

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Georgette Castner
Georgette Fries

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

United States District Judge for the District of New Jersey

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.

Montgomery, McCracken, Walker & Rhoads, LLP
457 Haddonfield Road
Suite 600
Cherry Hill, New Jersey 08002

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

1979; Philadelphia, Pennsylvania

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.

2004 – 2006, Rutgers Law School – Camden; J.D., 2006 (*with honors*)

2005 – 2006, Eagleton Institute of Politics, Fellowship Program; no degree

2003 – 2004, Widener University Delaware Law School; no degree

1998 – 2002, The College of New Jersey; B.S., 2002 (*cum laude*)

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.

2007 – present
Montgomery, McCracken, Walker & Rhoads, LLP
457 Haddonfield Road, Suite 600
Cherry Hill, New Jersey 08002
Equity Partner (2019 – present)
Income Partner (2015 – 2019)
Associate (2007 – 2015)

2018 – 2021
Castner Consultants Inc.
665 North Saratoga Drive
Moorestown, New Jersey 08057
Chief Financial Officer

2006 – 2007
Superior Court of New Jersey, Appellate Division
Honorable Joseph F. Lisa, J.A.D. (Ret.)
Westmont, New Jersey 08108
Law Clerk

2005
Cureton Caplan, PC
950 South Chester Avenue
Delran, New Jersey 08075
Law Clerk

Summer 2004
Romano's Macaroni Grill
1521 US 1
Edison, New Jersey 08837
Server

2002 – 2003
The Honorable W. Reed Gusciora
Legislative District Office
150 West State Street
Trenton, New Jersey 08618
Chief of Staff

Other affiliations (uncompensated)

2004 – 2005
Professor John F. K. Oberdiek
Rutgers Law School - Camden
217 North Fifth Street

Camden, New Jersey 08102
Research Assistant

Summer 2004
Superior Court of New Jersey, Law Division
Honorable Linda R. Feinberg, J.S.C. (Ret.)
175 South Broad Street
Trenton, New Jersey 08608
Legal Intern

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 was not required to register for the selective service.

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.

New Jersey Super Lawyer (2017)

Named "Rising Star," New Jersey Super Lawyers (2013 – 2019)

Governor's Executive Fellow, Eagleton Fellowship Program, Eagleton Institute of Politics (2005)

Rutgers University School of Law – Camden (graduated *with honors*)
Research Editor, *Rutgers Law Journal*
Dean's List, Fall 2005

Widener University Delaware School of Law
Certificate of Achievement, Civil Procedure
Certificate of Achievement, Criminal Law

The College of New Jersey (graduated *cum laude*)
Alpha Phi Sigma Honor Society
Golden Key International Honour Society
Merit Scholarship

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.

Camden County Bar Association

New Jersey State Bar Association, Legislative Committee Member

New Jersey Supreme Court Committee on Character

New Jersey Supreme Court Committee on Model Civil Jury Charges

New Jersey Women Lawyers Association

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.

New Jersey, 2006

Pennsylvania, 2006

There have been no lapses in membership.

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

United States Court of Appeals for the Third Circuit, 2010

United States District Court for the District of New Jersey, 2006

United States District Court for the Eastern District of Pennsylvania, 2007

There have been no lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Laurel Creek Country Club (approximately 2012 – present)

Moorestown Home and School Association (2016 – present)

Moorestown Soccer Club, Assistant Coach (2021 – present)

Moorestown Youth Sports Organizations, Basketball Coach (2018 – 2020)

- 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.

None of the listed organizations currently discriminate or formerly discriminated on the basis of race, sex, religion, or national origin to my knowledge 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.

New Jersey Legalizes Adult-Use Cannabis Market (Feb. 22, 2021). Copy supplied.

New Jersey Appellate Division Largely Sides with Department of Health's Rejection of Certain Applications for Medical Marijuana Licenses (Feb. 18, 2021). Copy supplied.

Dismissal of Chapter 11 Case Calls Into Question Bankruptcy Protections for Cannabis Companies (Jan. 15, 2021), republished in *The Temple 10-Q*, *Temple's Bus. L. Mag.* (Mar. 24, 2021). Copy supplied.

Marketing Considerations for CBD Companies in 2021 (Dec. 28, 2020), republished in *Bloomberg L.* Copy supplied.

Avoiding CBD Product Pitfalls in 2021 (Dec. 3, 2020). Copy supplied.

