Survivor Child Custody Act. Letter supplied.

On March 26, 2018, I sent a letter on behalf of the Office of the Texas Attorney General to Benjamin Smith, District Judge, regarding a temporary injunction hearing over the constitutionality of a municipal ordinance. Letter supplied.

On February 22, 2018, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate Election Security Select Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?clip_id=13172.

On February 21, 2018, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?clip_id=13167.

On February 5, 2018, I sent a letter on behalf of the Office of the Texas Attorney General to Bryan Hughes of the Texas Senate Select Committee on Election Integrity regarding legislative interim charges on election integrity. Letter supplied.

On February 5, 2018, I sent a letter on behalf of the Office of the Texas Attorney General to Omar Escobar, District Attorney, regarding election fraud. Letter supplied.

On January 31, 2018, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Audio available at http://tlcsenate.granicus.com/MediaPlayer.php?clip_id=13137.

On May 15, 2017, I sent a letter on behalf of the Office of the Texas Attorney General to James B. Frank, Texas State Representative, regarding H.B. 3859. Letter supplied.

On May 5, 2017, I sent a letter on behalf of the Office of the Texas Attorney General to Nadine M. Neufville formerly of the Department of Justice regarding compliance of Texas law with requirements for the Rape Survivor Child Custody Act. Letter supplied.

On April 19, 2017, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate Health & Human Services Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?clip_id=12243.

On March 29, 2017, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives State Affairs Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=40&clip_id=13270.

On March 15, 2017, I testified on behalf of the Office of the Texas Attorney General

before the Texas House of Representatives State Affairs Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=40&clip_id=13021.

On March 13, 2017, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?clip_id=11849.

On March 8, 2017, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives State Affairs Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=40&clip_id=12918.

On February 2, 2017, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?clip_id=11651.

On October 5, 2016, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=40&clip_id=11362.

On September 15, 2016, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate Finance Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=40&clip_id=11335.

On September 13, 2016, I testified on behalf of the Office of the Texas Attorney General before a joint hearing of the Higher Education and Defense & Veterans' Affairs Committees of the Texas House of Representatives. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=12212.

On August 23, 2016, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate Higher Education Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=40&clip_id=11267.

On February 17, 2016, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=40&clip_id=10910.

On January 26, 2016, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=40&clip_id=10840.

On December 10, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives State Affairs Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=11657.

On December 3, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate Subcommittee on Border Security. Video available at

http://tlcsenate.granicus.com/MediaPlayer.php?view_id=30&clip_id=10679.

On November 20, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate Veteran Affairs & Military Installations Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=30&clip_id=10616.

On May 4, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=30&clip_id=10026.

On April 22, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives State Affairs Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=10852.

On April 15, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives Juvenile Justice & Family Issues Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=10699.

On April 15, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives Higher Education Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=10680.

On March 30, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives Elections Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=10396.

On March 26, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives General Investigating & Ethics. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=10382.

On March 16, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=30&clip_id=9334.

On March 11, 2015, I testified on behalf of the Office of the Texas Attorney General before the Texas House of Representatives State Affairs Committee. Video available at http://tlchouse.granicus.com/MediaPlayer.php?view_id=37&clip_id=10114.

On April 22, 2005, I testified on behalf of the Office of the Texas Attorney General before the Texas Senate State Affairs Committee. Video available at http://tlcsenate.granicus.com/MediaPlayer.php?view_id=18&clip_id=4030.

As Deputy Attorney General for Legal Counsel and Deputy First Assistant Attorney General, I assist in the preparation of, and am a signatory to, opinions issued by Texas Attorney General Ken Paxton. A list and copies of these opinions are supplied at

Appendix 12.b.

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.

December 14, 2018: Speaker, Judicial Investiture of Judge Don R. Willett to the United States Court of Appeals for the Fifth Circuit, Austin, Texas. Notes supplied.

July 17, 2018: Panel Moderator, "Assessing the Rule of Law: Past and Present," Office of the Texas Attorney General, Constitutional Law Conference, Austin, Texas. Notes supplied.

