

Arthur E. Gary
Deputy Assistant Attorney General for Policy,
Management, and Procurement and
Alternate Designated Agency Ethics Official
950 Pennsylvania Ave., NW
Washington, DC 20530

Dear Mr. Gary:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of United States Attorney for the District of Kansas. It is my responsibility to understand and comply with commitments outlined in this Ethics Agreement (Agreement).

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In determining whether I have an actual or potential conflict of interest during my appointment, I will consult with the Executive Office for United States Attorneys (EOUSA), General Counsel's Office, and will follow the procedures outlined in the United States Attorneys' Procedures, (USAP) 3-2.170.001, et seq. In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), or obligations of the United States.

I will receive a live ethics briefing from the United States Attorney's Office ethics advisor after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this Agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state and local government.

I will not modify this Agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – CONFLICTS OF INTEREST REVIEW AND COUNSELING

If I rely on a *de minimis* exemption under 5 C.F.R. § 2640.202 with regard to any of my financial interests in securities, I will monitor the value of those interests. If the aggregate value of interests affected by a particular matter increases and exceeds the *de minimis* threshold, I will not participate personally and substantially in the particular matter that to my knowledge has a direct and predictable effect on the interests, unless I first obtain a written waiver pursuant to 18 U.S.C. § 208(b)(1).

I have been advised that the duties of the position of United States Attorney may involve particular confidential matters identified by the United States Attorney's Office (USAO) that may affect my financial interests. EOUSA has determined that it is not necessary at this time for me to divest my financial interests because my recusal from particular matters in which these interests pose a conflict of interest will not substantially limit my ability to perform the essential duties of the position of United States Attorney. Immediately upon confirmation, EOUSA will prepare recusals for all particular matters in which I will not be granted a waiver or will not qualify for a regulatory exemption.

I have been informed that the USAO has conducted a conflict review and has found no additional conflicts of interest. Should additional conflicts arise, I will seek the necessary waiver(s) or implement the necessary recusal(s) immediately upon my confirmation. An appropriate screening mechanism will be identified and immediately upon my appointment, all necessary USAO personnel will be advised in writing of all matters in which I may not participate. The notification will specifically list the matters and identify the Acting United States Attorney for those matters.

SECTION 3 – JACKSON COUNTY PROSECUTOR'S OFFICE

I resigned from my position with the Jackson County Prosecutor's Office on August 12, 2022. For a period of one year after my resignation, I will have a "covered relationship" under the

impartiality regulation at 5 C.F.R. § 2635.502 with the Jackson County Prosecutor's Office. Pursuant to 5 C.F.R. § 2635.502(d), I will seek written authorization to participate personally and substantially in particular matters involving specific parties in which I know that Jackson County Prosecutor's Office is a party or represents a party. However, I understand that any authorization will not allow me to participate personally and substantially in any particular matter involving specific parties in which I previously participated in my capacity as Assistant Prosecuting Attorney for the Jackson County Prosecutor's Office.

SECTION 4 – TRUSTEE POSITION

I will retain my position as a co-trustee of the Revocable Family Trust. I will not receive any fees for the services that I provide as a co-trustee during my appointment to the position of United States Attorney. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of this family trust, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualifies for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

SECTION 5 – OTHER RESIGNATIONS

Upon confirmation, I will resign from my positions with the following entities:

- Bethel College
- Arnold Ventures, LLC
- Perkin Family Foundation, Inc.

Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 6 – SPOUSE EMPLOYMENT

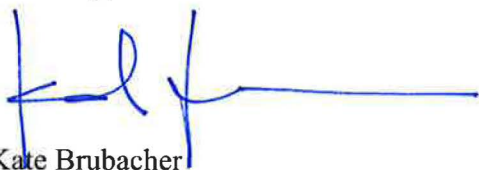
My spouse is the owner of G. M.-P. Murphy & Co., Inc. and MGJ, LLC which respectively provide administrative and investment services, to Murphy Investments, LLC, of which my spouse is the manager and a co-owner. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interest of any of these entities, unless I first obtain a written waiver pursuant to 18 U.S.C. § 208(b)(1). Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I will also not participate personally and substantially in any particular matter involving specific parties in which I know a client of my spouse is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 7 – PUBLIC POSTING

I have been advised that this Agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the

website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kate Brubacher', with a long horizontal line extending to the right.

Kate Brubacher