New Jersey Voters Approve Marijuana Legalization Referendum (Nov. 4, 2020). Copy supplied.

Legislation to Include Cannabis Businesses in Federal Stimulus Programs (Apr. 30, 2020). Copy supplied.

New Jersey Governor Issues Stay at Home Order Due to the Coronavirus (COVID-19) Pandemic (Mar. 21, 2020). Copy supplied.

Medical Marijuana Dispensaries are Deemed "Essential" During COVID-19 Outbreak (Mar. 19, 2020). Copy supplied.

NJ Governor Expected to Sign Medical Marijuana Expansion into Law July 2 (June 28, 2019). Copy supplied.

NJ Department of Health Issues Request for Applications for New Alternative Treatment Centers to Expand Access to Medical Marijuana (June 3, 2019). Copy supplied.

New Jersey Appellate Division Holds That Employer May Have To Provide Accommodation To Licensed Medical Marijuana User (Mar. 29, 2019). Copy supplied.

New Jersey Legislature Stalls Legalized Marijuana Vote (Mar. 26, 2019). Copy supplied.

Pennsylvania Courts Get One Step Closer to Reviewing Employee Termination Based on Medical Marijuana Use (Feb. 15, 2019). Copy supplied.

The Cannabis Industry: The Future of a Cash Only Business (Feb. 11, 2019). Copy supplied.

Commentary on Lance v. McGreevey, 180 N.J. 590 (2004), 36 RUTGERS L.J. 1327 (2005). 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.

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.

In 2019, I was appointed to the Moorestown Township Zoning Board of Adjustment. The Zoning Board hears applications requesting relief from

municipal zoning laws. Meeting minutes supplied for the following dates:

September 21, 2021

July 20, 2021

June 15, 2021

May 18, 2021

April 20, 2021

March 16, 2021

February 16, 2021

January 19, 2021

January 12, 2021

November 24, 2020

October 20, 2020

September 15, 2020

August 18, 2020

June 30, 2020

June 16, 2020

February 18, 2020

January 21, 2020

November 19, 2019

October 15, 2019

August 20, 2019

July 16, 2019

June 18, 2019

May 21, 2019

April 16, 2019

April 2, 2019

March 19, 2019

February 26, 2019

January 29, 2019

January 15, 2019

- 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.

January 28, 2021: Speaker, Civil Practice Update, Camden County Bar Association, Civil Practice Committee, Cherry Hill, New Jersey. Outline supplied.

October 23, 2019: Panelist, 29th Annual This Year in Nonprofit Law, Montgomery, McCracken, Walker & Rhoads, LLP, Philadelphia, Pennsylvania. Presentation supplied.

January 7, 2017: Co-Presenter, Concussions and CTE: Legal Implications to the Athletic Trainer, Eastern Athletic Trainers' Association Annual Convention, Philadelphia, Pennsylvania. Presentation supplied.

December 3, 2016: Panelist, Corporate Compliance, Ethics, eDiscovery and Social Media, Rutgers Law School, Camden, New Jersey. The panel was on United States corporate compliance laws, ethical situations when representing corporations and small businesses, electronic discovery case law, and trends in social media. I have no notes, transcript, or recording. The address for the Rutgers Institute for Professional Education is Rutgers Law School, 217 North Fifth Street, Camden, New Jersey 08102.

October 20, 2016: Panelist, Concussions and the Law, A Defense Lawyer's Perspective ... An Agent's Perspective, Villanova University Charles Widger

School of Law, Sports Law Society, Villanova, Pennsylvania. The panel was on concussion litigation. I have no notes, transcript, or recording. The address for Villanova University Charles Widger School of Law is 299 North Spring Mill Road, Villanova, Pennsylvania 19085.

December 3, 2013: Moderator and Presenter, Practice Tips for Succeeding in the Appellate Division, Camden County Bar Association, Cherry Hill, New Jersey. Outline supplied.

March 2001: Speaker, Golden Key International Honour Society, The College of New Jersey, Ewing, New Jersey. I recall making the welcoming remarks at an induction ceremony. I have no notes, transcript, or recording. The address for The College of New Jersey is 2000 Pennington Road, Ewing, New Jersey 08618.

- 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.

Suzette Parmley, *How Fabiana Pierre-Louis 'Just Ultimately Stood Out' Among Governor's Inner Circle, and Beyond*, N.J. L.J., June 10, 2020. Copy supplied (reprinted in multiple outlets).