July 12, 2018: Speaker, "Statutory Construction," Office of the Texas Attorney General, Internal Continuing Legal Education, Austin, Texas. Power point and paper supplied.

March 24, 2018: Speaker, "Welcoming Remarks," Texas Review of Law & Politics Spring Banquet, Austin, Texas. I have no notes, transcript, or recording. I welcomed guests to the banquet and introduced various presenters and speakers. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

February 13, 2018: Speaker, "Litigating Liberty: Using Federal Courts to Constrain a Post-Constitutional Federal Executive Branch," Federalist Society Austin Lawyer's Chapter, Austin, Texas. I have no notes, transcript, or recording. The discussion involved an overview of the Texas Attorney General's litigation against the United States. The Federalist Society Austin Lawyer's Chapter has no physical address.

February 7, 2018: Speaker, "Statutory Construction," Office of the Texas Attorney General, Internal Continuing Legal Education, Austin, Texas. Power point and paper supplied.

November 8, 2017: Guest Speaker, "Texas Legislature: Process and Procedure," University of Texas School of Law, Austin, Texas. I have no notes, transcript, or recording. I guest taught a class that I took while in law school. This specific class session involved a discussion of the constitutional and statutory duties of the Texas Attorney General, specifically as it pertains to the Texas Legislature. The address of the University of Texas School of Law is 727 East Dean Keeton Street, Austin, Texas 78705.

September 23, 2017: Speaker, "Panel: Executive Power Over Immigration," Federalist Society Texas Chapters Conference, Houston, Texas. Video available at <https://www.youtube.com/watch?v=PTIxWcxPbKY>.

September 21, 2017: Speaker, "Debate: Judicial Engagement v. Judicial Restraint," University of Texas School of Law Federalist Society Chapter, Austin, Texas. Video available at <https://www.youtube.com/watch?v=467vgkGSjcY>.

September 9, 2017: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on public service and clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

September 7, 2017: Speaker, "Statutory Construction," Office of the Texas Attorney General, Internal Continuing Legal Education, Austin, Texas. Power point and paper supplied.

August 31, 2017: Speaker, "Panel: Judicial Independence and 21st Century Texas," Texas Bar Continuing Legal Education, The Independence of the Judicial Branch—Its Past and Future, Austin, Texas. Notes supplied.

March 7, 2017: Speaker, "Transgender Bathroom Bill," Regents School of Austin, Senior Day at the Capitol, Austin, Texas. I have no notes, transcript, or recording. I was one of two individuals discussing the differing pieces of privacy legislation the Texas Legislature was considering at the time. The address of Regents School of Austin is 3230 Travis Country Circle, Austin, Texas 78735.

October 26, 2016: Guest Speaker, "Texas Legislature: Process and Procedure," University of Texas School of Law, Austin, Texas. I have no notes, transcript, or recording. I guest taught a class involving a discussion of the constitutional and statutory duties of the Texas Attorney General, specifically as it pertains to the Texas Legislature. The address of the University of Texas School of Law is 727 East Dean Keeton Street, Austin, Texas 78705.

September 10, 2016: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on public service and clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

September 2, 2016: Speaker, "Panel: Agency Deference at the Texas Supreme Court," University of Texas School of Law, 11th Annual Advanced Texas Administrative Law Seminar, Austin, Texas. Power point and paper supplied.

May 18, 2016: Speaker, "Litigating Liberty: Using Federal Courts to Constrain a Post-Constitutional Federal Executive Branch," Federalist Society Dallas Lawyer's Chapter, Dallas, Texas. I have no notes, transcript, or recording. The discussion involved an overview of the Texas Attorney General's litigation against the United States. The Federalist Society Dallas Lawyer's Chapter has no physical address.

October 28, 2015: Guest Speaker, "Texas Legislature: Process and Procedure," University of Texas School of Law, Austin, Texas. I have no notes, transcript, or recording. I guest taught a class that I took while in law school. This specific class session involved a discussion of the constitutional and statutory duties of the Texas Attorney General, specifically as it pertains to the Texas Legislature. The address of the University of Texas School of Law is 727 East Dean Keeton Street, Austin, Texas 78705.

