UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

   Terrence George Berg

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

   United States District Judge for the Eastern District of Michigan

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.

   United States Attorney's Office
   211 West Fort Street
   Suite 2001
   Detroit, Michigan 48226

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

   1959; Detroit, Michigan

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.

   1983 – 1986, Georgetown University Law Center; J.D. (*cum laude*), 1986
   1982 – 1983, Georgetown University, graduate courses in History; no degree awarded
   1978 – 1981, Georgetown University; B.S. (*magna cum laude*), 1981
   1977 – 1978, University of Michigan; no degree awarded

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.

   2011 – present
   U.S. Department of Justice, Office of Deputy Attorney General
   Professional Misconduct Review Unit

United States Attorney's Office for the Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
Attorney (detail)

2003 – 2011
United States Attorney's Office for the Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
Assistant United States Attorney (2003 – 2005, 2010 – 2011)
First Assistant United States Attorney (2005 – 2008)
Interim United States Attorney (2008 – 2010)

2010
United States Attorney's Office for the Middle District of Georgia
355 Mulberry Street, 6th Floor
Macon, Georgia 31201
Acting First Assistant United States Attorney (detail)

1999 – 2003
Michigan Department of Attorney General
High Tech Crime Unit
18050 Deering
Livonia, Michigan 48152
Assistant Attorney General
Chief, High Tech Crime Unit

1999 – 2000
United States Department of Justice
Criminal Division
Computer Crime and Intellectual Property Section
1301 New York Avenue, NW, Suite 600
Washington, D.C. 20005
Computer Crime Fellow for the National Association of Attorneys General

1995 – 1999, 2001, 2003, 2008, 2012
University of Detroit Mercy School of Law
651 East Jefferson Avenue
Detroit, Michigan 48226
Adjunct Professor

1989 – 1999
United States Attorney's Office for the Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
Assistant United States Attorney

1987 – 1989
Debevoise and Plimpton
555 13th Street, NW
Washington, D.C. 20004
Associate

1986 – 1987
United States District Court for the Southern District of Georgia
360 Frank M. Scarlett Federal Building
801 Gloucester Street
Brunswick, Georgia 31520
Law Clerk to the Honorable Anthony A. Alaimo

Summer 1985
Anderson, Hibey, Nauheim and Blair
1708 New Hampshire Avenue, NW
Washington, D.C. 20009
Summer Law Clerk

Summer 1984, Academic years 1985, 1986
Georgetown University Law Center
600 New Jersey Avenue, NW
Washington, D.C. 20001
Research Assistant for Professor Robert F. Drinan, S.J.

1984
Georgetown University Law Center
600 New Jersey Avenue, NW
Washington, D.C. 20001
Security ID Checker, Law Library

1982 – 1984
Georgetown University
Central American Historical Institute
Washington, D.C. 20007
Research Assistant

1981 – 1982
Jesuits of Central America
University of Central America
Managua, Nicaragua
Volunteer Development Worker

Summer 1981
The World Bank

Europe, Middle East and North Africa Section
1818 H Street, NW
Washington, D.C. 20433
Research Assistant

Other Affiliations (uncompensated):

2011 – present
Historical Society for the U.S. District Court for the Eastern District of Michigan
219 Theodore Levin U.S. Courthouse
231 West Lafayette
Detroit, Michigan 48226
Board of Directors

2010 – present
Caritas Welcome Center
1555 Butternut
Detroit, Michigan 48206
President, Board of Directors

2003 – present
Catholic Lawyers Society of Detroit, Michigan
No physical address
Member, Board of Directors (2003 – present)
Vice President (2005 – 2007)
President (2008)

1992 – 1998
Gesu Catholic School
17139 Oak Drive
Detroit, Michigan 48221
Board Member (1992 – 1998)
President (1995 – 1998)

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 United States military. I did not register for selective service because men born between March 29, 1957 and December 31, 1959 were not required to register.

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.

Certificate of Appreciation for Contribution to Legal Scholarship, United States Department of Justice (2010)

Director's Award for Superior Service in a Managerial or Supervisory Role, Executive Office for United States Attorneys, United States Department of Justice (2010)

United States Environmental Protection Agency's Bronze Medal for Commendable Service (2010)

Assistant Attorney General's Award for Distinguished Service, Criminal Division, United States Department of Justice (2009)

Michigan Super Lawyers (2008, 2009)

Certificate of Appreciation for Serving on the Magistrate Judge Merit Selection Panel, United States District Court for the Eastern District of Michigan (2008)

Award for Outstanding Service as a Computer Crime Fellow for the National Association of Attorneys General (2000)

"Great Work" Award, Computer Crime and Intellectual Property Section, Criminal Division, United States Department of Justice (2000)

Selected for Computer Crime Fellowship, National Association of Attorneys General (1999 – 2000)

Award for "Outstanding Efforts and Contributions to Law Enforcement Mission of U.S. Customs Service," United States Customs Service (1999)

Award for Outstanding Contribution to Law Enforcement, Bureau of Alcohol, Tobacco and Firearms (1999)

Letter of Commendation from Attorney General Janet Reno regarding the prosecution of a complex fraud case (1999)

Letter of Commendation from Donna A. Bucella, Director of the Executive Office for United States Attorneys, for the prosecution of a multi-million dollar fraud case (1999)

Special Act Performance Award, United States Department of Justice (1998)

Employee Volunteer Service Award from Attorney General Janet Reno (1997, 1998)

Special Achievement Awards for Sustained Superior Performance, United States Department of Justice (1991, 1995, 1998)

Letter of Commendation from Attorney General Janet Reno regarding the prosecution of a complex aviation insurance fraud case (1997)

Letter of Commendation from FBI Director Louis J. Freeh regarding the prosecution of a complex aviation insurance fraud case (1997)

Letter of Commendation from Attorney General Janet Reno for the prosecution of a heroin trafficking organization (1995)

Letter of Commendation from FBI Director Louis J. Freeh regarding the prosecution of a heroin trafficking organization (1995)

Letter of Commendation from Donna A. Bucella, Director of the Executive Office for United States Attorneys, for an environmental crimes prosecution (1995)

Letter of Commendation from the United States Environmental Protection Agency, Office of Enforcement, Criminal Investigation Division Special Agent in Charge, for an environmental crimes prosecution (1995)

Appreciation Award for Dedication and Commitment, Federal Bureau of Investigation (1994)

Certificate of Appreciation for Outstanding Contributions in the Field of Drug Law Enforcement, United States Drug Enforcement Administration (1994)

Editor in Chief, Law and Policy in International Business, Georgetown University Law Center (1985 – 1986)

Branstrom Prize for Academic Excellence, University of Michigan (1978)

9. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Constitution Society (2006 – present)
Catholic Lawyers Society of Detroit (2003 – present)
 Vice President (2005 – 2007)
 President (2008)
Detroit Metropolitan Bar Association (2011 – present)
District of Columbia Bar (1988 – present)
Federal Bar Association, Eastern District of Michigan Chapter (approx. 1999 – 2008, 2009 – present)
Federal Bar Association (National) (2008 – 2009; 2011 – present)
Fellows of the Michigan State Bar Foundation (2006 – present)
State Bar of Michigan (1986 – present)
 Member, Ethics Committee (2003 – 2007)

United States District Court for the Eastern District of Michigan Merit Selection Panel
for Magistrate Judge (2008)

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.

Michigan, 1986
District of Columbia, 1988 (inactive since 1989)

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.

Supreme Court of the United States, 2006
United States Court of Appeals for the Sixth Circuit, 1989
United States District Court for the Eastern District of Michigan, 1989
United States District Court for the Western District of Michigan, 1999 – 2003
Michigan Court of Appeals, 1999
Circuit Courts of Wayne, Oakland, Macomb, Livingston, Genesee, and Berry Counties, 1999

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.

Caritas Welcome Center (2010 – present)
    President, Board of Directors (2010 – present)
Georgetown University Alumni Admission Program (2003 – present)
Gesu Church (1989 – present)
    Lector (1989 – present)
Gesu Catholic School Board (1992 – 1998)
    President (1995 – 1998)

Historical Society of the U.S. District Court for the Eastern District of Michigan (2011 – present)
Member, Board of Directors (2011 – present)
Society of St. Vincent de Paul (approx. 2003 – present)

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

To the best of my knowledge, none of the organizations listed 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.

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.

A Caritas Christmas, Caritas Welcome Center Newsletter, Winter 2012. Copy supplied.

Full Disclosure: Belief and the Bench, America, Mar. 14, 2011. Copy supplied.

Why I Became Involved with the Caritas Welcome Center, Caritas Welcome Center Newsletter, Spring 2010. Copy supplied.

The Changing Face of Cybercrime: New Internet Threats Create Challenges to Law Enforcement, 86 Mich. B.J. 18 (June 2007). Copy supplied.

Faith on the Mesa: Colorado's Way of the Cross Shrine, St. Anthony Messenger, July 2004. Copy supplied.

Practical Issues in Searching and Seizing Computers, 7 T.M. Cooley J. Prac. & Clinical L. 27 (2004). Copy supplied.

Letter to the Editor, *Opinion and Dissent: The Case of the Internet Pedophile*, 80 Mich. B.J. 10 (Sept. 2001). Copy supplied.

Confronting Evil on the Internet: The Challenge of Taming the Electronic Frontier, America, June 18, 2001. Copy supplied.

With Patrick Corbett, *Attacking Unlawful Activity on the Internet: Michigan's New Arsenal to Combat Cybercrime*, Michigan Trooper, Mar./Apr. 2001. Copy supplied.

Fighting Identity Theft: New State Statutes Target Information Crimes, Vol. 17, No. 4 Michigan Defense Quarterly 11 (Spring 2001). Copy supplied.

Fighting Identity Theft: New State Statutes Target Information Crimes, State Bar of Michigan Consumer Law Section Newsletter, Mar. 2001. Copy supplied.

State Criminal Jurisdiction in Cyberspace: Is There a Sheriff on the Electronic Frontier?, 79 Mich. B.J. 659 (June 2000). Copy supplied.

Attorney General Reno Announces 10-Point Cybercrime Plan; Calls for 'Round-the-Clock Computer Crime Coverage in All Fifty States, Vol. II, Issue 1 National Cybercrime Training Partnership, Apr. 2000. Copy supplied.

www.wildwest.gov: The Impact of the Internet on State Power to Enforce the Law, 2000 B.Y.U.L. Rev. 1305 (2000). Copy supplied.

Human Rights for Terrorists beyond the Water's Edge, America, Jan. 16, 1999. Copy supplied.

Bang! Bang! Bang! There Goes Hope for New Year, Detroit Free Press, Jan. 9, 1990. Copy supplied.

Trade in Services: Toward a "Development Round" of GATT Negotiations Benefiting Both Developing and Industrialized States, 28 Harv. Int'l L.J. 1 (1987). Copy supplied.

A Tribute to Debbie Posner, Georgetown University Law Center Law Weekly, Sept. 8, 1986. Copy supplied.

Letter to the Editor, *Sleep and Protest*, Washington Post, July 10, 1984. Copy supplied.

Letter to the Editor, *Soviet Clients?*, Washington Post, Aug. 23, 1983. Copy supplied.

Letter to the Editor, *News is 'Misinformed' on Nicaragua*, Detroit News, Aug. 9, 1982. Copy supplied.

b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I drafted an introductory message for the 2008 Annual Report of the U.S. Attorney's Office for the Eastern District of Michigan. I also drafted the "Dedicated to Alan Gershel" tribute to retiring Criminal Chief Alan Gershel. Copy supplied.

I drafted the Mission Statement used in the 2005, 2006, and 2007 Annual Reports of the U.S. Attorney's Office for the Eastern District of Michigan as well as paragraphs on significant cases that I handled. The Mission Statement is supplied and the case excerpts are listed below:

> 2007: "Dedicated to Mike Wicks" tribute to retiring Civil Chief L. Michael Wicks. Operator of "Bot-Net" Sentenced to 12 Months in Federal Prison; Former Computer Contractor Sentenced for Hacking Daimler Chrysler Parts Distribution Wireless Network. Copies supplied.
>
> 2006: Comment on retiring AUSA Ross Parker; First Person Charged Under "CAN-SPAM" Law Sentenced to 36 Months; Three Indicted for Economic Espionage – Trade Secrets Theft. Copies supplied.
>
> 2005: Two Arrested for Economic Espionage – Trade Secrets Theft. Copy supplied.

Michigan State Bar Committee on Ethics, Annual Report, 2005 – 2006. A copy of the report is supplied.