Montgomery McCracken: Montgomery McCracken Launches Cannabis Law Practice Group, Pa. Rec., Jan. 29, 2019. Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? _____

- i. Of these cases, approximately what percent were:

jury trials: _____%
bench trials: _____% [total 100%]

- ii. Of these cases, approximately what percent were:

civil proceedings: _____%
criminal proceedings: _____% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and

dissents.

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

I have not held judicial office.

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

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

15. **Public Office, Political Activities and Affiliations:**

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

2019 – present

Moorestown Township Zoning Board of Adjustment
Appointed by Mayor, Lisa Petriello

- 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.

August 2014 – November 2014

Treasurer, Carol Murphy & Dan Rosenberg for Mount Laurel Council
As treasurer, I was responsible for filing reports with the New Jersey Election Law Enforcement Commission

April 2003 – June 2003

Treasurer, Reed Gusciora for Mayor, Princeton Borough
As treasurer, I was responsible for filing reports with the New Jersey Election Law Enforcement Commission

July 2002

Treasurer, 15th District Democrats
As treasurer, I filed one quarterly report with the New Jersey Election Law Enforcement Commission on behalf of Senator Shirley K. Turner, Assemblywoman Bonnie Watson Coleman and Assemblyman Reed Gusciora

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 2006 to 2007, I served as a judicial law clerk to the Honorable Joseph F. Lisa of the Superior Court of New Jersey, Appellate Division.

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

I have never been a solo practitioner.

- 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;

2005
Cureton Caplan, PC
950 South Chester Avenue
Delran, New Jersey 08075
Law Clerk

2007 – present
Montgomery, McCracken, Walker & Rhoads LLP
457 Haddonfield Road, Suite 600
Cherry Hill, New Jersey 08002
Associate (2007 – 2015)
Income Partner (2015 – 2019)
Equity Partner (2019 – present)

- 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 never 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.

In 2007, following my clerkship, I began working at Montgomery, McCracken, Walker & Rhoads, LLP as a litigation associate in the Cherry Hill, New Jersey office. During my time at Montgomery McCracken, I have focused on complex civil litigation matters as well as white collar

criminal defense and government investigations. I have also dedicated time to various pro bono matters.

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

Throughout my years at Montgomery McCracken, I have represented corporate clients, public entities, and individuals in a broad range of matters and industries. As a junior attorney, I worked on various complex civil litigation matters, including commercial disputes, product liability cases, construction litigation, regulatory compliance, employment matters, appellate practice, insurance coverage disputes and personal injury matters. I also worked on white collar crime and government investigation matters. Since 2016, my practice has become more focused on commercial disputes and product liability cases in federal court.

- 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.

My practice is 80 percent complex commercial litigation and 20 percent white collar crime and government investigations. Since approximately 2016, my practice has been primarily in federal court where I have appeared frequently. From approximately 2007 to 2016, I appeared frequently in state court in New Jersey and occasionally in federal court.

- i. Indicate the percentage of your practice in:

- 1. federal courts: 75%
- 2. state courts of record: 20%
- 3. other courts: 0%
- 4. administrative agencies: 5%

- ii. Indicate the percentage of your practice in:

- 1. civil proceedings: 80%
- 2. criminal proceedings: 20%

- 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 one case to final decision in the Superior Court of New Jersey where I served as associate counsel. I tried one case to final decision before an administrative law judge where I served as sole counsel.

- i. What percentage of these trials were:

1. jury: 0%
2. non-jury: 100%

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

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

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

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

1. *Lawson et al. v. Praxair, Inc., et al.*, No. 3:16-cv-02435 (D.N.J.), Hon. Zahid N. Quraishi and Hon. Douglas E. Arpert

Since 2016, I have served as co-counsel for the Praxair Defendants in this complex product liability case involving a medical-grade oxygen cylinder and various third-party contractual claims. I have prepared all pleadings, written discovery, discovery motions, dispositive motions, mediation statements and managed all electronic discovery. I have also argued both discovery as well as dispositive motions before the Court and the Special Master and attended all court appearances. I assisted in preparing witnesses for depositions and conducted the deposition of a key witness. I also supervise other attorneys on the case. After five years of extensive fact discovery, the parties participated in mediation on July 26, 2021, and settlement discussions are still ongoing.