October 17, 2015: Speaker, "Panel: Gay Rights, States' Rights," Texas Tribune Festival, Austin, Texas. Recording available at <https://www.texastribune.org/2015/10/30/2015-tribune-festival-audio-justice-track/>.

March 28, 2015: Presenter, "Tex Lezar Fill Your Boots Award," Texas Review of Law & Politics Spring Banquet, Austin, Texas. I have no notes, transcript, or recording. I presented an award to a law student in recognition of their work ethic. The Texas Review of Law & Politics physical address is 727 E. Dean Keeton Street, Austin, Texas 78705.

September 20, 2014: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on public service and clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

July 31, 2014: Speaker, "Panel: The What, When, Where, How, and Why of Amicus Briefing in the Supreme Court of Texas," Texas State Bar, 26th Annual Suing & Defending Government Entities Course, Austin, Texas. Paper supplied.

April 5, 2014: Presenter, "Tex Lezar Fill Your Boots Award," Texas Review of Law & Politics Spring Banquet, Austin, Texas. I have no notes, transcript, or recording. I presented an award to a law student in recognition of their work ethic. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

September 14, 2013: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on public service and clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

September 22, 2012: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on public service and clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

April 16, 2011: Speaker, "Introduction and Recognition of Speakers," Texas Review of Law & Politics Spring Banquet, Austin, Texas. I have no notes, transcript, or recording. I welcomed guests to the banquet and introduced various presenters and speakers. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

March 30, 2011: Speaker, Daily Chapel, Abilene Christian University, Abilene, Texas. I have no notes, transcript, or recording. I addressed the student body regarding my volunteer work prosecuting bonded labor cases for the International Justice Mission as a law student. The address of Abilene Christian University is 1600 Campus Court, Abilene, Texas 79601.

August 30, 2008: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

September 8, 2007: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

September 17, 2007: Panelist, "Micah's Call to Justice," Abilene Christian University, Abilene, Texas. I have no notes, transcript, or recording. I addressed a breakout session of attendees at Abilene Christian University's annual lectureship series. The focus of my remarks was regarding my volunteer work prosecuting bonded labor cases for the International Justice Mission as a law student. The address of Abilene Christian University is 1600 Campus Court, Abilene, Texas 79601.

September 2, 2006: Speaker, Student Orientation, Texas Review of Law & Politics, Austin, Texas. I have no notes, transcript, or recording. I was one of several individuals giving career advice to current law students, and my focus was on clerking. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

April 3, 2004: Speaker, "Presentation of the 2004 – 2005 Editor-in-Chief," Texas Review of Law & Politics Spring Banquet, Austin, Texas. I have no notes, transcript, or recording. I introduced the incoming Editor-in-Chief of the Texas Review of Law &

Politics. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

April 12, 2003: Speaker, "Presentation of the 2003 – 2004 Editorial Board," Texas Review of Law & Politics Spring Banquet, Austin, Texas. I have no notes, transcript, or recording. I introduced the incoming members of the Editorial Board of the Texas Review of Law & Politics. The address of the Texas Review of Law & Politics is 727 East Dean Keeton Street, Austin, Texas 78705.

Spring 2000: Speaker, Candidate for Student Body Treasurer, Daily Chapel, Abilene Christian University, Abilene, Texas. I have no notes, transcript, or recording. I briefly addressed the student body in a campaign speech for reelection to the position of Executive Treasurer of the Students' Association. The address of Abilene Christian University is 1600 Campus Court, Abilene, Texas 79601.

Spring 1999: Speaker, Candidate for Student Body Treasurer, Daily Chapel, Abilene Christian University, Abilene, Texas. I have no notes, transcript, or recording. I briefly addressed the student body in a campaign speech for election to the position of Executive Treasurer of the Students' Association. The address of Abilene Christian University is 1600 Campus Court, Abilene, Texas 79601.