Michigan State Bar Committee on Ethics, Ethics Opinion RI-334, May 7, 2004. A copy of the opinion is supplied.

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

On March 19, 2002, I testified before the Michigan House of Representatives, Committee on Criminal Justice in favor of House Bills 5296 and 5297 to amend the child pornography statute. No record was made of the testimony except the minutes of the meeting, which are supplied.

On February 26, 2002, I testified before the Michigan House of Representatives, Committee on Criminal Justice in favor of Senate Bills 803 and 806, which were proposals to create state authority for wiretap approvals. No record was made of the testimony except the minutes of the meeting, which are supplied.

d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

October 7, 2011: *IC3 Mission and Cooperation with Law Enforcement: New Ways to Access IC3 Information and Latest Threats, How Law Enforcement Can Work with the ICAC to Protect Children*, Michigan Cyber Summit 2011, Office of the Governor, Panelist, Eastern Michigan University, Ypsilanti, Michigan. I discussed the types of federal cases that address Internet child exploitation. I have no notes, transcript, or recording. The address of the Office of the Governor is P.O. Box 30013, Lansing, Michigan 48909.

September 13, 2011: *Cyber-Terrorism in Perspective*, Infragard Fall Conference, Keynote Address, Eastern Michigan University, Ypsilanti, Michigan. A copy of the PowerPoint slides is supplied.

June 14, 2011: *Cyber-Terrorism in Perspective*, National Association of Attorneys General, National Center for Justice and the Rule of Law, University of Mississippi, Oxford, Mississippi. A copy of the PowerPoint slides is supplied.

December 13, 2010: *Theft of Trade Secrets – A Case Study*, University of Michigan, Steven M. Ross School of Business, Ann Arbor, Michigan. A copy of the PowerPoint slides is supplied.

March 24, 2010: Remarks at Reunion Dinner for Young Attorneys, Detroit, Michigan. A copy of the remarks is supplied.

December 1, 2009: *Trade Secrets Case Study*, University of Michigan, Steven M. Ross School of Business, Ann Arbor, Michigan. I used the same slides as supplied for the December 13, 2010 event.

November 19, 2009: Introduction of Attorney General Eric H. Holder, Jr., Advocates and Leaders for Police and Community Trust (ALPACT) Dinner, Detroit, Michigan. A copy of the remarks is supplied.

November 16, 2009: Remarks to visiting Ukrainian prosecutors about the U.S. Attorney's Office, Open World, Detroit, Michigan. I have no notes, transcript, or recording, but press coverage is supplied. The address of the U.S. Attorney's Office is 211 West Fort Street, Suite 2001, Detroit, Michigan 48226.

October 20, 2009: *To Catch (and Prosecute) a Spammer: A Case Study of U.S. v. Ralsky*, University of Michigan Cyber Summit 09, Rackham Auditorium, University of Michigan, Ann Arbor, Michigan. A copy of the PowerPoint slides is supplied and video is available at http://safecomputing.umich.edu/events/sumit09.

September 25, 2009: Address to Hate Crimes Conference, Michigan Alliance Against Hate Crimes (MIAAHC), Lansing, Michigan. A copy of the remarks is supplied.

September 22, 2009: Introductory Remarks, Great Lakes International Anti-Money Laundering and Bank Secrecy Act Conference, location unknown. A copy of the remarks is supplied.

August 3, 2009: Introductory Remarks, 16th Annual Great Lakes Native American Conference, Green Bay, Wisconsin. A copy of the remarks is supplied.

July 7, 2009: *Trade Secrets Case Study*, Cooley School of Law, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

June 25, 2009: *Prosecution Priorities in the Wake of the Collapse*, First Tri-Continental Conference on Global Advancement in Business Communications, Eastern Michigan University, Ypsilanti, Michigan. A copy of the PowerPoint slides is supplied.

June 24, 2009: *Prosecution Priorities in the Wake of the Collapse*, Oakland County Bar Association, Real Estate Section, Birmingham, Michigan. I used the same slides as those supplied in response to the June 25, 2009 event.

May 26, 2009: Introduction of Panel, *Child Exploitation, Prevention and Enforcement*, Gesu School, Detroit, Michigan. I have no notes, transcript or recording. The address of the Gesu School is 17139 Oak Drive, Detroit, Michigan 48221.

May 9, 2009: *Theft of Trade Secrets – A Case Study*, Intellectual Property Conference, Grand Rapids Bar Association, Intellectual Property Section, Grand Rapids, Michigan. A copy of the PowerPoint slides is supplied.

April 30, 2009: Participant in roundtable discussion at Congress of Arab-American Organizations, Lebanese-American Heritage Club, addressing issues affecting Arab- and Muslim-American community members, including recent allegations concerning "spying" in Mosques, Dearborn, Michigan. I have no notes, transcript, or recording, but press coverage is supplied. The Congress of Arab-American Organizations does not have a physical address.

April 29, 2009: Introductory Remarks, Project Safe Childhood Town Hall Meeting, Macomb County Community College, Clinton Township, Michigan. I have no notes, transcript or recording. The address of the U.S. Attorney's Office is 211 West Fort Street, Suite 2001, Detroit, Michigan 48226.

April 29, 2009: Remarks in Memoriam for Katie Alcorn, ICE General Counsel, Plymouth, Michigan. A copy of the remarks is supplied.

April 2, 2009: Remarks, Detroit Police Department 12th Precinct Community Relations Meeting, Detroit, Michigan. A copy of the remarks is supplied.

March 19, 2009: Member of Panel, Brightmoor Alliance Neighborhood Safety Summit, Detroit, Michigan. I have no notes, transcript, or recording. The address of the Brightmoor Alliance is 17421 Telegraph, Suite 138, Detroit, Michigan 48219.

March 16, 2009: *Theft of Trade Secrets – A Case Study*, Intellectual Property Spring Seminar, Michigan State Bar, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

March 6, 2009: Remarks, Presentation of U.S. Attorney's Office plaque to Weusi Olusola, Pioneers for Peace, Southfield, Michigan. A copy of the remarks is supplied.

March 4, 2009: Remarks, United States Attorney's Office for the Eastern District of Michigan, History Project, Portrait Ceremony, Detroit, Michigan. A copy of the remarks is supplied.

February 19, 2009: *Theft of Trade Secrets Case Study*, Cooley School of Law, Lansing, Michigan. A copy of the PowerPoint slides and a video recording are supplied.

February 13, 2009: Remarks, Catholic Lawyers Society Third Thursday Speakers Series, Detroit, Michigan. A copy of the remarks is supplied.

January 21, 2009: Remarks at Tribute Dinner, Detroit, Michigan. A copy of the remarks is supplied.

December 9, 2008: *Enforcement Priorities in the Wake of the Financial Crisis: Insights from Acting U.S. Attorney Terrence Berg*, Foley Executive Briefing Series, Foley & Lardner, LLP, Detroit, Michigan. I used the same slides as those supplied in response to the June 25, 2009 event and press coverage is supplied.

November 20, 2008: Introductory Remarks, Gesu Neighborhoods United Meeting, Discussion of Crime Sweep by Law Enforcement, Detroit, Michigan. I have no notes, transcript, or recording. Gesu Neighborhoods United does not have a physical address.

November 11, 2008: *Trade Secrets Case Study*, University of Michigan, Steven M. Ross School of Business, Ann Arbor, Michigan. I used the same slides as supplied for the December 13, 2010 event.

November 9, 2008: *Trade Secrets and Federal Criminal Law*, Cooley Law School, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

November 7, 2008: Introductory remarks, Project Safe Neighborhoods Project Sentry Program, Hamtramck, Michigan. I have no notes, transcript, or recording. The address of Project Sentry is United States Attorney's Office, 211 West Fort Street, Suite 2001, Detroit, Michigan 48226.

June 3, 2008: *So You Want to Be a SPAM Prosecutor: Perspectives from DOJ's CAN-SPAM Pioneers*, U.S. Department of Justice, Computer Hacking and Intellectual Property Conference, Atlanta, Georgia. A copy of the PowerPoint slides is supplied.

September 4, 2007: *Forum on Charitable Giving*, co-hosted forum on charitable giving rules and designated terrorist organizations, with speaker from Department of Treasury, Dearborn, Michigan. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office is 211 West Fort Street, Suite 2001, Detroit, Michigan 48226.

June 21, 2007: *Investigating and Prosecuting Botnets*, U.S. Department of Justice, Computer Hacking and Intellectual Property Conference, Orlando, Florida. A copy of the PowerPoint slides is supplied.

December 5, 2006: *Federal Day*, New Lawyers Seminar, sponsored by the Eastern District of Michigan Chapter of the Federal Bar Association. I have no notes, transcript, or recording. The address of the Eastern District of Michigan Chapter of the FBA is P.O. Box 20759, Ferndale, Michigan 48220.

June 24, 2006: *Recent Trends in Identity Theft: Understanding the Scope of the Problem and Considering Solutions*, Ohio Prosecuting Attorneys Association, Cedar Point, Ohio. A copy of the PowerPoint slides is supplied.

April 5, 2006: *The Decision to Prosecute*, Prosecutorial Responses to Internet Victimization Conference, sponsored by the National Association of Attorneys General and the National Center for Justice and the Rule of Law at the University of Mississippi School of Law, Oxford, Mississippi. I participated in a panel of federal and state computer crime prosecutors discussing the factors considered in exercising prosecutorial discretion in cybercrime cases. Transcript supplied.

March 23, 2006: *Theft of Trade Secrets Case*, Intellectual Property Conference, National Advocacy Center, Columbia, South Carolina. I have no notes, transcript, or recording. The address of the NAC is 1620 Pendleton Street, Columbia, South Carolina 29201.

October 18, 2005: *Corporate Fraud Sentencing*, GM World Headquarters, Detroit, Michigan. A copy of the PowerPoint slides is supplied.

September 30, 2005: *Identity Theft*, State Bar of Michigan Computer Law Section, Walled Lake, Michigan. A copy of the PowerPoint slides is supplied.

September 7, 2005: *Identity Theft and the Internet: Crime or Crisis?* and *Identity Theft and the Internet: Managing the Crisis and Fighting the Crime*, Utah Prosecution Council, Park City, Utah. Copies of the PowerPoint slides are supplied.

May 5 – 6, 2005: Six Computer Crime Presentations: *Overview of U.S. Legal System*; *Crime on Networks*; *Need for International Cooperation*; *Lowes Bombing*; *Searching and Seizing Computers*; *U.S. Processes for Obtaining Electronic Evidence*, International Law Enforcement Academy (FBI), Bangkok, Thailand. Copies of the PowerPoint slides are supplied.

April 27, 2005: *Searching and Seizing Computers*, Cyber Coalition Meeting, Detroit, Michigan. A copy of the PowerPoint slides is supplied.

December 1, 2004: *Cyber Coalition Plan*, Federal Law Enforcement Council Meeting, Detroit, Michigan. A copy of the PowerPoint slides is supplied.

September 29, 2004: *Sys Admin Legal Brief*, University of Michigan Security Roundtable, Ann Arbor, Michigan. A copy of the PowerPoint slides is supplied.

July 28, 2004: *Cybersecurity Threats v. Cyberterrorism*, Cooley Law School, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

June 25, 2004: *Search and Seizure of Computers*, *Presenting Electronic Evidence*, and *Federal Cybercrimes Overview*, Michigan Electronic Crimes Task Force, Detroit, Michigan. Copies of the PowerPoint slides are supplied.

June 9 – 10, 2004: *Computer Evidence: Court and Trial Issues*, *Search and Seizure of Computers*, *Presenting Electronic Evidence*, and *Cybersecurity v. Cyberterrorism*, American Bar Association training, Plovdiv, Bulgaria. Copies of the PowerPoint slides are supplied.

March 22, 2004: *Cyberterrorism and National Security in Perspective*, Youth Law Conference, Troy, Michigan. A copy of the PowerPoint slides is supplied.

March 8, 2004: *Cybercrime, ID Theft, and Cyberterrorism*, University of Windsor, Windsor, Ontario. A copy of the PowerPoint slides is supplied.

March 5, 2004: *Cybercrime and Cybersecurity*, Microsoft Conference, Southfield, Michigan. A copy of the PowerPoint slides is supplied.

March 3, 2004: *Cybersecurity Threats in Perspective*, National Association of Attorneys General, National Center for Justice and the Rule of Law, University of Mississippi, Oxford, Mississippi. A copy of the PowerPoint slides is supplied.