Counsel for Plaintiffs:

Thomas W. Sheridan

Neil T. Murray

Frank Mangiaracina

Sheridan & Murray LLC

424 South Bethlehem Pike, Third Floor

Fort Washington, PA 19034

(215) 977-9500

Counsel for Co-Defendants:
James E. Tyrrell, Jr.
Sills Cummins & Gross P.C.
One Riverfront Plaza
Newark, NJ 07102
(973) 643-7000

Counsel for Third-Party Defendant:
Jennine DiSomma
Jennifer R. O'Connor
Saiber LLC
18 Columbia Turnpike, Suite 200
Florham Park, NJ 07932
(973) 622-3333

2. *United States v. Vogdes*, No. 1:13-cr-00722 (D.N.J.) Hon. Jerome B. Simandle

From 2009 to 2016, I served as associate counsel in representing the defendant in an investigation by the United States Attorney's Office involving mortgage fraud. I assisted in representing the defendant during his seven years as a cooperating witness including testifying in multiple trials on behalf of the Government. I also attended his plea hearing in which he pled to a one-count information charging him with aiding and abetting the making of a false statement on a loan or credit application. I also prepared the defendant's sentencing memorandum for the Court, represented the defendant in meetings with the United States Probation Office and appeared on behalf of the defendant at his sentencing hearing. Based on the defendant's extensive cooperation, the defendant was sentenced to time served of one day in court processing.

Counsel for the Government:
Matthew T. Smith
Office of the United States Attorney
District of New Jersey
Camden Federal Building & Courthouse
401 Market Street
4th Floor
Camden, NJ 08101
(856) 757-5104

3. *William R. K. v. Mount Laurel Schs. et al.*, Docket No.: BUR-L-2514-17, New Jersey Superior Court, Law Division, Hon. John E. Harrington

From 2017 to 2019, I represented the minor plaintiff in this personal injury matter that involved a catastrophic injury. I prepared all pleadings and written discovery, prepared and argued all discovery motions, attended all court hearings and retained all experts and expert reports. I obtained a significant settlement on behalf of the minor plaintiff and was

appointed by the court as an independent trustee to monitor the settlement funds until the plaintiff reached the age of eighteen.

Counsel for Defendants:
Daniel Posternock
Posternock Apell, PC
400 North Church Street, Suite 250
Moorestown, NJ 08057
(856) 642-6445

4. *Bitro Group Inc., et al. v. Microsoft Corporation et al.*, No. 2:20-cv-17714 (D.N.J.)
Hon. Kevin McNulty and Hon. James B. Clark

In 2020, I served as lead counsel for Microsoft in this breach of contract case in which the plaintiffs sought damages in excess of a million dollars. I prepared the pleadings and removed the case to federal court. Following a demand of potential third-party contract claims, the plaintiff dismissed the case thereby avoiding extensive litigation.

Counsel for Plaintiff:
Joshua S. Lim
Kim, Cho & Lim, LLC
460 Bergen Boulevard
Suite 305
Palisades Park, NJ 07650
(201) 585-7400

5. *McDowell v. USAA Gen. Indemnity Co.*, No 1:14-cv-04529 (D.N.J.) Hon. Jerome B. Simandle and Hon. Ann Marie Donio

From 2014 to 2017, I served as co-counsel on behalf of the defendant insurance company. The case involved a claim for federal flood insurance proceeds, which was denied by the insurance carrier based on suspected insurance fraud. I prepared and responded to written discovery, conducted depositions of fact and expert witnesses, and prepared a motion for summary judgment, which was granted by the Court. I also attended all court appearances and supervised other attorneys on the case. The plaintiff's remaining claim was resolved by way of settlement.

Counsel for Plaintiff:
Judith L. Rosenthal
12 Marion Avenue
Short Hills, NJ 07078
(973) 376-0818

Co-Counsel for Defendant:
Mary-Ellen King

Thompson Coe
701 Brazos
Suite 1500
Austin, TX 78701
(512) 827-2305

6. *Vogdes*, N.J. Dep't of Banking and Ins., Real Estate Comm'n, REC Ref. No. 10005482

From 2016 to 2017, I served as sole counsel to petitioner in his appeal of the New Jersey Department of Banking and Insurance, Real Estate Commission's denial to reinstate his real estate license following a criminal conviction in federal court. I prepared a written submission and represented petitioner in a hearing before the Commission, which included the use of exhibits and witness testimony. Based on the New Jersey Rehabilitated Convicted Offender Act, which makes it unlawful for licensing authorities to disqualify an applicant based solely upon the existence of a criminal record, the Commission granted the petitioner a real estate salesperson license to be held on probation for one year with certain conditions, including supervision by another real estate broker.