Fall 1999: Speaker, Daily Chapel, Abilene Christian University, Abilene, Texas. I have no notes, transcript, or recording. I addressed the student body regarding the subject of grace and forgiveness. The address of Abilene Christian University is 1600 Campus Court, Abilene, Texas 79601.

Outside of wholly personal or religious speeches or talks I may have given, the above represents my best recollection of all speeches or talks I have delivered since high school.

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.

John Council, *From Internet Sensation to Silence: Why Has Texas Supreme Court Justice Don Willett Stopped Tweeting?*, Tex. Law., Oct. 27, 2017. Copy supplied. Reprinted in multiple outlets.

Peggy Fikac, *Would New Bench Reduce Tweeter's Output?*, San Antonio Express-News, Oct. 2, 2017, at A3. Copy supplied.

Peggy Fikac, *Texans Tabbed for Federal Court; Trump Nominates 2 for 5th U.S. Circuit*, San Antonio Express-News, Sept. 29, 2017, at A3. Copy supplied. Reprinted in multiple outlets.

Press Release, *AG Paxton Releases Statement on First Assistant AG Jeff Mateer's*

Nomination by President Trump to Federal Bench, Sept. 7, 2017. Copy supplied.

Dawn Geske, *Texas Attorney General Intervenes in Homestead Exemption Case Against Texas School Districts*, S.E. Tex. Record, Sept. 21, 2016. Copy supplied.

Natalie Schreyer, *Exxon is Fighting for Its Right to Deny Climate Change*, Wired, July 1, 2016. Copy supplied.

I was interviewed by News 8 Austin on approximately May 26, 2016. I have contacted News 8 Austin, and they have been unable to provide me with a copy of this television interview.

Leah Jessen, *Texas Sues Obama Administration over Transgender Bathroom Directive*, Daily Signal, May 25, 2016. 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, approximately what percent were:

jury trials:	_____%
bench trials:	_____% [total 100%]
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 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 (3) 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:

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.

I have not held judicial office.

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.

Deputy Attorney General for Legal Counsel, Office of the Texas Attorney General, 2015 – 2016. Appointed in January 2015 by Attorney General Ken Paxton.

Deputy First Assistant Attorney General, Office of the Texas Attorney General, 2016 – Present. Appointed in April 2016 by Attorney General Ken Paxton.

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 volunteered for the campaign of Greg Abbott for Texas Governor in 2014 in a get-out-the-vote effort.

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 2005 to 2006, I served as a law clerk to the Justice Don Willett, Texas Supreme Court. From 2011 to 2014, I served as a staff attorney (permanent position) to the Honorable Eva Guzman, Texas Supreme Court.

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

I have not 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.

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Assistant Attorney General

2006 – 2008
Office of the Texas Attorney General
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Fellow and Assistant Solicitor General

2008 – 2011
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Associate

2015 – 2016
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Deputy Attorney General for Legal Counsel

2016 – Present
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Deputy First Assistant Attorney General

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 arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

From 2004 to 2005, I served as an Assistant Attorney General in the Open Records Division of the Office of the Texas Attorney General. I focused on research and advice to our Legislature regarding Texas's government transparency laws as well as researching and advising agency officials on special issues under the oversight of then-Deputy Attorney General for Legal Counsel Don Willett.

From 2006 to 2008, I served as a Fellow and Assistant Solicitor General at the Texas Office of the Attorney General, first under Ted Cruz and then under James C. Ho. My practice was almost exclusively appellate in nature, where I represented Texas in state and federal courts. That representation also ranged from cases that only I argued to large-scale litigation handled by sizable teams.

From 2008 to 2011, while at King & Spalding LLP, I handled complex

commercial litigation and appellate matters. I helped manage litigation and discovery, drafted critical motions, and drafted appellate briefs on behalf of major clients.