February 20, 2004: *ID Theft and the Internet: A Law Enforcement Response to Fighting Online ID Theft*, Association of Government Accountants, Institute of Internal Auditors Conference, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

January 23, 2004: *Searching and Seizing Computers*, FBI Training, Detroit, Michigan. A copy of the PowerPoint slides is supplied.

September 4, 2003: *Identity Theft and the Internet*, State Bar of Michigan Computer Law Section, Walled Lake, Michigan. A copy of the PowerPoint slides is supplied.

June 13, 2003: *Computer Search and Seizure*, Ingham County Prosecuting Attorney's Annual Retreat Conference. I have no notes, transcript, or recording. The address of Ingham County Prosecuting Attorney is Grady Porter Building, Veterans Memorial Courthouse Complex, 303 West Kalamazoo, 4R, Lansing, Michigan 48933.

May 13, 2003: *Identity Theft and the Internet*, Detroit Police Cybercrime Training, Detroit, Michigan. A copy of the PowerPoint slides is supplied.

May 9, 2003: *Identity Theft and the Internet*, PAAM Crime Victims Rights Training Conference, Lansing, Michigan. I used the same slides as those supplied for the May 13, 2003 event.

April 23, 2003: *State Laws Relating to Computer Crime*, Detroit Police Department training, Detroit, Michigan. A copy of the PowerPoint slides is supplied.

April 16, 2003: *Identity Theft and the Internet*, Michigan Safety Conference, Lansing, Michigan. I used the same slides as those supplied for the May 13, 2003 event.

April 14, 2003: *Confronting Cyberfraud* and *Understanding High Tech Crime*, Oakland University, Auburn Hills, Michigan. A copy of the PowerPoint slides is supplied.

February 3, 2003: *Practical Legal Issues Regarding the Search and Seizure of Computers; Operation NOLITA*, National Association of Attorneys General, National Center for Justice and the Rule of Law, University of Mississippi, Oxford, Mississippi. A copy of the PowerPoint slides is supplied.

December 13, 2002: Panel Discussion, *What Civil Lawyers Need to Know About Criminal Law*, Washtenaw County Bar Association, Ann Arbor, Michigan. A copy of the notes is supplied.

November 12, 2002: *High Tech Crime*, Institute of Internal Auditors, Certified Fraud Examiners, Ford Motor Company Conference Center, Dearborn, Michigan. A copy of the PowerPoint slides is supplied.

October 15, 2002: *Identity Theft and the Internet*, Michigan Sheriff's Association, Annual Fall Conference, Ann Arbor, Michigan. A copy of the PowerPoint slides is supplied.

September 25, 2002: *Identity Theft and the Internet*, International Association of Financial Crimes Investigators, Dearborn, Michigan. I used the same slides as those supplied for the October 15, 2002 event.

September 14, 2002: *Search and Seizure for Computers and the Internet*, Michigan State Police Training, location unknown. A copy of the PowerPoint slides is supplied.

September 10, 2002: *Operation NOLITA*, State of the States Computer Crime Consortium, Sioux Falls, South Dakota. I used the same slides as those supplied in response to the February 3, 2003 event.

June 24, 2002: *Supervising Computer Crime Investigations: What Every Prosecutor Needs to Know*, Prosecuting Attorney's Association of Michigan, Frankenmuth, Michigan. This presentation would have been substantially similar to the slides presented on July 19, 2001, below.

June 13, 2002: *Countering the Criminal Threat to the Net*, Michigan Victims' Academy, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

June 5, 2002: *Information Systems Security: Forging an Effective Legal Response to Internal and External Threats*, Spring Lecture Series, Eastern Michigan University, Ypsilanti, Michigan. A copy of the PowerPoint slides is supplied.

May 23, 2002: *Jurisdiction in Cyberspace*, Cooley Law School, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

May 9, 2002: *Identity Theft and the Internet: A Law Enforcement Response*, Annual Victims Rights Training Conference, Thompsonville, Michigan. Copies of the PowerPoint slides are supplied.

May 8, 2002: *ID Theft and the Internet: A Law Enforcement Response to Fighting Online ID Theft*, Michigan State Police Detective Sergeants' Conference, location unknown. A copy of the PowerPoint slides is supplied.

March 20, 2002: Panel Discussion on Computer Security Threats, Lawrence Tech University, Southfield, Michigan. A copy of the notes is supplied.

February 11, 2002: *Snapshot Look at Criminal Enforcement of ID Theft on the Internet*, Michigan Association of Chiefs of Police, 2002 Mid-Winter Conference, Grand Rapids, Michigan. A copy of the PowerPoint slides and press coverage are supplied.

January 30, 2002: *Cyberterrorist Attack on an Electric Power Facility*, Information Technology Management Association, Walsh College, Troy, Michigan. A copy of the PowerPoint slides is supplied.

January 10, 2002: *Making the Computer Crime Case: The Challenge and How to Meet It*, Information Systems Audit & Control Association. I have no notes, transcript, or recording, however, the contents of this presentation would have been substantially similar to the PowerPoint slides that have been supplied for the events described on October 2, 2001 and September 18, 2001 below. The address of the Detroit Chapter of the ISACA is P.O. Box 4297, Troy, Michigan 48099.

November 15, 2001: *What Every Prosecutor Needs to Know About How to Supervise an Internet or Computer Crime Investigation*, North Carolina Conference of District Attorneys, Boone, North Carolina. A copy of the PowerPoint slides is supplied.

November 13, 2001: *Criminal Jurisdiction in Cyberspace*, Prosecuting Attorneys' Coordinating Council, Computer Crime Training, location unknown. A copy of the PowerPoint slides is supplied.

October 22, 2001: *The Michigan Model for Confronting the Challenge of Computer Crime*, State of the States Conference, Computer Crime Consortium, Columbus, Ohio. A copy of the PowerPoint slides is supplied.

October 11, 2001: *Where in the World is the World Wide Web*, Administrative Support Staff Conference, Michigan State Police, Livonia, Michigan. A copy of the PowerPoint slides is supplied.

October 11, 2001: *Computer Crime Trends*, University of Michigan Security Roundtable, Ann Arbor, Michigan. A copy of the PowerPoint slides is supplied.

October 2, 2001: *Making the Computer Crime Case: The Challenge and How to Meet It*, Comerica Bank Investigators' Training, Livonia, Michigan. A copy of the PowerPoint slides is supplied.

September 18, 2001: *Making the Computer Crime Case*, CITA Security Sub Group, Midland, Michigan. A copy of the PowerPoint slides is supplied.

August 31, 2001: *Jurisdiction in Cyberspace*, National Association of Attorneys General Conference, University of Michigan, Ann Arbor, Michigan. I used the same slides as those supplied for the May 23, 2002 event.

August 2, 2001: *The Law of Obtaining Electronic Evidence*, Innocent Images Conference, Macomb County, Michigan. A copy of the PowerPoint slides is supplied.

July 19, 2001: *What Every Prosecutor Needs to Know About How to Supervise an Internet or Computer Crime Investigation*, 74th Annual Prosecuting Attorneys Association of Michigan Conference, Mackinac Island, Michigan. A copy of the PowerPoint slides is supplied.

July 16, 2001: *Countering the Criminal Threat to the Net*, Michigan Victims' Academy, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

May 24, 2001: *Snap Shot of Recent Computer Crime Developments*, Prosecuting Attorneys Association of Michigan, location unknown. A copy of the PowerPoint slides is supplied.

May 7 – 9, 2001: *Snap Shot of Recent Computer Crime Developments*, Michigan State Police Field Detective Conference, Lansing, Michigan. I have no notes, transcript, or recording, but the contents of this presentation would have been substantially similar to the PowerPoint slides supplied for the event on May 24, 2001 above. The address of the Michigan State Police is 333 South Grand Avenue, P.O. Box 30634, Lansing, Michigan 48909.

April 24, 2001: *Computer Crime Scenario: Auction Fraud*, National Association of Attorneys General, Second Annual Internet Law Institute, Berkman Center for Internet and Society, Harvard Law School, Cambridge, Massachusetts. A copy of the PowerPoint slides is supplied.

April 20, 2001: Panel Discussion, *Cyber Terrorism*, Michigan Conference on Terrorism and Domestic Preparedness, Michigan State Police, Lansing, Michigan. A copy of the PowerPoint slides and a video recording are supplied.

April 17, 2001: *Making the Computer Crime Case: The Challenge and How to Meet It*, Michigan Safety Conference, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

April 10, 2001: *Confronting the Challenge of Computer Crime*, ASIS, Belle Isle, Michigan. A copy of the PowerPoint slides is supplied.

April 9, 2001: *Countering the Criminal Threat to the Net*, Association of Government Accountants, Institute of Internal Auditors Spring Conference, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

February 28, 2001: *Online Principles for Federal Law Enforcement Agents, Information Technology in Litigation and Investigation Seminar*, National Advocacy Center, Columbia, South Carolina. A copy of the PowerPoint slides is supplied.

January 23, 2001: *Sheriffs on the Electronic Frontier: Meeting the Challenges of Law Enforcement in Cyberspace*, Prosecuting Attorneys Association of Michigan, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

January 22, 2001: *Confronting the Challenge of Computer Crime*, *Introduction to Crime Involving the Computers, Networks, and the Internet, and A Review of Federal Computer Crime Statutes*, Federal-State Task Force Meeting, Livonia, Michigan. A copy of the PowerPoint slides is supplied.

December 6, 2000: *Cybercrime Training Class for Law Enforcement Officers*, Eastern Michigan University, Ypsilanti, Michigan. Presentations included: *A Review of Federal Computer Crime Statutes*; *Jurisdiction in Cyberspace*; *Obtaining and Using Electronic Evidence in Criminal Investigations*; and *Online Investigative Principles for Federal Law Enforcement Agents.* Copies of the PowerPoint slides are supplied.

November 30 – December 1, 2000: *Computer Crimes*, Prosecuting Attorneys Coordinating Council of the Prosecuting Attorneys Association of Michigan, Appellate Specialists Seminar, location unknown. I have no notes, transcript, or recording. The address of the PAAM is 116 West Ottawa Street, Suite 200, Lansing, Michigan 48913.

November 13, 2000: *Attacking Unlawful Activity on the Internet*, U.S. Department of Justice, Computer and Telecommunications Conference VI, Colorado Springs, Colorado. A copy of the PowerPoint slides is supplied.

October 17, 2000: *Jurisdiction in Cyberspace*, National Association of Attorneys General – NASCO Conference, San Diego, California. A copy of the PowerPoint slides is supplied.

October 4 – 6, 2000: *Jurisdiction in Cyberspace*, Michigan Supreme Court Annual Judicial Conference, Traverse City, Michigan. I have been unable to obtain a copy of the exact PowerPoint slides I used, but they would have been very similar to the slides supplied for the October 17, 2000 event.

September 7, 2000: *Attacking Unlawful Activity on the Internet*, Certified Fraud Examiners Conference, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

August 31, 2000: *Online Investigative Principles*, Information Technology in Litigation and Investigations, National Advocacy Center, Columbia, South Carolina. I used the same slides as those supplied in response to the February 28, 2001 event.

July 18, 2000: *Making the Computer Crime Case: Advice for Bringing High Tech Prosecutions*, Mid-Michigan Information Security Special Interest Group, Ann Arbor, Michigan. A copy of the PowerPoint slides is supplied.

July 10, 2000: *Making the Computer Crime Case: Advice for Bringing High Tech Prosecutions*, ABA Conference, Business Law Section, New York, New York. A copy of the PowerPoint slides is supplied.

June 7, 2000: *Jurisdiction in Cyberspace*, Michigan Judicial Institute, Lansing, Michigan. A copy of the PowerPoint slides is supplied.

June 5, 2000: *Online Investigative Principles*, Information Technology in Litigation and Investigations, National Advocacy Center, Columbia, South Carolina. I used the same slides as those supplied in response to the February 28, 2001 event.

May 17, 2000: *Jurisdiction in Cyberspace*, Internet Law Conference, National Association of Attorneys General, Ann Arbor, Michigan. I used the same slides as those supplied in response to the June 7, 2000 event.

May 1, 2000: *Making the Computer Crime Case*, Deputy Chiefs' Conference, National Association of Attorneys General, Washington, D.C. I have no notes, transcript, or recording, however, the contents of this presentation would have been similar to the PowerPoint slides presented on July 10, 2000, noted above. The address of the NAAG is 2030 M Street NW, 8th Floor, Washington, DC 20036.

