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**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

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January 21, 2025

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

That approval be and hereby is given to the Attorney General to appoint John A. Drennan as an Attorney to Position #9U631 (Appropriation #02-20-20-200510-2610-013-500132) at a salary level of \$107,000, effective upon Governor and Executive Council approval or February 7, 2025, whichever is later.

EXPLANATION

Mr. Drennan, a Portsmouth resident, earned his Bachelor of Arts in Philosophy, *Phi Beta Kappa*, from Reed College in 1985, a Master of Arts in Philosophy from the University of Michigan in 1987, and a Master of Arts in Philosophy from Yale University in 1997. He earned his Juris Doctor from the University of Michigan Law School in 1995, where he served on the *Michigan Law Review*. After clerking for Hon. David Nelson at the U.S. Court of Appeals for the Sixth Circuit (1996-1997), he began his legal practice as an Associate at O'Melveny and Myers, LLP, in Los Angeles, California. He joined the U.S. Department of Justice in 1999 and spent two years in its Civil Division, where he was recognized with Civil Division Merit Awards in 2000 and 2001. He was assigned to the U.S. Department of Justice, Criminal Division from 2001 to 2008, during which he litigated criminal cases in federal appellate courts, served on the Enron Task Force, and worked on the team prosecuting Jose Padilla on terrorism conspiracy charges. While serving in the Criminal Division, he received an Attorney General Award (2006), John Marshall Award (2004), Exceptional Service Award (2007-2008), and Criminal Division Merit Awards (2002-2006). He was Deputy Chief Counsel at Transportation Security Administration from 2008 to 2010. From 2010 to 2012, he was Counsel for Law and Policy at the U.S. Department of Justice, National Security Division, where he was a founding member of the National Security Division Appellate Unit and recipient of the Director of National Intelligence Medal of Distinction (2011) and National Security Outstanding Performance

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Awards (2010 and 2011). While Assistant General Counsel for Litigation – Chief of Significant Litigation at the U.S. Department of Homeland Security (2012-2013), he helped draft the department’s report on northern border security status. In addition to his distinguished federal service, Mr. Drennan’s private sector experience includes his work as Senior Counsel in the Appellate Section at King & Spalding, LLP, in Washington, D.C. (2013-2016), and Senior Counsel in the Data, Privacy and Security Group at Baker Donelson Bearman, Caldwell & Berkowitz, PC, also in Washington, D.C. (2016-2017). Most recently, he was Senior Counsel, Head of International Litigation, for the Saudi Arabian Oil Company (Saudi Aramco) in Dhahran, Saudi Arabia (2017-2024). In that role, he oversaw all litigation in courts and tribunals outside Saudi Arabia or involving multiple jurisdictions. Mr. Drennan has been admitted to practice in California, Washington, D.C., and the U.S. Supreme Court. He is eligible for and pursuing admission to the New Hampshire Bar pursuant to New Hampshire Supreme Court Rule 42, XI(c). Considering Mr. Drennan’s extensive experience, I am requesting that he be appointed as an Attorney at a salary of \$107,000. He will be assigned to the Criminal Justice Bureau Appeals Unit. His resume is attached.

RSA 21-M:3 and RSA 94:1-a(I)(c) provide that the designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

I am very pleased to offer Mr. Drennan’s appointment as an Attorney at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,



John M. Formella
Attorney General

JOHN A. DRENNAN

IN-HOUSE

Saudi Arabian Oil Company (Saudi Aramco), Dhahran, Saudi Arabia, *Senior Counsel, Head of International Litigation*, December 2017–May 2024

Litigation

Oversee all company litigation in courts and tribunals outside Saudi Arabia or involving multiple jurisdictions. Brief senior management on significant court actions, including antitrust, consumer protection, contracts, employment, enforcement of foreign arbitral awards, ERISA, ESG, immunity to suit, intellectual property, product liability, and tort.

Oversee climate change legal matters. Represent Law department on Intra-departmental risk committee for climate change; oversee climate-related legal exposure assessments; lead litigation review of public-facing statements concerning climate change; established and lead ongoing enterprise-wide greenwashing-awareness initiative. Serve as subject matter expert for ESG.

Conduct and oversee litigation-risk due diligence for mergers and acquisitions worldwide. Provide guidance on mitigation strategies and corporate structuring.

Manage and oversee in-house and outside litigation counsel.

Compliance & Regulatory

Lead attorney, advocacy and lobbying law. Partnered with client to establish and launch first enterprise-wide advocacy oversight function; brief senior management; oversee related training (e.g., FARA and LDA training); coordinate and oversee legal and compliance support for client. Serve as subject matter expert.

Established first enterprise-wide records management program to reduce litigation and investigative exposure by implementing modern records management practices, including mandatory governance structures, roles and responsibilities, and country-specific retention schedules. Brief senior management on disposition of sensitive records.

Recognition

President and CEO Excellence Award 2023.

FIRM

Baker Donelson Bearman, Caldwell & Berkowitz, PC, Washington, DC, *Senior Counsel, Data, Privacy & Security Group*, October 2016–January 2017

Compliance & Regulatory

Advise clients on a wide variety of issues concerning privacy and cybersecurity law, including vendor contracts for internet marketing services, export regulation of cloud-based services, compliance with federal and state Sunshine Acts, data assets in bankruptcy, and releasing information to government during investigations.