From 2015 to 2016, I served as Deputy Attorney General for Legal Counsel at the Office of the Texas Attorney General. In that role, I managed four divisions of transactional lawyers: the Opinion Committee (responsible for issuing 245 attorney general opinions under General Paxton), the General Counsel Division (responsible for advising agency lawyers and approving outside counsel contracts), the Open Records Division (responsible for issuing roughly 30,000 letter rulings per year), and the Public Finance Division (responsible for reviewing roughly 1,700 bond packages per year). I also managed our Grants Administration Division (responsible for awarding state and federal grant funds to local governments and nonprofits) and Special Litigation Division (responsible for constitutional litigation). In that role, I advised on a wide range of statutory and constitutional issues under state and federal law and oversaw significant litigation.

From 2016 to present, I have served as Deputy First Assistant Attorney General at the Texas Office of the Attorney General. In that role, I oversee our civil litigation divisions (300 lawyers handling 30,000 cases), the Office of the Solicitor General (handling appellate litigation including 12 Supreme Court cases from 2015 to present), the criminal litigation divisions (that assist in criminal prosecutions and defend habeas cases) and our law enforcement division (approximately 180 commissioned peace officers in addition to the Medicaid Fraud Control Unit). In that role, I continue to advise on a wide range of statutory and constitutional issues under state and federal law and oversee significant litigation.

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

From 2004 to 2005, 2006 to 2008, and 2015 to present, while in the Office of the Texas Attorney General, I represented the State of Texas. From 2004 to 2005, my practice was specialized in advising on government transparency laws and other general counsel type lawyering. From 2006 to 2008, my practice was specialized in appellate law, but my cases covered a broad spectrum of issues and areas. From 2015 to present, my practice has covered a wide array of legal work on all issues affecting Texas government.

From 2008 to 2011, while at King & Spalding LLP, I represented various companies in litigation. I handled (or helped handle) all aspects of litigation from the drafting of complaints, to discovery, critical motions, depositions, and appellate briefs.

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.

From 2006 to 2011 and from 2015 to present, I have appeared in court frequently.

From 2004 to 2005, my practice did not include court appearances.

i. Indicate the percentage of your practice in:

- | | | |
|----|--------------------------|-----|
| 1. | federal courts: | 70% |
| 2. | state courts of record: | 30% |
| 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 tried seven cases to verdict, judgment, or final judgment and was co-counsel in each matter.

i. What percentage of these trials were:

- | | | |
|----|-----------|-----|
| 1. | jury: | 29% |
| 2. | non-jury: | 71% |

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.

Appellant's Brief, *Abbott v. Perez*, – U.S. –, 138 S. Ct. 2305 (2018) (No. 17-586). Brief available at 2018 WL 1083842.

Appellant's Reply Brief, *Abbott v. Perez*, – U.S. –, 138 S. Ct. 2305 (2018) (No. 17-586). Brief available at 2018 WL 1846872.

Jurisdictional Statement, *Abbott v. Perez*, – U.S. –, 138 S. Ct. 2305 (2018) (No. 17-586). Brief available at 2017 WL 4708111.

Reply Supporting Jurisdictional Statement, *Abbott v. Perez*, – U.S. –, 138 S. Ct. 2305 (2018) (No. 17-586). Brief available at 2017 WL 6034208.

Reply Supporting Jurisdictional Statement, *Abbott v. Perez*, – U.S. –, 138 S. Ct. 2305 (2018) (No. 17-626). Brief available at 2017 WL 6398774.

Petition for a Writ of Certiorari, *Abbott v. Veasey*, – U.S. –, 137 S. Ct. 612 (2017) (No. 16-393). Brief available at 2016 WL 5390670

Reply Brief for Petitioners, *Abbott v. Veasey*, – U.S. –, 137 S. Ct. 612 (2017) (No. 16-393). Brief available at 2016 WL 7229221.

Supplemental Brief for Respondent, *Panetti v. Quarterman*, 551 U.S. 930 (2007) (No. 06-6407). Brief available at 2007 WL 1090395.