March 1, 2000: *Attacking Unlawful Activity on the Internet*, Presentation to the Attorney General's Office of Texas on Michigan's High Tech Crime Unit, Austin, Texas. A copy of the PowerPoint slides is supplied.

February 7, 2000: *Electronic Search and Seizure: How Not to Let the Case Blow Up in Your Face*, FBI National Academy, Quantico, Virginia. A copy of the PowerPoint slides is supplied.

November 15, 1999: *Electronic Search and Seizure: How Not to Let the Case Blow Up in Your Face; Obtaining Electronic Evidence*, FBI National Academy, Quantico, Virginia. I used the same slides as those supplied in response to the February 7, 2000 event.

July 29, 1999: Introduction of High Tech Crime Unit, Prosecuting Attorneys Association of Michigan Annual Conference, Mackinac Island, Michigan. I have no notes, transcript, or recording. The address of the PAAM is 116 West Ottawa Street, Suite 200, Lansing, Michigan 48913.

May 26, 1999: Presentation to Michigan State Bar Computer Law Section, Dearborn, Michigan. I have no notes, transcript, or recording. The address of the Michigan State Bar is Michael Franck Building, 306 Townsend Street, Lansing, Michigan 48933.

May 25, 1999: Panelist in panel discussion regarding Internet safety and state and local cybercrime enforcement programs, Computer Crime Teleconference, Wayne RESA, Wayne, Michigan. I have no notes, transcript, or recording. The address of Wayne RESA is 33500 Van Born Road, Wayne, Michigan 48184.

May 11 – 13, 1999: One-Day Cyber Crime Course, with the U.S. Attorney's Office for the Western District of Michigan, offered in three cities in Northern Michigan to law enforcement officers. I have no notes, transcript, or recording. The address of the U.S. Attorney's Office for the Western District of Michigan is 315 West Allegan, Room 252, Lansing, Michigan 48933.

April 29, 1993: *Calculating the Guidelines*, Sentencing Guidelines: Basics, Eastern District of Michigan Chapter of the Federal Bar Association. I have no notes, transcript, or recording. The address of the Eastern District of Michigan Chapter of the FBA is P.O. Box 20759, Ferndale, Michigan 48220.

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.

I have tried to locate any items responsive to this question by reviewing my personal and office files and conducting data searches on the Internet. During my tenure as interim United States Attorney, from August 2008 through January 2010, I occasionally gave interviews to local radio, television or print media reporters. I do not recall all the interviews I have given or the dates I have given interviews. My office also issued press releases several times per week reporting on cases, and these press releases often contained a quote. I am providing copies of all press releases in which I was quoted, as well as all articles, videos, and recordings that I could find in which I was interviewed.

John Sitkiewicz, *In the Shadows*, DBusiness Magazine, Nov./Dec. 2010. Copy supplied.

Joe Fantauzzi, *Richmond Hill Trucker to Serve 37 Months in U.S. Prison*, Richmond Hill/Thornhill Liberal, July 8, 2010. Copy supplied.

Jay Greene, *VPA to Pay $9.5 Million to Settle Whistle-Blower Lawsuits*, Crain's Detroit Business, Jan. 11, 2010. Copy supplied.

Naomi R. Patton & Ben Schmitt, *FBI Probes Account of Mich. Couple*, Detroit Free Press, Dec. 30, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Michigan Health Care Provider to Pay United States $669,413 to Settle False Claims Allegations*, U.S. Department of Justice's Civil Division, Dec. 28, 2009 (reprinted in multiple outlets). Copy supplied.

Detroit Flight Terrorism Suspect Arraigned in Detroit Hospital, Xinhua General News Service, Dec. 26, 2009. Copy supplied.

Press release, *Visiting Physicians Association to Pay $9.5 Million to Resolve False Claims Act Allegations*, U.S. Department of Justice's Civil Division, Dec. 23, 2009. Copy supplied.

Press release, *U.S. Customs and Border Patrol Officer Indicted for Receipt of Child Pornography*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 22, 2009. Copy supplied.

Press release, *Trinity Health Pays $205,000 to Settle False Claims Suit Alleging Health Care Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 21, 2009. Copy supplied.

Press release, *Local Business Owner Pleads Guilty to Bribery of Ecorse Mayor and Controller*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 18, 2009. Copy supplied.

Press release, *Bloomfield Hills Investment Planner Pleads Guilty to Ponzi Scheme Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 18, 2009. Copy supplied.

Press release, *Owner of Health Care Agency Sentenced to 18 Months Prison in Medicare Kickback Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 16, 2009. Copy supplied.

Press release, *Bloomfield Hills Resident Convicted on Multi-Million Dollar Lender – "Ponzi" Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 16, 2009. Copy supplied.

Press release, *Former Brighton Pizza Shop Owner Sentenced to Four Years in Prison on Child Pornography Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 15, 2009. Copy supplied.

Press release, *Detroit Public Schools Employee Indicted for Theft*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 15, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Redford Return Preparer Pleads Guilty to Tax Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 15, 2009. Copy supplied.

Ben Schmitt, *Cooperation Leads to Drug Charges*, Detroit Free Press, Dec. 12, 2009 (reprinted in multiple outlets). Copy supplied.

9 Drug Indictments Set, Grand Rapids Press, Dec. 12, 2009. Copy supplied.

Paul Egan, *Ex-Mayor Aide Milton Pleads Guilty to Bribery*, Detroit News, Dec. 11, 2009. Copy supplied.

Ben Schmitt & Joe Swickard, *No Telling Where Plea Will Lead*, Detroit Free Press, Dec. 11, 2009. Copy supplied.

Press release, *Department of Justice Honors Local Assistant United States Attorneys at the Department of Justice's Awards Ceremony*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 9, 2009. Copy supplied.

Press release, *Detroit Police Officer Pleads Guilty to Bribery Scheme Related to Sale of Camp Brighton*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 4, 2009. Copy supplied.

Press release, *Former City Official Pleads Guilty to Bribery Scheme Related to Sale of Camp Brighton*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 4, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Saline Resident Charged with Stealing Trade Secrets from Quicken Loans, Inc.*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 3, 2009. Copy supplied.

Press release, *U.S. Attorney Resolves Lawsuit Alleging Overbilling at Long Term Acute Care Hospital*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 2, 2009. Copy supplied.

Press release, *Detroit Man Sentenced to 30 Years in Prison on Carjacking and Other Related Offenses*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 1, 2009. Copy supplied.

Joe Swickard, *Families Told Few Details of Tapings*, Detroit Free Press, Dec. 1, 2009. Copy supplied.

Ben Schmitt & M.L. Elrick, *Cooperation Cuts Exec's Sentence*, Detroit Free Press, Dec. 1, 2009. Copy supplied.

Press release, *Former Synagro Executive Sentenced in Bribery Scheme Related to Detroit Sludge Contract*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 30, 2009. Copy supplied.

Joe Swickard & Ben Schmitt, *Synagro Sentence Sought*, Detroit Free Press, Nov. 26, 2009. Copy supplied.

Press release, *7 Detroit Area Residents Were Indicted in Large-Scale Food Stamp Fraud Operations in Detroit*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 25, 2009. Copy supplied.

Press release, *Bloomfield Businessman's Second Tax Conviction Draws Jail Time*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 25, 2009. Copy supplied.

Press release, *Lincoln Park Businessman Goes to Jail for Tax Evasion*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 25, 2009. Copy supplied.

Press release, *Metamora Businessman Pleads Guilty to Tax Charge*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 24, 2009. Copy supplied.

Paul Egan, *'Spam King' Sent to Prison*, Detroit News, Nov. 24, 2009. Copy supplied.

Press release, *Detroit Spammer and Three Co-Conspirators Sentenced for Multi-Million Dollar E-Mail Stock Fraud Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 23, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Suburban Detroit Man Convicted of Kilo Quantity Cocaine Conspiracy Charges*, U.S. Justice Department's Drug Enforcement Administration's Detroit Field Office, Nov. 20, 2009. Copy supplied.

Press release, *Former Cobo Hall Director Sentenced in Bribery Investigation*, Detroit Field Office of the Federal Bureau of Investigation, Nov. 19, 2009. Copy supplied.

Niraj Warikoo, *Arab Americans, Feds Build Bridges*, Detroit Free Press, Nov. 19, 2009. Copy supplied.

Niraj Warikoo, *Holder's Detroit Visit to Spotlight Communication*, Detroit Free Press, Nov. 19, 2009. Copy supplied.

Press release, *Former City of Dearborn Employee Pleads Guilty to Accepting Bribes*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 17, 2009. Copy supplied.

Leonard N. Fleming, *Synagro Figure Gets Five Years in Prison*, Detroit News, Nov. 14, 2009. Copy supplied.

Press release, *Detroit Consultant Sentenced in Bribery Scheme Related to Synagro Contract*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 13, 2009. Copy supplied.

Press release, *Fifteen Indicted in Drug Trafficking Investigation*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 9, 2009. Copy supplied.

Press release, *Fifteen Current and Former Detroit Area Residents Charged in International Drug Trafficking Investigation*, U.S. Justice Department's Drug Enforcement Administration's Detroit Field Office, Nov. 6, 2009. Copy supplied.

Press release, *Cement City Pub Owner Pleads Guilty to Tax Charge*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 5, 2009. Copy supplied.

Susan Saulny, *Prayers and Criticism in Wake of Detroit Imam's Killing by F.B.I.*, New York Times, Oct. 31, 2009. Copy supplied.

October 29, 2009: Press conference on the shooting of Luqman Ameen Abdullah by the FBI. Press coverage of the conference is listed below:

> Ben Schmitt and Robin Erb, *Just Who Are the Suspects in Raids?*, Detroit Free Press, Oct. 30, 2009. Copy supplied.

Ben Schmitt, Robin Erb, & Tammy Stables Battaglia, *1 of 3 Fugitives Nabbed in FBI Probe of Radical Mich. Group*, Gannett News Service, Oct. 29, 2009 (quotes reprinted in multiple outlets). Copy supplied.

Ben Schmitt, Niraj Warikoo, & Robin Erb, *Mosque Leader Saw Duty to Fight*, Detroit Free Press, Oct. 29, 2009. Copy supplied.

Paul Egan, *Suspect, Dog Killed in FBI Raid, Sources Say*, Detroit News, Oct. 29, 2009. Copy supplied.

Ed White, *Feds Investigating Detroit Islamic Group's Motives*, Associated Press, Oct. 29, 2009 (reprinted in multiple outlets). Copy supplied.

Interview with Tom Ricks; Hostages Plea for Help; Somali Group Terror; Schwarzenegger and the F-Bomb; Anniversary of Historic Election Nears, The Situation Room (CNN), Oct. 29, 2009. Copy supplied.

Imams Meet with FBI, US Atty Over Fatal Shooting, Associated Press, Oct. 29, 2009. Copy supplied.

Detroit-Based Task Force Targets Crime Spilling Over U.S. Border, Detroit News, Oct. 28, 2009.

Press release, *Harrison Businessman Sentenced on Conspiracy and Tax Evasion Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 26, 2009. Copy supplied.

LaNia Coleman, *$366,000 in Loans and No Degree*, Bay City Times, Oct. 23, 2009. Copy supplied.

Press release, *Lake Orion Man Indicted on Tax Evasion*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 22, 2009. Copy supplied.

Press release, *General Counsel of Auburn Hills Employment Firm Sentenced to Prison in $50 Million Tax Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 22, 2009. Copy supplied.

Press release, *Local Business Owner Pleads Guilty in Ecorse Corruption Investigation*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 16, 2009. Copy supplied.

Ben Schmitt & Brent Snavely, *Ex-Ford Worker Held in Theft of Data*, Detroit Free Press, Oct. 16, 2009. Copy supplied.

Ben Schmitt & Brent Snavely, *U.S.: He Swiped Ford's Secrets*, Detroit Free Press, Oct. 16, 2009. Copy supplied.

Press release, *Chinese National Charged with Stealing Ford Trade Secrets*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 15, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Former Flint Police Chief Pleads Guilty to Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 14, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Minnesota Man Sentenced to 24 Months for Aggravated Identity Theft*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 8, 2009. Copy supplied.

Press release, *Mortgage Broker Sentenced to 20 Months in Prison for 16-Property, $1.9 Million Mortgage Fraud Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 5, 2009. Copy supplied.

Press release, *Detroit Man Given First Federal Sentence for Failing to Register as Sex Offender*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 5, 2009. Copy supplied.