King & Spalding LLP, Washington, DC, *Senior Counsel, Appellate Section*, June 2013–October 2016

Litigation

Represent companies and individuals in federal and state courts of appeals in civil and criminal matters. Serve as lead attorney for motions and jury instructions in trials before federal and

state courts. Conduct arbitrations. Clients include Alergan, Chevron, Deloitte, General Electric, and R.J. Reynolds Tobacco.

Conduct due diligence for litigation risk in corporate mergers and acquisitions.

Compliance & Regulatory

Advise clients on responding to US and EU regulatory inquiries, identifying and closing compliance gaps, and creating and implementing effective compliance and remediation programs.

Counsel clients on behavioral advertising, tracking, content personalization, retargeting, use of personal data for modeling, analytics and diagnostics, and implementing FTC and State Attorney General guidance.

Advise clients on privacy law and transnational data-flow requirements, for example, in the US, EU, and Pacific Rim. Counsel clients on EU Data Protection Directive and GDPR, and APEC frameworks.

Advise clients on national security regulations and filings related to foreign investment in the United States.

GOVERNMENT

U.S. Department of Homeland Security, Washington, DC, Assistant General Counsel for Litigation—Chief of Significant Litigation, May 2012–June 2013

Lead office advising DHS General Counsel on significant legal issues facing DHS and its sub-agencies. Advise on trial and appellate strategy in federal and state litigation; subpoenas, warrants, and compulsory process; and legislative initiatives.

Draft DHS report to U.S. Senate on northern border security status.

U.S. Department of Justice, National Security Division, Washington, DC, Counsel for Law and Policy, January 2010–May 2012. Top Secret/Secure Compartmentalized Information (TS/SCI) clearance

Litigation

Founding member of DOJ National Security Division Appellate Unit. Brief and conduct oral argument before US courts of appeals; provide appeal recommendations to senior management; draft and review Supreme Court briefs involving national security issues; draft successful opposition to motion to suppress crucial statements of defendant Abdulmutallab ("Underwear Bomber").

National Security

Serve as DOJ liaison to National Security Staff committee on Information Sharing and Access. Serve as DOJ representative to interagency committee on international travel watchlist program. Advise interagency bodies on sharing, using, and disposition of sensitive data.

Recognition

Director of National Intelligence Medal of Distinction, 2011; National Security Outstanding Performance Award, 2011 & 2010.

Transportation Security Administration (TSA), Arlington, VA, Deputy Chief Counsel, June 2008–January 2010

Office of Chief Counsel

Member of the senior management team, reporting directly to the Chief Counsel.

Transportation Security Executive Service (T-SES). Lead division of 15 attorneys in five offices, including Civil Enforcement Section, Criminal Enforcement Section, International Law Section, Threat Assessment and Licensing Section, and Office of Law Enforcement/Federal Air Marshals Service.

Graduate of the Federal Executive Institute (U.S. Office of Personnel Management).

ADDITIONAL LITIGATION

U.S. Department of Justice, Criminal Division, Washington, DC, Criminal Appellate Section, 2001-2008

Litigation

Litigate criminal cases in US courts of appeals. Member of Enron Task Force (prosecution of Jeffrey Skilling and Kenneth Lay). Serve as DOJ appellate liaison to US Attorney's Office for the Central District of California (Los Angeles). Member of prosecution team for conviction of Jose Padilla ("Dirty Bomber").

Recognition

Attorney General Award, 2006; John Marshall Award, 2004; Exceptional Service Award, 2007-2008; Associate Attorney General, Criminal Division, 2007; Criminal Division Merit Awards, 2002-2006.

U.S. Department of Justice, Civil Division, Washington DC, Trial Attorney, Washington, D.C., 1999-2001

Litigation

Represent United States before federal district courts in challenges to the constitutionality of federal statutes, policies, and programs. Defend Executive Branch agencies, including the Departments of Defense, Education, Housing and Urban Development, and the National Mediation Board. Advise Secretary of Health and Human Services Administration (HHS) on the constitutionality of then-draft regulations for the protection of individually identifiable health information, now the Health Insurance Portability and Accountability Act (HIPAA).

Recognition

Civil Division Merit Awards 2000-2001.

ADDITIONAL EXPERIENCE

U.S. Department of Justice, Office of Intelligence, Washington, DC, Attorney-Advisor (secondment), May-August 2002

Represent US before the Foreign Intelligence Surveillance Court. Distinguished Service Award.

O'Melveny & Myers, LLP, Los Angeles, CA & Washington, DC, Associate, 1997-1999.

Represent corporate clients in commercial litigation and arbitrations. Draft motions and appellate briefs for federal and state cases.

Hon. David Nelson, U.S. Court of Appeals for the Sixth Circuit, Cincinnati, OH, Judicial Clerk, 1996-1997

EDUCATION

University of Michigan Law School, J.D., 1995

Michigan Law Review

Yale University, M.A., Philosophy, 1997 (awarded for work completed in 1988)

Franke Merit Fellowship (awarded to seven top-ranked humanities graduate students)

University of Michigan, M.A., Philosophy, 1987

Rackham Doctoral Fellowship (awarded to each department's top-ranked graduate student)

Reed College, B.A., Philosophy, 1985; Phi Beta Kappa

ADMISSIONS

District of Columbia
California
United States Supreme Court