Brief for Respondent, *Panetti v. Quarterman*, 551 U.S. 930 (2007) (No. 06-6407). Brief available at 2007 WL 978432.

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. *Texas v. United States*, 328 F.Supp.3d 662 (S.D. Tex. 2018) (Hanan, J.).

The question in this case was whether the Deferred Action for Childhood Arrivals program is lawful. I represent a 10-state coalition and have worked on all aspects of the case, from drafting the complaint and preliminary injunction motion to arguing the preliminary injunction hearing. The district court held that the plaintiff states were likely to prevail on the merits but refrained from issuing a preliminary injunction of an existing government program. The case remains pending in the district court.

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2. *City of El Cenizo v. Texas*, 264 F. Supp. 3d 744 (W.D. Tex. 2017) (preliminary injunction issued in administratively consolidated cases for 5:17-cv-404, 5:17-cv-459, and 5:17-cv-489) (Garcia, J.), 2017 WL 4250186 (stay pending appeal granted in part), 885 F.3d 332 (preliminary injunction reversed in part) (Dennis, Southwick, and Higginson, JJ.), 890 F.3d 164 (prior opinion withdrawn and superseded and preliminary injunction reversed in part) (Jones, and Smith, JJ.).

The question in this case was whether Texas's law prohibiting sanctuary cities was lawful. The

district court administratively consolidated three separate lawsuits with separate causes of action. I co-led the defense of the challenges in the district court and argued law and took a witness at the evidentiary hearing. I assisted in the appellate briefing. We obtained a stay of a significant portion of the injunction in the Fifth Circuit. We ultimately obtained a reversal of all but one application of one word on appeal.

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3. *Texas v. United States*, 201 F. Supp. 3d 810 (N.D. Tex. 2016) (preliminary injunction issued) (O'Connor, J.), *app. dismissed*, 2017 WL 7000562 (5th Cir. Mar. 3, 2017).

The primary question in this case was whether a guidance letter from federal agencies that sex discrimination in Title IX included gender identity discrimination was lawful and binding. I helped draft the complaint and preliminary injunction motion and supervised our trial team that represented 13 states. We obtained a preliminary injunction in district court. Before the Fifth

Circuit heard argument in the appeal of the preliminary injunction, the new administration rescinded the guidance letter and the Fifth Circuit dismissed the appeal.

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4. *Fisher v. Univ. of Tex. at Austin*, 645 F. Supp. 2d 587 (W.D. Tex. 2009) (summary judgment granted) (Sparks, J.), *rev'd*, 631 F.3d 213 (5th Cir. 2011) (King, Higginbotham, and Garza, JJ.), *vacating and remanding*, 570 U.S. 297 (2013), *aff'd*, 758 F.3d 633 (5th Cir. 2014) (King, Higginbotham, and Garza, JJ.), *aff'd*, 136 S. Ct. 2198 (2016).

The question in this case was whether the University of Texas at Austin's admissions policy complied with the Fourteenth Amendment. I worked on aspects of the preliminary stage of the case from drafting responsive briefing to working on discovery and witness preparation for

summary judgment before I left the Office of the Texas Attorney General. We prevailed at the summary judgment stage. The Fifth Circuit initially held the policy to be unlawful. The Supreme Court held that the Fifth Circuit applied the wrong standard and remanded in an opinion by Justice Kennedy, with Chief Justice Roberts and Justices Scalia, Thomas, Breyer, Alito, and Sotomayor. Justices Scalia and Thomas concurred, and Justice Ginsburg dissented. Justice Kagan did not participate in the case. On remand, the Fifth Circuit affirmed the summary judgment in favor of the University. The Supreme Court reviewed the case again and affirmed, in an opinion from Justice Kennedy, with Justices Ginsburg, Breyer, and Sotomayor. Chief Justice Roberts, Justice Thomas, and Justice Alito dissented. Justice Kagan did not participate in the case.

Below are co-counsel and lead opposing counsel at the trial stage.