Press release, *Edward P. May Indicted in $200 Million Ponzi Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 2, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Ecorse Officials and Local Business Owner Indicted for Conspiracy, Bribery, and Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 2, 2009. Copy supplied.

Press release, *Mayor, Controller of Ecorse Are Charged with Conspiracy, Bribery, and Fraud*, U.S. Department of Justice's Federal Bureau of Investigation Detroit Field Office, Sept. 25, 2009. Copy supplied.

Court Briefs, Saginaw News, Sept. 25, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Flint Man Recruits Homeless to File False Tax Returns*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 21, 2009. Copy supplied.

Press release, *Serial Bank Robber Convicted*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 17, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Owner of Highland Gun Barn Sentenced for Dealing Firearms without a License*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 16, 2009. Copy supplied.

Press release, *Sixteen Members of Violent Armed Drug Trafficking Organization Indicted in Drug Case*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 15, 2009. Copy supplied.

Press release, *Three Indicted for Mortgage Fraud Scam*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 8, 2009. Copy supplied.

Jay Greene, *Expanded Team Gets Tougher on Health Care Cheats*, Crain's Detroit Business, Sept. 7, 2009. Copy supplied.

Tammy Stables Battaglia, *Sham Marriage Broker Gets Jail*, Detroit Free Press, Sept. 5, 2009. Copy supplied.

Press release, *Three Men Plead Guilty in Dog Fighting Venture*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 3, 2009. Copy supplied.

Press release, *Mortgage Fraud Ring Faces Years in Prison, $1.2 Million in Restitution*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 3, 2009. Copy supplied.

Press release, *Ann Arbor Businessman Pleads Guilty to Obstructing IRS*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 3, 2009. Copy supplied.

Press release, *Oakland County Doctor Pleads to Conspiracy*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 3, 2009. Copy supplied.

Press release, *City Lead Inspector Charged with Abusing Office*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 2, 2009 (reprinted in multiple outlets). Copy supplied.

Leonard Fleming, *U.S. Attorney Terrence Berg on Federal Corruption Probe of City Hall*, Detroit News, Sept. 2, 2009, video available at http://tinyurl.com/6qgskf3 (quotes reprinted in multiple outlets).

Press release, *Former Orchard Lake Resident Pleads Guilty to Bankruptcy Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 25, 2009. Copy supplied.

Ben Schmitt, David Ashenfelter, Jim Schaefer, & Christina Hall, *Unclear Reporting Prompts Complaints*, Detroit Free Press, Aug. 21, 2009. Copy supplied.

Press release, *West Bloomfield Psychiatrist Sentenced to Prison in Citizenship Fraud Conspiracy*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 18, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Novi Man Sentenced to 150 Months for Transporting Minors in Child Sexual Enterprise*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 18, 2009 (reprinted in multiple outlets). Copy supplied.

Ben Schmitt, *Woman Pleads Guilty in CIA Case*, Detroit Free Press, Aug. 12, 2009. Copy supplied.

Ben Schmitt, *Sentencing Set for Detroit Man in Cross-Border Carjacking*, Detroit Free Press, Aug. 7, 2009. Copy supplied.

Press release, *Southfield City Councilman William Lattimore Pleads Guilty to Accepting a Bribe from Samuel L. Riddle, Jr. and Mary Waters*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 6, 2009 (reprinted in multiple outlets). Copy supplied.

August 2009: Interview for Police Journal, Warren Police Department. Video recording supplied.

Naomi R. Patton & Ben Schmitt, *Conyers Quiet on Missing Office Equipment*, Detroit Free Press, July 31, 2009. Copy supplied.

Press release, *Fourteen Motorcycle Gang Leaders and Members Plead Guilty in Detroit to Violent Crime, Drug and Firearms Charges*, U.S. Department of Justice's Federal Bureau of Investigation Detroit Field Office, July 30, 2009. Copy supplied.

Press release, *Columbiaville Man Sentenced to 9 Years for Sending Child Pornography to Undercover Agent Posing as 13 Year-Old Girl*, U.S. Attorney's Office for the Eastern District of Michigan, July 29, 2009. Copy supplied.

David Josar, David Shepardson & Leonard N. Fleming, *Texts Reveal Relationship of Fed Monitor, Kilpatrick*, Detroit News, July 28, 2009. Copy supplied.

Press release, *Edenville Businessman Pleads Guilty to Filing False Tax Return*, U.S. Attorney's Office for the Eastern District of Michigan, July 24, 2009. Copy supplied.

Joe Swickard and Ben Schmitt, *Riddle and Lawyer Ask: Where are the Payers?*, Detroit Free Press, July 17, 2009. Copy supplied.

Press release, *Former Social Security Employee Sentenced*, U.S. Attorney's Office for the Eastern District of Michigan, July 16, 2009. Copy supplied.

Joe Swickard, Ben Schmitt, David Ashenfelter & Gina Damron, *Feds: Conyers, Riddle Teamed Up to Extort at Least $65,000*, Detroit Free Press, July 15, 2009. Copy supplied.

Press release, *Grand Jury Charges Samuel L. Riddle, Jr. and Mary Waters for Conspiring to Bribe and Bribing Southfield City Councilman William Lattimore in Connection with Pawn Shop Relocation*, U.S. Attorney's Office for the Eastern District of Michigan, July 15, 2009. Copy supplied.

Press release, *Grand Jury Indicts Samuel L. Riddle, Jr. for Conspiracy, Extortion, Bribery, and Making False Statements to FBI*, U.S. Attorney's Office for the Eastern District of Michigan, July 15, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Former City of Dearborn Employee Pleads Guilty to Accepting Bribes*, U.S. Attorney's Office for the Eastern District of Michigan, July 14, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Florida Resident Sentenced on Health Care Fraud Charges*, U.S. Attorney's Office for the Eastern District of Michigan, July 10, 2009. Copy supplied.

Press release, *Ann Arbor Man Sentenced to 180 Months for Transporting Child Pornography Via Now Defunct "Google Hello" Program*, U.S. Attorney's Office for the Eastern District of Michigan, July 10, 2009. Copy supplied.

Press release, *Saginaw Man Convicted on Federal Child Pornography Charges*, U.S. Attorney's Office for the Eastern District of Michigan, July 10, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Detroit Businessman and Restauranteur Sentenced for Failure to Pay Over Employment (Payroll) Taxes*, U.S. Attorney's Office for the Eastern District of Michigan, July 9, 2009. Copy supplied.

Press release, *Redford Return Preparer Indicted on Tax Charges*, U.S. Attorney's Office for the Eastern District of Michigan, July 9, 2009. Copy supplied.

Press release, *Highland Park Police Officer Indicted for Using Excessive Force, Injuring Person*, U.S. Attorney's Office for the Eastern District of Michigan, July 9, 2009. Copy supplied.

Cecil Angel, *7 Law Agencies Split $1.6 Million from Drug Case*, Detroit Free Press, July 9, 2009. Copy supplied.

Press release, *Seven Metropolitan Detroit Area Law Enforcement Departments Receive $1.6 Million from the U.S. Government for Their Role in National Drug Investigation*, U.S. Attorney's Office for the Eastern District of Michigan, July 8, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Seven Charged in Two Separate Mortgage Fraud Schemes*, U.S. Attorney's Office for the Eastern District of Michigan, July 8, 2009. Copy supplied.

Press release, *South Lyon Man Arrested in Connection with Series of Pipe Bombings*, U.S. Attorney's Office for the Eastern District of Michigan, July 8, 2009. Copy supplied.

Gina Damron & Joe Swickard, *Bribery Charge Specifics Are Under Wraps*, Detroit Free Press, July 7, 2009. Copy supplied.

Press release, *Virginia Software Writer Pleads Guilty to Aiding and Abetting Detroit Spam Conspiracy*, U.S. Attorney's Office for the Eastern District of Michigan, July 7, 2009. Copy supplied.

Press release, *Loan Officer Pleads Guilty to Stealing Data on Reverse Mortgages in Wire Fraud Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, July 6, 2009. Copy supplied.

Carrie Johnson & Alice Crites, *Wife's Guilty Plea Raises Question of What Conyers Knew*, Washington Post, July 5, 2009. Copy supplied.

Doug Guthrie, Santiago Esparza & Darren A. Nichols, *Bing Says Shootings Call for Outrage*, Detroit News, July 3, 2009. Copy supplied.

Peggy Walksh-Sarnecki, Amber Hunt & Joe Swickard, *Feds Tell Bing They'll Help Battle Crime*, Detroit Free Press, July 2, 2009. Copy supplied.

Amber Hunt, Peggy Walksh-Sarnecki & Joe Swickard, *Prosecutor: Shooting Suspect to be Released*, Detroit Free Press, July 2, 2009. Copy supplied.

Press release, *Texas Hit Man Sentenced to Life in Prison for Troy Murders*, U.S. Attorney's Office for the Eastern District of Michigan, July 2, 2009. Copy supplied.

Press release, *Three Men Arrested in Dog Fighting Venture*, U.S. Attorney's Office for the Eastern District of Michigan, June 29, 2009 (reprinted in multiple outlets). Copy supplied.

Press release, *Warren Man Sentenced to 20 Years' Imprisonment on Child Pornography Charges*, U.S. Attorney's Office for the Eastern District of Michigan, June 29, 2009. Copy supplied.

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M.L. Elrick & Jim Schaefer, *Ex-Aide: Conyers Took Cash, Jewelry*, Detroit Free Press, June 29, 2009 (reprinted in multiple outlets). Copy supplied.

June 26, 2009: Press conference on Detroit City Council President Pro Tem Monica Conyers' guilty plea to bribery conspiracy charges. A Fox News video story with an excerpt of my remarks is supplied and additional press coverage of the conference is listed below:

> Paul Egan, *Conyers Admits Trading Synagro Vote for Cash*, Detroit News, June 27, 2009. Copy supplied.
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> Christine MacDonald & David Josar, *Council Fate Hinges on Conviction*, Detroit News, June 27, 2009. Copy supplied.
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> Nick Bunkley, *Detroit Council Member Pleads Guilty to Accepting Bribes for Vote*, New York Times, June 27, 2009. Copy supplied.

Edmund DeMarche, *Detroit Politician Admits Bribery*, CNN.com, June 26, 2009. Copy supplied.

Press release, *Detroit Man Pleads Guilty to Shooting at DEA Agent*, U.S. Attorney's Office for the Eastern District of Michigan, June 26, 2009. Copy supplied.

Jeff Karoub, *Detroit Councilwoman Admits Trading Vote for Cash*, Associated Press, June 26, 2009. Copy supplied.

Press release, *Detroit City Council President Pro Tem Monica Conyers Pleads Guilty to Conspiracy to Commit Bribery*, U.S. Attorney's Office for the Eastern District of Michigan, June 26, 2009. Copy supplied.

Press release, *Statement of United States Attorney Terrence Berg Regarding Guilty Plea of Monica Ann Conyers*, U.S. Attorney's Office for the Eastern District of Michigan, June 26, 2009. Copy supplied.

Press release, *Two Metro-Area Men Sentenced in Car-Theft and Counterfeit Cashier's Check Ring*, U.S. Attorney's Office for the Eastern District of Michigan, June 26, 2009. Copy supplied.

Press release, *Medicare Fraud Strike Force Operations Lead to Charges Against 58 Doctors, Health Care Executives and Beneficiaries for More than $50 Million in Alleged False Billing in Detroit*, U.S. Attorney's Office for the Eastern District of Michigan, June 24, 2009. Copy supplied.

Press release, *Local Detroit Businessman Sentenced*, U.S. Attorney's Office for the Eastern District of Michigan, June 24, 2009. Copy supplied.

Ed White, *Man Who Led Spam Scam Pleads Guilty in Detroit*, Associated Press, June 22, 2009. Copy supplied.

Press release, *Alan Ralsky, "King of Spam," Pleads Guilty with Four Co-Defendants in Multi-Million Dollar E-Mail Stock Fraud Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, June 22, 2009 (quote reprinted in multiple outlets). Copy supplied.

Press release, *Ontario Man Convicted on Federal Bulk Cash Smuggling Offense*, U.S. Attorney's Office for the Eastern District of Michigan, June 22, 2009. Copy supplied.

Paul Egan, *U.S. Attorney: We Will Not Be Rushed*, Detroit News, June 20, 2009. Copy supplied.