Counsel for the New Jersey Real Estate Commission:
Kevin McGowan, Deputy Attorney General
Marianne A. Gallina, Regulatory Officer
20 West State Street
Trenton, NJ 08608
(609) 292-7272

7. *Zeck v. Atlantic City Electric*, 2016 WL 854553 A-5506-13T4 (App. Div. Mar. 7, 2016) Hon. Mitchel E. Ostrer and Hon. Michael J. Haas

In 2016, I served as associate counsel for the defendant in its appeal of a jury verdict in favor of the plaintiff relating to damages the plaintiff sustained to commercial property as a result of voltage issues. I prepared the appellate brief and argued the appeal before the New Jersey Appellate Division. The panel affirmed the jury verdict in favor of the plaintiff.

Counsel for Plaintiff:
Gary D. Thompson
Ware, Streitz & Thompson
10 Pitman Avenue
Pitman, NJ 08071
(856) 589-6300

8. *Wachtel et al. v. Health Net, Inc., et al.*, No. 2:01-cv-04183 (D.N.J.); *McCoy et al. v. Health Net, Inc., et al.*, No. 2:03-cv-01801 (D.N.J.); *Scharfman et al. v. Health Net, Inc., et al.*, No. 2:05-cv-00301 (D.N.J.) Hon. Faith S. Hochberg

These cases involved a class action settlement related to the reimbursement of out-of-network medical services that was approved by the District Court in 2008 in the amount of \$175 million. In 2013, a partner at my firm was appointed as a Special Master to conduct a factual inquiry into the reasons why distributions from the settlement fund were not made sooner, whether the defendant's rejection of claims under the settlement were made in good faith, whether class counsel should be replaced and whether sanctions should be issued against counsel. I assisted in the collection and review of thousands of pages of documents, the depositions of all counsel and preparing the approximately 250-page Report and Recommendation to the Court. Following an extensive factual inquiry, it was determined that while there were delays in the distribution of the settlement funds neither party acted in bad faith, the defendant's rejection of claims were made in good faith, class counsel should not be replaced and no sanctions should be imposed on a party or counsel. However, it was recommended that the Court decline to authorize payment from the settlement of a portion of the claims administrator's fee for failure to fully assist the class members. The Court adopted the Report and Recommendation on January 30, 2015.

Counsel for Plaintiffs:
Barbara G. Quackenbos
United States Department of Labor
33 Whitehall Street
New York, NY 10004
(212) 607-8600

Kevin Peter Roddy
Lynne M. Kizis
Wilentz, Goldman & Spitzer, PA
90 Woodbridge Center Drive
Suite 900
Woodbridge, NJ 07095
(732) 855-6402

Counsel for Defendant:
Jay H. Calvert, Jr.
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103

George William McClellan, Jr.
McBe Law
103 Carnegie Center, Third Floor
Princeton, NJ 08540
(609) 468-0127

9. *Petrozzi et al. v. City of Ocean City*, Docket No. CPM-L-218-05, Superior Court of

New Jersey, Law Division, Hon. Daryl F. Todd, Sr.

In 2009, I assisted as associate counsel in the trial of this case on behalf of the defendant, which involved breach of contract claims. I prepared all motions in limine, trial briefs, post-trial submissions and conducted the cross-examination of the plaintiffs. Following a bifurcated bench trial, the court granted a damages award with respect to two of the thirteen plaintiffs.

Counsel for Plaintiffs:

Kenneth A. Porro
Chasan Lamparello Mallon & Cappuzzo
300 Lighting Way, Suite 200
Secaucus, NJ 07094
(201) 348-6000

10. *Rapone et al. v. Weathervane Farms, LLC, et al.*, Docket No. GLO-L-656-08, New Jersey Superior Court, Law Division, Hon. Anne McDonnell, P.J.Cv.

From 2008 to 2012, I served as associate counsel on behalf of the defendants in this matter in which the plaintiffs claimed their homes sustained damage as a result of certain construction defects. I prepared all pleadings and written discovery as well as prepared all briefs before the trial and appellate courts related to class certification. The trial court denied class certification, which was upheld by the New Jersey Appellate Division. The matter was resolved by way of a settlement.