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5. *Veasey v. Abbott*, 796 F.3d 487 (5th Cir. 2015) (Stewart, Haynes, and Brown, JJ.), *replaced on reh'g en banc* by 830 F.3d 216 (5th Cir. 2016), *cert. denied*, 137 S. Ct. 612 (2017), *on remand*, 248 F. Supp. 3d 833 (S.D. Tex. 2017); 249 F. Supp. 3d 868 (S.D. Tex. 2017); 265 F. Supp. 3d 684 (S.D. Tex. 2017) (Ramos, J.), *stay pending appeal* by 870 F.3d 387 (5th Cir. 2017) (Smith, Elrod, and Graves, JJ.), *rev'd* by 888 F.3d 792 (5th Cir. 2018) (Higginbotham, Jones, and Graves, JJ.).

The plaintiffs challenged Texas's photo-ID voting law as an unconstitutional poll tax, an undue burden on the right to vote, enacted with an unconstitutional racial purpose, and a violation of the results test under section two of the Voting Rights Act. The district court ruled in favor of the plaintiffs. Texas briefed and argued its appeal before a Fifth Circuit panel and the Fifth Circuit sitting *en banc*. The Fifth Circuit ultimately reversed and rendered judgment for Texas on the poll-tax claim, dismissed the substantial-burden claim, vacated and remanded on the discriminatory-purpose claim, and affirmed results-based liability under section two of the Voting Rights Act while remanding on the remedy. On remand, the district court found liability on the purpose claim and entered an injunction that covered the Texas's new voting law, enacted in 2017. Texas appealed, and the Fifth Circuit stayed the district court's injunction and ultimately reversed it. The plaintiffs did not seek certiorari. Since joining the Texas Attorney General's Office in 2015, I have assisted in Texas's briefing and preparation for oral argument as well as advising the Texas Legislature on its 2017 legislation that ultimately ended the lawsuit.

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6. *Texas v. United States*, No. 7:15-CV-00151-O (N.D. Tex. Mar. 5, 2018 and Aug. 21, 2018) (O'Connor, J.).

The question in this case was whether the imposition of a tax on state Medicaid managed care organizations under the Affordable Care Act was lawful. I researched the background, helped draft the complaint for the six-state coalition, and oversaw the litigation through a partial win at summary judgment and an order of equitable disgorgement of approximately \$839 million for our state coalition. The case is in the final stages of district court litigation.

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7. *Texas Tech Univ. Health Scis. Ctr. v. Ward*, 280 S.W.3d 345 (Tex. App. Amarillo 2008) (Quinn, C.J., Campbell, and Pirtle, JJ.).

The question in this case was what constitutes a condition or use of tangible state property, such that a claim falls within Texas law's waiver of sovereign immunity. I took over the case on interlocutory appeal for Texas Tech University Health Sciences Center when the trial court denied our plea that raised sovereign immunity on behalf of a state agency. On appeal, I argued that a doctor's misuse of properly functioning state property requires the plaintiff to sue the doctor, while the use of defective state property would have required the plaintiff to sue the state instead. The Amarillo court of appeals agreed, reversed the trial court, and rendered judgment for my client. The Texas Supreme Court denied the petition for review.

Below are co-counsel and opposing counsel at the appellate stage.

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8. *In re Office of the Attorney General*, 257 S.W.3d 695 (Tex. 2008) (per curiam).

The question in this emergency mandamus was whether state court orders requiring the Office of the Attorney General to remit child support payments to a third-party company for tracking and enforcement violated state procedural rules. Such re-routing of payments in violation of federal law threatened federal funding for Texas's child support program. I helped craft appellate strategy and draft the emergency filings in the Texas Supreme Court, which resulted in a swift win for the state.

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9. *Newman v. Texas Parks & Wildlife Dept.*, No. 4:16-cv-02626 (S.D. Tex. Aug. 10, 2018) (Elrod, J., sitting by designation).

The question in this case was whether Texas Parks & Wildlife Department termination of a game warden's employment was retaliation for his testimony in a co-worker's Title VII case or instead was for performance related issues. I assisted in the four-day trial of the case, where we obtained a complete defense verdict on multiple theories of liability (but-for causation as well as cat's paw liability with multiple alleged bad actors).