June 19, 2009: Press conference on the Conyers corruption investigation and arrest of 36 gang members. Press coverage of the conference is listed below:

> David N. Goodman, *U.S. Attorney Says City Corruption Case Proceeding*, Associated Press, June 19, 2009 (reprinted in multiple outlets). Copy supplied.
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> David N. Goodman, *36 Detroit Gang Members Arrested in Crackdown*, Associated Press State & Local Wire, June 19, 2009. Copy supplied.

Press release, *Oxford Man Sentenced to 12.5 Years for Transporting Child Pornography into Michigan*, U.S. Attorney's Office for the Eastern District of Michigan, June 17, 2009. Copy supplied.

Press release, *Detroit Woman Goes to Jail for her Role in Conspiracy to Defraud IRS*, U.S. Attorney's Office for the Eastern District of Michigan, June 17, 2009. Copy supplied.

Press release, *Southfield Jeweler Pleads Guilty to Money Laundering*, U.S. Attorney's Office for the Eastern District of Michigan, June 16, 2009. Copy supplied.

Press release, *Owner of Health Care Agency Pleads Guilty in Medicare Kickback Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, June 15, 2009. Copy supplied.

Joe Swickard, Ben Schmitt & M.L. Elrick, *Guilty Plea Expected in Sludge Deal*, Detroit Free Press, June 13, 2009. Copy supplied.

Leonard N. Fleming, *Key Synagro Figure Says He Will Plead Guilty Monday*, Detroit News, June 13, 2009. Copy supplied.

Press release, *Gaylord Appraisal Business Owner Sentenced for Filing a False Tax Return*, U.S. Attorney's Office for the Eastern District of Michigan, June 12, 2009. Copy supplied.

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Press release, *Roscommon Man Sentenced for Illegal Importation of Endangered Species*, U.S. Attorney's Office for the Eastern District of Michigan, June 12, 2009. Copy supplied.

Press release, *Last of Four Defendants is Sentenced to Two Years' Imprisonment in Phony College Transcript, Student Visa Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, June 11, 2009. Copy supplied.

Press release, *Rochester Hills Man Sentenced on Tax Evasion*, U.S. Attorney's Office for the Eastern District of Michigan, June 10, 2009. Copy supplied.

Press release, *Final Two Defendants Charged in Identity Theft Scheme Plead Guilty*, U.S. Attorney's Office for the Eastern District of Michigan, June 9, 2009. Copy supplied.

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Press release, *Former Cobo Civic Center Contractor Pleads Guilty to Making False Statements on his Tax Returns*, U.S. Attorney's Office for the Eastern District of Michigan, June 8, 2009 (reprinted in multiple outlets). Copy supplied.

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Press release, *Detroit Man Convicted on Drug Conspiracy and Escape Charges*, U.S. Attorney's Office for the Eastern District of Michigan, June 3, 2009. Copy supplied.

Press release, *Joseph Roxlyn Jewett Indicted for Giving Kickbacks to Carpenters' Union Boss and for Embezzling Money from the Carpenters Pension Fund and Operating Engineers' Pension Plan*, U.S. Attorney's Office for the Eastern District of Michigan, May 28, 2009 (reprinted in multiple outlets). Copy supplied.

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> Jennifer Mrozowski & Paul Egan, *Ex-DPS Employees Indicted*, Detroit News, May 22, 2009. Copy supplied.

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Press release, *Dearborn Heights Man Receives Jail Time for Marriage Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, May 21, 2009. Copy supplied.

Press release, *Detroit Man Pleads Guilty to Scheme to Obtain Fraudulent Mortgages*, U.S. Attorney's Office for the Eastern District of Michigan, May 20, 2009. Copy supplied.

Press release, *Milford Man Sentenced to 57 Months for Embezzling $3.6 Million from Medical Malpractice Insurance Company*, U.S. Attorney's Office for the Eastern District of Michigan, May 20, 2009. Copy supplied.

Press release, *West Bloomfield Psychiatrist Pleads Guilty to Citizenship Fraud Conspiracy*, U.S. Attorney's Office for the Eastern District of Michigan, May 18, 2009 (reprinted in multiple outlets). Copy supplied.

May 14, 2009: Press conference on the indictment of members of the "Highwaymen Motorcycle Club." Press coverage of the conference is listed below:

Lawyer of the Day: Hatim 'Biker Dude' Attalla, Above the Law, May 15, 2009. Copy supplied.

Jeff Karoub, *Detroit Atty, Ex-Cops among 74 Indicted in Probe*, Associated Press, May 15, 2009 (reprinted in multiple outlets). Copy supplied.

Ben Schmitt, *Biker Gang Case State's Largest*, Detroit Free Press, May 15, 2009. Copy supplied.

Press release, *Members of "Highwaymen Motorcycle Club" Indicted on Violent Crime, Drug and Gun Charges*, U.S. Attorney's Office for the Eastern District of Michigan, May 14, 2009. Copy supplied.

Press release, *Detroit Man Sentenced to 70 Months for Using Fake 1-800 Numbers to Steal Credit Card, Personal Identity Information*, U.S. Attorney's Office for the Eastern District of Michigan, May 14, 2009. Copy supplied.

Press release, *Former U.S. Coast Guard Official Sentenced on Extortion Charge*, U.S. Attorney's Office for the Eastern District of Michigan, May 13, 2009. Copy supplied.

May 6, 2009: Press conference on the indictments against eight for allegedly running a point-shaving scheme. Press coverage of the conference is listed below:

Joe Swickard, Ben Schmitt & Robin Erb, *Indictment Depicts Shady Meetings to Fix UT Games*, Detroit Free Press, May 7, 2009. Copy supplied.

Ben Schmitt & Joe Swickard, *Point Shaving Alleged in Indictment of 8 Men*, Detroit Free Press, May 7, 2009. Copy supplied.

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Press release, *Detroit Businessman, Restaurateur Pleads Guilty for Failure to Pay Over Employment (Payroll) Taxes*, U.S. Attorney's Office for the Eastern District of Michigan, Apr. 30, 2009. Copy supplied.

Press release, *Cheboygan Mariner Convicted for Sinking Boat*, U.S. Attorney's Office for the Eastern District of Michigan, Apr. 28, 2009. Copy supplied.

Press release, *Leader of International Firearms Trafficking Network Sentenced to 32 Years in Prison*, U.S. Attorney's Office for the Eastern District of Michigan, Apr. 24, 2009. Copy supplied.

Press release, *Former Manager of Michigan Wastewater Treatment Company Sentenced to Prison for Illegally Discharging Untreated Liquid Wastes*, U.S. Attorney's Office for the Eastern District of Michigan, Apr. 22, 2009. Copy supplied.

Press release, *Owners of Highland Gun Barn Found Guilty of Dealing Firearms without a License*, U.S. Attorney's Office for the Eastern District of Michigan, Apr. 21, 2009. Copy supplied.

Press release, *Leader of Sunnyside Gang Sentenced to More than 30 Years in Prison*, U.S. Attorney's Office for the Eastern District of Michigan, Apr. 17, 2009. Copy supplied.

Press release, *Royal Oak Woman Was Sentenced on Tax Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Apr. 14, 2009. Copy supplied.

David Ashenfelter, *Feds Not Done with Former Terror Suspect After 7 Years*, Detroit Free Press, Apr. 8, 2009. Copy supplied.

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Press release, *Rochester Woman Gets 6 Years for Violating U.S. Embargo on Iraq*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 25, 2009. Copy supplied.

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Press release, *"Motor City Mink" Sentenced to 35 Years' Imprisonment on Internet Child Prostitution Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 19, 2009. Copy supplied.

Press release, *Defendant Sentenced in Bank Robbery Spree*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 18, 2009. Copy supplied.

Press release, *Lincoln Park Businessman Arraigned on Tax Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 18, 2009. Copy supplied.

Press release, *Appraiser Sentenced to 1 Year in Prison for $1.9 Million Mortgage Fraud Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 17, 2009. Copy supplied.

Press release, *Mt. Pleasant Woman Convicted of Defrauding the United States*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 16, 2009. Copy supplied.

Press release, *Drug Dealer Sentenced to 15 ½ Years for Swapping Crack for Machine Gun*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 16, 2009. Copy supplied.

Press release, *Pimp Pleads Guilty to Transporting a Minor for Prostitution*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 16, 2009. Copy supplied.

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Press release, *Local Business Owner Sentenced for Bribery of U.S. Immigration Official*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 10, 2009. Copy supplied.

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Press release, *Justice Department Reaches Settlement Agreement with Hampton Inn Ann Arbor – North Hotel*, U.S. Attorney's Office for the Eastern District of Michigan, Mar. 4, 2009. Copy supplied.

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Press release, *Warren Businessman Sentenced for Failing to Pay Over Construction Company's Withholding Taxes to IRS*, U.S. Attorney's Office for the Eastern District of Michigan, Feb. 11, 2009. Copy supplied.

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Press release, *Dearborn Man Sentenced on Charges of Supporting Hizballah*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 12, 2008. Copy supplied.

Press release, *California Man Sentenced to 14 Years in Prison for Online Solicitation of a Minor and Traveling to Michigan to Have Sex with a Five-Year-Old Child*, U.S. Attorney's Office for the Eastern District of Michigan, Dec. 12, 2008. Copy supplied.

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Press release, *Wayne County Man Convicted of Child Pornography Manufacture and Distribution*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 21, 2008. Copy supplied.

Press release, *Detroit Woman Sentenced to 10 Years for Child Prostitution Ring*, U.S. Attorney's Office for the Eastern District of Michigan, Nov. 20, 2008. Copy supplied.

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Press release, *Two Colombian Drug Traffickers Extradited to Detroit; Indicted in an International Conspiracy to Smuggle Tons of Ephedrine from South Africa to Michigan to Manufacture Methamphetamine*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 2, 2008 (reprinted in multiple outlets). Copy supplied.

Press release, *Royal Oak Man Sentenced to 96 Months on Child Pornography Possession Charge*, U.S. Attorney's Office for the Eastern District of Michigan, Oct. 1, 2008. Copy supplied.

Press release, *San Diego Teacher's Aide Sentenced for Sexual Exploitation of a Child*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 30, 2008 (reprinted in multiple outlets). Copy supplied.

Press release, *Former Detroit Police Officer Sentenced for Extortion*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 29, 2008. Copy supplied.

Press release, *Southfield Jeweler Charged with Money Laundering*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 24, 2008. Copy supplied.

Press release, *Leader of Saginaw Drug Gang Convicted for Distributing Crack Cocaine*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 23, 2008. Copy supplied.

Press release, *Remaining "AK-47 Bandit" Pleads Guilty After Two Days of Trial to Agreement Providing for 32 Years in Prison*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 22, 2008. Copy supplied.

Taryn Hartman, *Stepping Up: Berg Takes Over Reins of U.S. Attorney's Office – for 210 Days*, Detroit Legal News, Sept. 22, 2008. Copy supplied.

Press release, *Detroit Loan Officer Goes to Jail for Conspiracy to Defraud IRS*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 19, 2008. Copy supplied.

Press release, *Local Business Owner Pleads Guilty to Bribery of U.S. Immigration Official*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 16, 2008. Copy supplied.

Press release, *Former Assistant Director of U.S. Immigration Pleads Guilty to Bribery and Conspiracy to Defraud the United States*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 16, 2008 (reprinted in multiple outlets). Copy supplied.

Press release, *Detroit Man Sentenced for Marijuana Grow Operation*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 16, 2008. Copy supplied.

Press release, *Former Metaldyne Employees Plead Guilty to Conspiracy to Steal Confidential Business Information to Benefit Chinese Competitor*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 15, 2008 (reprinted in multiple outlets). Copy supplied.

Press release, *Black Mafia Family Members Sentenced to 30 Years*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 12, 2008. Copy supplied.

Press release, *Man Pleads Guilty to Precious Metals Fraud Scheme*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 11, 2008 (reprinted in multiple outlets). Copy supplied.

Press release, *Daycare Owner Pleads Guilty to Tax Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 9, 2008. Copy supplied.

Press release, *Inkster Man Convicted of Possession of Drugs with Intent to Distribute and Possession of Firearms in Furtherance of Drug Trafficking*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 5, 2008. Copy supplied.

Press release, *Two "Detroit Thug Lordz" Sentenced to 20 Years' and 18 Years' Imprisonment*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 5, 2008. Copy supplied.

Press release, *Three Indicted in Mortgage Fraud Scam*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 5, 2008 (reprinted in multiple outlets). Copy supplied.

Press release, *Dearborn Wastewater Treatment Facility Pleads Guilty and Pays $750,000 in Fines for the Illegal Discharge of Untreated Waste in Detroit Sewer System*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 4, 2008. Copy supplied.