Counsel for Plaintiffs:

Stephen P. DeNittis
Shabel & DeNittis, P.C.
5 Greentree Centre, Suite 302
Route 73 South & Lincoln Drive
Marlton, NJ 08053
(856) 797-9951

Counsel for Co-Defendant:

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Marshall, Dennehey, Warner, Coleman & Goggin
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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 a partner at Montgomery, McCracken, I have mentored a number of associates to help develop their litigation skills and support their efforts toward becoming partners. As one of two female equity partners at the firm and as a member of the firm's Diversity Committee, I am continuously working to ensure associates are given opportunities to gain experience, obtain promotions and increase diversity at the partnership level.

Outside of the firm, I have served on the New Jersey Supreme Court Committee on Character since 2017. As a member of the Committee, I review Character and Fitness Questionnaires to assist in determining an applicant's fitness to practice law in the State of New Jersey. I work with applicants in requesting supplemental documentation, conducting interviews of applicants and presiding over hearings before the Committee.

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.

I have not taught any courses.

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.

If confirmed, I will resign from my law firm, which is the only paid position that I currently hold. Upon my resignation, I would be entitled to receive compensation for my capital contributions as of the date of withdrawal.

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).

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.

I would need to disqualify myself in accordance with 28 U.S.C. § 455 in the *Lawson, et al. v. Praxair, Inc., et al.*, Civil Action No., 16-cv-02435 (ZNQ)(DEA) matter as that case is currently pending before the Court. I would also recuse myself from cases involving or affecting the law firm Connell Foley, where my spouse is a lawyer. If confirmed, potential conflicts of interest could be presented in matters being litigated by lawyers from Montgomery McCracken. If any conflict were to arise, I would immediately recuse myself from the matter.

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

If faced with a potential conflict of interest, I would refer to 28 U.S.C. § 455, the Code of Conduct for United States Judges, as well as any other applicable canons, rules, statutes, and treaties.

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.

The Camden County Bar Association in partnership with South Jersey Legal Services, Inc. runs a pro bono project called Children's Advocacy Project. The mission of the Project is to meet the most pressing legal needs of impoverished children in Camden County, New Jersey. The Children's Advocacy Project matches volunteer attorneys with children needing advocacy in one of three areas: Children's Supplemental Security Income ("SSI"), Education and Access to Health Care. In 2009, I represented a minor in his appeal before the United States Social Security Administration seeking SSI benefits, after previously being denied on two occasions. In 2011, following a hearing before an Administrative Law Judge, the Social Security Administration issued a decision fully in favor of the minor awarding him SSI benefits. I devoted a significant amount of time over a two-year period working with my client to understand his disability, obtaining records from his physicians, family members and teachers and preparing for the administrative hearing, which included opening and closing statements, the use of exhibits and witness testimony.

In 2011, I represented Pennsauken Township and Montclair Township, pro bono, as amicus curiae in *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, Docket No. 67,126 before the New Jersey Supreme Court. I, along with Myron Orfield from the University of Minnesota Law

School, filed an amicus brief on behalf of Pennsauken and Montclair, two municipalities meeting their fair share housing obligations, arguing that the New Jersey Appellate Division's decision invalidating the Council on Affordable Housing's ("COAH") Third Round Rules and the growth share approach should be upheld by the New Jersey Supreme Court. On September 26, 2013, the Court agreed with the Appellate Division's holding that the Third Round Rules and the growth share methodology were at odds with New Jersey's Fair Housing Act. I spent approximately six months preparing the amicus brief and attended oral argument before the New Jersey Supreme Court.

In 2012, I represented a parolee in *State v. Wilson*, SBI #456545C; PN #662049 before the New Jersey State Parole Board in a parole revocation hearing. Ultimately, the Parole Board determined that parole revocation was warranted, and that the parolee was not a viable candidate for a community program because he was missing from parole supervision. I spent approximately three months preparing for the hearing before the Parole Board, which included a meeting at the Mid-State Correctional Facility in Wrightstown, New Jersey.

In 2016, I represented a member of the New Jersey Legislature before the Joint Legislative Committee on Ethical Standards related to an ethics complaint filed by a constituent. The complaint was dismissed by the Committee. I spent approximately three months on the matter, which included preparing a written submission to the Committee and attending the hearing.

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.

In March 2021, I expressed interest in the position with Senator Robert Menendez's office. I interviewed with Senator Menendez on April 14, 2021. I interviewed with Senator Cory Booker on April 19, 2021. I interviewed with attorneys from the White House Counsel's Office on June 9, 2021. Since June 28, 2021, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On November 3, 2021, my nomination was submitted to the Senate.

- 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.