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10. *Taylor v. Williams*, No. 5:14-cv-00149-C (N.D. Tex. March 13, 2017) (Cummings, J.), *modified and aff'd*, 729 Fed.Appx. 334 (5th Cir. 2018) (Stewart, C.J., Dennis, and Haynes, JJ.).

The question in this case was whether a state prison guard used excessive force on an inmate, in violation of 42 U.S.C. § 1983. The plaintiff's case survived summary judgment, and I participated in the jury trial of the matter, where the jury found excessive force but no damages. On appeal, the Fifth Circuit found no evidence of damages but modified the judgment to allow nominal damages of \$1 to comport with the excessive force finding.

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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.)

I presently serve as Deputy First Assistant Attorney General to Texas Attorney General Ken Paxton. I previously served as General Paxton's Deputy Attorney General for Legal Counsel. In those capacities, I have overseen the work of the Opinion Committee, which has assisted General Paxton in issuing 245 attorney general opinions. I also oversee our Criminal Prosecutions Division, which worked with the Department of Justice and California Attorney General's office to shut down Backpage.com and obtain criminal pleas that were favorable for government. I review bills introduced by the Legislature and provide legal counsel to General Paxton and his staff. I also work with members of the Legislature on bills that have constitutional implications. I give speeches in Texas on topics that are priorities for the Attorney General, including statutory interpretation, the rule of law, and the Constitution.

From 2008 to 2011, I was an associate practicing commercial and appellate litigation at King & Spalding, LLP. We had a number of cases settle before trial or not resolve before I left the firm. These cases included litigation over an unconsummated merger of electric retail companies as well as cases representing owners and contractors over significant construction disputes.

I have never acted 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.

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.

Based on my years of service with the Texas state government, I expect to receive a deferred-retirement pension, payable monthly from my age of eligibility until death, through the Texas Employees Retirement System.

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.

I have no plans, commitments, or agreements to pursue outside employment, with or without compensation.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed, I will recuse myself in any litigation where I have ever played a role. I will also recuse myself for a period of time from any case in which my current employer, the Office of the Texas Attorney General, represents a party. I will also recuse myself from any case where, due to a current or past professional or personal relationship with a party or attorney involved, my impartiality might reasonably be questioned. Should any other conflicts arise, I will adhere to the Code of Conduct for United States Judges and other applicable law.

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. I will likewise use any conflict-screening system provided by the court to review each case assigned to me for potential conflicts.

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.

I have spent most of my career in public service, where I have been unable to serve private clients. However, during my public and private service alike, I have actively mentored law students for over a decade through my roles on the Steering Committee and Board of Directors for the Texas Review of Law & Politics. I also serve the legal community through speeches, debates, and panel discussions as well as facilitating speeches and debates by assisting the Austin Lawyers Chapter of the Federalist Society.

26. **Selection Process:**

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

On February 16, 2017, I applied to Texas's Federal Judicial Evaluation Committee. On March 17, 2017, I interviewed with the Committee in Dallas, Texas. On April 28, 2017, I interviewed with Senators Cornyn and Cruz and their counsels in Washington, D.C. On July 10, 2018, Senator Cornyn and Cruz's offices informed me that the Senators had submitted my name to the White House for consideration. On July 23, 2018, I interviewed with the White House Counsel's Office and the Office of Legal Policy of the United States Department of Justice. I have also been in contact with officials from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice.

Throughout this period, I have been in periodic contact with attorneys with the Office of Legal Policy and White House Counsel's Office.

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.

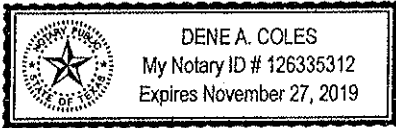
No.

AFFIDAVIT

I, Brantley Starr, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

January 14, 2019
(DATE)

Brantley Starr
(NAME)



Dene A. Coles
(NOTARY)