Press release, *Ortonville Man Sentenced for Signing False Internal Revenue Service Forms on Casino Winnings*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 3, 2008. Copy supplied.

Press release, *Former Pontiac Police Officer Sentenced for Embezzling Union Assets*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 3, 2008. Copy supplied.

Press release, *Man Sentenced on Health Care Fraud Related Charges of Conspiracy*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 2, 2008. Copy supplied.

Press release, *One Defendant Pleads Guilty, Another Receives 12 Years in Car Jacking and Robbery Spree*, U.S. Attorney's Office for the Eastern District of Michigan, Sept. 2, 2008. Copy supplied.

Press release, *Sunnyside Gang Members Plead Guilty*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 28, 2008. Copy supplied.

Press release, *Former Detroit Police Officer Sentenced for Extortion*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 26, 2008. Copy supplied.

Press release, *Oakland County Lawyer Indicted for Making False Statements*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 26, 2008. Copy supplied.

Press release, *Royal Oak Woman Arraigned on Tax Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 26, 2008. Copy supplied.

Press release, *Eight Indicted by Federal Grand Jury on Drug, Gun Charges*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 26, 2008. Copy supplied.

Press release, *Ohio Man Sentenced for Trafficking in Children, Conspiracy*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 26, 2008. Copy supplied.

Press release, *Revenue Agent Sentenced to Prison for Money Laundering*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 25, 2008. Copy supplied.

Press release, *Ohio Man Found Guilty of Trafficking in Children for Sexual Exploitation*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 22, 2008. Copy supplied.

Press release, *Four Indicted by Federal Grand Jury for Mortgage Fraud*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 20, 2008 (reprinted in multiple outlets). Copy supplied.

Paul Egan, *Newest Federal Judge Not Allowed to Handle Criminal Cases – for a Year*, Detroit News, Aug. 15, 2008. Copy supplied.

Naomi R. Patton & David Ashenfelter, *Assistant Attorney Grew Up in City*, Detroit Free Press, Aug. 15, 2008. Copy supplied.

George Hunter, *Longtime Assistant to Step into U.S. Attorney Post*, Detroit News, Aug. 12, 2008. Copy supplied.

David Ashenfelter, *Berg Named Acting U.S. Attorney for Detroit*, Detroit Free Press, Aug. 11, 2008. Copy supplied.

Press release, *Former Federal Employee Pleads Guilty to False Statements*, U.S. Attorney's Office for the Eastern District of Michigan, Aug. 11, 2008. Copy supplied.

Paul Egan, *Gov Sought Scandal Settlements*, Detroit News, July 18, 2008. Copy supplied.

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Sharon Gaudin, *Follow Up – Auto Insider Pleads Guilty*, Information Week, June 11, 2007. Copy supplied.

Former IT Contractor Pleads Guilty to Chrysler Sabotage, CommWeb News, June 6, 2007. Copy supplied.

Mark Rechtin, *Hyundai vs. Toyota, Complete with Espionage*, Automotive News, Nov. 27, 2006. Copy supplied.

From Staff and Wire Reports, Plain Dealer (Cleveland), July 6, 2006. Copy supplied.

Jeffrey T. Rogg, *Terrence Berg – First Assistant U.S. Attorney*, FBA Newsletter, Federal Bar Association – Eastern District of Michigan Chapter, Summer 2006. Copy supplied.

Press release, *Two Charged with Providing U.S. Auto Supplier's Trade Secrets to Chinese Manufacturer*, U.S. Attorney's Office for the Eastern District of Michigan, Feb. 1, 2005. Copy supplied.

Cassandra Spratling, *'The First Step is the Hardest'*, Detroit Free Press, Oct. 19, 2004. Copy supplied.

Mike Wendland, *Don't Get Taken Hook, Line and Sinker*, Detroit Free Press, Oct. 14, 2004. Copy supplied.

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Kim Norris, *Get-Rich-Quick Ads Are Scams*, Detroit Free Press, Dec. 30, 2002. Copy supplied.

Michael Rose, *Oregon Firm Tied to Internet Child Porn*, Statesman Journal, Sept. 7, 2002. Copy supplied.

Nicole Jacques, *Stolen Identity; Authorities Warn Consumers to Protect Personal Information*, Lansing State Journal, Aug. 5, 2002. Copy supplied.

Crime: States Seek Federal Help in Combating Cyber Crime, National Journal's Technology Daily, June 1, 2001. Copy supplied.

Interview on local television program, "Due Process," *Child Pornography on the Internet*, with then-Attorney General Jennifer Granholm, WDIV, Channel 4, May 22, 2001. Video recording supplied.

Sally Farhat, *High-Tech Investigators Catch Computer-Aided Suspects*, Detroit Free Press, Mar. 9, 2001. Copy supplied.

Liza Porteus, *Fraud: States Join Forces to Fend Off Fraud*, National Journal's Technology Daily, Feb. 9, 2001. Copy supplied.

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Gina Hamadey, *Internet Gambling Illegal, Popular at U. Michigan*, University Wire, Nov. 28, 2000. Copy supplied.

Dennis Niemiec, *High-Tech Prankster Finds Trouble Under Michigan Hacker Law*, Detroit Free Press, Oct. 2, 2000. Copy supplied.

Daniel Keegan, *Hotline Lets You Report Crimes Against Children on the Internet*, CNN.com, Aug. 14, 2000. Copy supplied.

Matt Roush, *SEC Issues Sanction Related to Lease Equities*, Crain's Detroit Business, May 18, 1998. Copy supplied.

Late News; Exec Pleads Guilty to Mail Fraud, Crain's Detroit Business, Dec. 1, 1997. Copy supplied.

Charlotte W. Craig, *Fund Exec Pleads Guilty to Fraud*, Detroit Free Press, Aug. 20, 1996. Copy supplied.

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Matt Roush, *Odds-N-Ends Operator Awaits Fraud Sentencing*, Crain's Detroit Business, Nov. 6, 1995. Copy supplied.

Singer Sings His Swan Song, Automotive News, Dec. 12, 1994 (reprinted in multiple outlets). Copy supplied.

Matt Roush, *Odds-N-Ends Judge to Be Asked to Add Defendants*, Crain's Detroit Business, Sept. 26, 1994. 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 any judicial office.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? None.

   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:

I have not held any 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.

   I have never held any public office. I have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

   I worked as a volunteer distributing literature for Jennifer Granholm for Attorney General in the fall of 1998. I also provided advice on computer crime issues and distributed literature for Jennifer Granholm for Governor of Michigan in 2002. Otherwise, I have never held any office in or rendered any services to any political party or election committee, or held a position or played a role in any political campaign.

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 1986 to 1987, I served as a law clerk to the Honorable Anthony A. Alaimo, Chief Judge of the United States District Court for the Southern District of Georgia.

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

I have never practiced law alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

1987 – 1989
Debevoise and Plimpton
555 13th Street, NW
Washington, D.C. 20004
Associate

1989 – 1999
United States Attorney's Office for the Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
Assistant United States Attorney

1999 – 2003
Michigan Department of Attorney General
High Tech Crime Unit
18050 Deering
Livonia, Michigan 48152
Assistant Attorney General
First Assistant, Criminal Division (2002 – 2003)
Chief, High Tech Crime Unit (1999 – 2003)

1999 – 2000
U.S. Department of Justice
Criminal Division
Computer Crime and Intellectual Property Section
1301 New York Avenue, NW, Suite 600

Washington, D.C. 20005
Computer Crime Fellow for the National Association of Attorneys General

2003 – 2011
United States Attorney's Office for the Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
Assistant United States Attorney (2003 – 2005, 2010 – 2011)
First Assistant United States Attorney (2005 – 2008)
Interim United States Attorney (2008 – 2010)

2010
United States Attorney's Office for the Middle District of Georgia
355 Mulberry Street, 6th Floor
Macon, Georgia
Acting First Assistant United States Attorney (Detail)

2011 – Present
U.S. Department of Justice, Office of Deputy Attorney General
Professional Misconduct Review Unit
United States Attorney's Office for the Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
Attorney (Detail)

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 October 1987 until June 1989, I worked as an associate in the Washington, D.C. office of Debevoise and Plimpton. At Debevoise, I was assigned to the litigation department and worked primarily on cases involving general civil litigation, defense of shareholder derivative actions, Securities and Exchange Commission investigations, and corporate internal investigations involving federal criminal or regulatory issues. I was also involved in a comprehensive corporate governance writing project.

In July 1989, I was appointed as an Assistant U.S. Attorney for the Eastern District of Michigan. I served in several of the units of the Criminal Division, including General Crimes, Controlled Substances, and Economic Crimes. In General Crimes, I handled smaller cases, mostly felon-in-possession-of-firearm cases, drug trafficking and gun violations, bank robberies, kidnappings, and some fraud cases. In around 1991, I joined the Controlled Substances Unit, focusing on larger-scale multi-defendant drug trafficking conspiracies. I tried one international heroin trafficking case that involved a drug-related murder while working in this unit. In around 1994, I joined the Economic Crimes Unit. In that unit, I handled complex white collar crime prosecutions, including investment fraud, bank fraud, and also handled a complex environmental crimes trial.

In May 1999, I was appointed by then-Attorney General (later Governor) Jennifer M. Granholm as Chief of the High Tech Crime Unit of the Michigan Department of Attorney General. I served in that capacity for four years, during which time I created and directed Michigan's first state-wide computer crime unit, which brought a large number of cases of first impression, and conducted training for prosecutors, law enforcement officers, and judges throughout the state. I handled a caseload as well as supervised a unit consisting of four other attorneys and three investigators.

I returned to the U.S. Attorney's Office in 2003. From July 2003 until May 2005, I handled white collar crime prosecutions with a specialization in computer crime. I organized a "Cyber Coalition" which was a computer crime working group made up of federal and state law enforcement agencies which shared information, expertise, and training on cyber crime investigations. I was appointed First Assistant U.S. Attorney in May 2005. In this position I managed the day-to-day operations of the U.S. Attorney's Office and directly supervised the Criminal Chief, Civil Chief, Appellate Chief, and Administrative Officer. Upon the departure of the U.S. Attorney in August 2008, I became the Interim United States Attorney and was responsible managing and setting the priorities of the office, interacting with all of the Federal law enforcement agencies, the Court and the public as the representative of the office. I served in that capacity until January 2010.

In May 2010, I began serving as the acting First Assistant U.S. Attorney for the Middle District of Georgia, in Macon, Georgia, on a temporary detail appointment by the Executive Office of U.S. Attorneys. During this assignment, I helped develop a strategic plan to assist this office in addressing a number of personnel, productivity, and morale problems that had been identified in a recent office evaluation, and also assisted in managing the office generally with the Acting U.S. Attorney. I received a

Director's Award from the Executive Office of U.S. Attorneys in December 2010 based on my work in the Middle District of Georgia.

In October 2010, I returned to my duties as an Assistant U.S. Attorney in Detroit, and resumed carrying a full caseload of white collar and computer crime cases. In March 2011, I was appointed to serve on a detail as an attorney in the newly created Professional Misconduct Review Unit (PMRU), which is part of the Office of the Deputy Attorney General. As an attorney with the PMRU, I am charged with reviewing reports from the Office of Professional Responsibility (OPR), making an independent determination regarding the report's findings, and if professional misconduct is found, proposing discipline for the misconduct.

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

In private practice, my typical clients were large corporations, insurance companies, and public utilities. As a prosecutor, early in my career I handled illegal firearms, narcotics, and violent crimes including bank robberies and kidnappings. I also did complex drug trafficking cases involving wiretaps and multiple defendants and organizations. Most of my career I have specialized in white collar crime and fraud prosecutions, and more particularly in computer crime and intellectual property crimes.

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.

Some 80-90 percent of my practice has been in litigation. As a prosecutor from 1989 to 1999, I appeared very frequently in court to handle all manner of proceedings, from ministerial matters such as arraignments and supervised release violation hearings, to complex trials involving multiple defendants and several weeks of trial. I was a supervisor from 1999 to 2003 in the Michigan Attorney General's High Tech Crime Unit, and later as the First Assistant and Interim U.S. Attorney of the U.S. Attorney's Office for the Eastern District of Michigan, from 2005 to 2010, and during those years I appeared less frequently in court, although I continued to carry a reduced caseload and to be involved in litigation. In the last two years, serving in one management detail in Georgia, and a second detail dealing with professional misconduct, I have been involved in litigation less often.

i. Indicate the percentage of your practice in:

1. federal courts: 85%
2. state courts of record: 15%
3. other courts: 0%
4. administrative agencies: 0%

ii. Indicate the percentage of your practice in:
1. civil proceedings: 10%
2. criminal proceedings: 90%

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 estimate that I have tried 27 cases to verdict, judgment, or final decision. I served as sole counsel in approximately 20 of those cases and as co-counsel in approximately seven of those cases.

i. What percentage of these trials were:
1. jury: 90%
2. non-jury: 10%

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 appeared 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. *United States v. Ralsky*, Crim No. 07-20627 (E.D. Michigan), Hon. Marianne Battani, 2006 – 2011. The case is a nationally significant prosecution involving a complex scheme to use bulk commercial e-mail or "spam" to carry out an international "pump and dump" stock manipulation scheme. The main defendant, Ralsky, was one of the most prolific illegal spammers in the world, and had an international organization. The case involved several years of

investigation and grand jury work, and resulted in 12 convictions. I was the lead prosecutor on this case, directed the investigation and the prosecution in all of its stages, from the Grand Jury investigation through the sentencings. Two attorneys from the Computer Crime and Intellectual Property Section also became full-fledged team members in preparing the case for indictment, possible trial, and during the pleas and sentences. All defendants with the exception of one Russian national, who has not been arrested, have pleaded guilty and been sentenced.

Co-counsel:
Thomas Dukes, Esq.
Mona Sedkey. Esq.
United States Department of Justice
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Counsel for Defendant Bown:
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Counsel for Defendant Patton:
Wally Piszczatowski, Esq.
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Bloomfield Hills, Michigan 48302
(248) 335-5000

Counsel for Defendant Berger:
Mark A. Satawa, Esq.
Kirsch and Satawa, P.C.
3000 Town Center, Suite 1800
Southfield, Michigan 48075
(248) 356-8320

2. *United States v. Lockwood*, Crim. No. 06-20331 (E.D. Michigan), Honorable Denise Page Hood, 2005 – 2009. This was a complex theft of trade secrets case involving theft of cutting edge competitive manufacturing information from Metaldyne Corporation, a Plymouth, Michigan-based auto suppler of parts made from powdered metal. The defendants were former high-level Metaldyne executives. All three defendants pleaded guilty and were sentenced to prison. I was the lead prosecutor on this case and was involved in all of its stages, from Grand Jury through sentencing. Co-counsel were involved in assisting with drafting motion responses, witness preparation, and sentencing.

Co-counsel (2008 – 2009):
Assistant U.S. Attorney Cynthia Oberg
U.S. Attorney's Office for the Eastern District of Michigan
211 West Fort Street, Suite 2001
Detroit, Michigan 48226
(313) 226-9701

Co-counsel (2007 – 2008):
Assistant U.S. Attorney Scott Garland
U.S. Attorney's Office for the District of Massachusetts
1 Courthouse Way
John Joseph Moakley Courthouse
Boston, Massachusetts 02210
(617) 718-3100

Counsel for Defendant Lockwood:
Mark Kriger, Esq.
Deday LaRene, Esq.
645 Griswold Street, Suite 1717
Detroit, Michigan 48226
(313) 967-0100

Counsel for Defendant Liu:
Michael Gordner, Esq.
Thomas Cranmer, Esq.
Miller Canfield Paddock & Stone, PLC
150 West Jefferson Avenue, Suite 2500
Detroit, Michigan 48226
(313) 496-7963

Counsel for Defendant Haehnel:
Edward Wishnow, Esq.
240 Daines Street
Birmingham, Michigan 48009
(248) 258-1991

3. *United States v. Lin*, Crim. No. 04-80863 (E.D. Michigan), Honorable John Corbett O'Meara, 2005 – 2009. This case was the first prosecution in the nation under the CAN-SPAM Act, making fraud in connection with bulk commercial e-mail a federal crime. The investigation involved tracing the origin of the illegal spam and gathering evidence in Germany and Canada. Lin was the leader of a small group of individuals who were marketing "diet patches" and other items through websites advertised by means of illegal spam e-mail that was sent through "open proxy" computers without the authorization of the computers' owners. The lead defendant, Lin, was indicted, pleaded guilty and was sentenced to three years in prison. Of three other defendants charged along with Lin in the original criminal complaint, one pleaded guilty to a felony information, another to a misdemeanor, and a third entered into pre-trial diversion. I conducted all of the Grand Jury work, pretrial motion litigation, plea negotiations, and sentencing in this case.

Counsel for Defendant D. Lin:
Juan Mateo, Esq.
535 Griswold Street, Suite 1030
Detroit, Michigan 48226
(313) 962-3500

Counsel for Defendant J. Lin:
Harold Z. Gurewitz, Esq.
333 West Fort Street, Suite 1100
Detroit, Michigan 48226
(313) 628-4733

Counsel for Defendant Sadek:
Gerald K. Evelyn, Esq.
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(313) 962-3500

Counsel for Defendant Chung:
David S. Steingold, Esq.
400 Monroe Street, Suite 280
Detroit, Michigan 48226
(313) 962-0000

4. *United States v. Ollison*, Crim. No. 04-81032 (E.D. Michigan), Honorable Avern Cohn, 2004 – 2005. The defendant operated an identity theft and bank fraud crew that diverted over a million dollars in victim funds to the ten co-conspirators. The two main defendants persuaded several bank tellers to provide customer account and personal identity information to the defendants, who would then have fake IDs manufactured in the account holders' names, and then employ

a number of drug addicts to pose as the real account holders and make multiple withdrawals, draining the accounts. All defendants were convicted, nine by guilty plea and one following a jury trial. I conducted all of the Grand Jury work, pretrial motion litigation, plea negotiations, jury trial, and sentencing in this case.

Counsel for Defendant Ollison:
Sanford Schulman, Esq.
500 Griswold Street, Suite 2340
Detroit, Michigan 48226
(313) 963-4740

Counsel for Defendant Murphy:
Corbett O'Meara, Esq.
500 Griswold Street, Suite 2340
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(313) 882-7450

Counsel for Defendant Ross:
Allison Folmar-Givens, Esq.
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(313) 930-2500

Counsel for Defendant Robinson:
Rita Chastang, Esq.
Federal Defender Office
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Detroit, Michigan 48226
(313) 967-5853

Counsel for Defendant Taylor:
Samual J. Churikian, Esq.
43550 Elizabeth Road
Clinton Township, Michigan 48036
(586) 465-8647

Counsel for Defendant Hickey:
Lisa L. Dwyer, Esq.
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Clawson, Michigan 48036
(248) 435-8549

Counsel for Defendant Collins:
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P.O. Box 36781

Grosse Pointe Farms, Michigan 48236
(313) 886-6777

Counsel for Defendant Baker:
Christopher Seikaly, Esq.
24359 Northwestern Highway, Suite 200
Southfield, Michigan 48075
(248) 948-1900

Counsel for Defendant Drake:
Fred B. Walker, Esq.
306 South Washington Avenue, Suite 223
Royal Oak, Michigan 48067
(248) 546-6271

Counsel for Defendant Drummy:
David Braxton, Esq.
243 West Congress Street, Suite 350
Detroit, Michigan 48226
(313) 965-4445

5. *United States v. Downey*, Crim. No. 07-20284 (E.D. Michigan), Honorable Nancy G. Edmunds, 2004 – 2007. This case was one of the first prosecutions in the nation for the operation of a "bot-net," or a network of infected computers, to cause damage to other computers. The defendant was charged with a violation of 18 U.S.C. § 1030, the Computer Fraud and Abuse Act, for creating and sending a virus that, when downloaded onto a victim's computer, would cause that computer to be controlled by a command server operated by the defendant. Defendant had infected a large number of computers, which he controlled as a network of "robot computers," called a bot-net. He used the network to send denial of service attacks (streams of data sent to target computers) in order to knock competitor chat rooms off-line. The defendant pleaded guilty and was sentenced to a one-year prison term. I conducted all of the Grand Jury work, pretrial motion litigation, plea negotiations, and sentencing in this case.

Counsel for Defendant Downey:
Jill Leslie Price, Esq.
Andrew Wise, Esq.
Federal Defender Office
613 Abbott Street, 5th Floor
Detroit, Michigan 48226

6. *United States v. Chilingirian*, Crim. No. 96-80670 (E.D. Michigan), Honorable John Corbett O'Meara, 1998 – 1999. This was a major white collar fraud trial involving an investment scheme in which the defendants were soliciting investments in a radar-braking technology company based on false

statements, and an attorney, Chilingirian, was allowing his trust account to be used to launder the proceeds of the scheme. The Rashid brothers created forged documents making it appear that the technology had been purchased by major auto manufacturers in order to get investors to provide funds. The attorney received investor funds into his client trust account to help the Rashids hide its existence. Although I was co-counsel, not lead counsel, on this case, it was one of the more significant fraud trials I handled. I was primarily responsible for handling the money laundering witnesses and proofs regarding the defendant attorney Chilingirian. I did the closing argument and many of the witnesses. The defendants were convicted and sentenced to prison. This was tried to a jury and to the court simultaneously, with Chilingirian's case decided by the judge and the Rashid brothers by the jury. I did not handle the direct appeal, but it is reported at *United States v. Chilingirian*, 280 F.3d 704 (6th Cir. 2002).

Co-counsel:
Former Assistant U.S. Attorney, Professor Patrick E. Corbett
Thomas M. Cooley Law School
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(517) 371-5140

Counsel for Defendant Chilingirian:
Thomas Cranmer, Esq.
Miller Canfield Paddock & Stone, PLC
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(248) 267-3381

Counsel for Defendant Rashid:
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240 Daines Street
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(248) 258-1991

Counsel for Defendant Rashid:
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31760 Harper Avenue
Saint Clair Shores, Michigan 48082
(586) 294-8800

7. *United States v. Farrell*, Crim. No. 95-80237 (E.D. Michigan), Honorable Denise Page Hood, 1995 – 1997. This case was a complex insurance fraud trial against a vice president of AIG aviation insurance division in Chicago. The defendant had created phony claims files that declared damaged aircraft to be "totaled," allowing him to pay the owner the full value of the plane and declaring it to be "salvage." The defendant would then rig the bidding process for the

salvage so that it would be awarded to his co-defendant, an airplane mechanic, who would take possession of the slightly damaged plane, then repair and re-sell it. I conducted all of the Grand Jury work, pretrial motion litigation, plea negotiations, jury trial, and sentencing in this case. The defendants were convicted after a jury trial and sentenced to prison.

Counsel for Defendant Farrell:
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Detroit, Michigan 48226
(313) 962-8280

Counsel for Defendant Boorom:
John D. Baker, Esq.
402 North Main Street
Adrian, Michigan 49221
(517) 263-1033

8. *United States v. Rapanos*, Crim. No. 93-20023 (E.D. Michigan), Honorable Lawrence P. Zatkoff, 1994 – 1995. This trial was an extremely hard fought environmental crimes case involving the destruction of approximately 50 acres of wetlands. The defendant was a very wealthy property developer who attempted to destroy evidence and intimidate the witnesses. The violation was also pursued as civil enforcement, and the civil side of the case resulted in litigation that reached the U.S. Supreme Court. The defendant was convicted, but the judge departed below the guidelines and imposed a sentence of probation. I was co-counsel but not lead counsel in this matter. This case was tried twice, the first time resulting in a mistrial. I participated in both jury trials, conducting many direct examinations and cross-examinations, and presenting the government's closing argument. The trial lasted approximately five weeks. The conviction was affirmed. *United States v. Rapanos*, 339 F.3d 447 (6th Cir. 2003).

Co-counsel:
Assistant U.S. Attorney Janet L. Parker
United States Attorney's Office for the Eastern District of Michigan
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(989) 891-0371

Counsel for Defendant Rapanos:
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Bay City, Michigan 48708
(989) 893-5547

John Wildeboer, Esq.
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Bay City, Michigan 48707
(989) 684-3313

David Haywood, Esq.
618 South Creyts Street, Suite B
Lansing, Michigan 48917
(517) 886-1410

9. *United States v. Scarborough*, Crim. No. 93-80218 (E.D. Michigan), Honorable Nancy G. Edmunds, 1991 – 1994. The defendants were part of a conspiracy to place an incendiary device in the U.S. mail at the Royal Oak Post Office on "Tax Day," April 15, 1990. The defendants had testified falsely before the grand jury in order to hide their own role and the roles of their co-conspirators and were charged with perjury. Both defendants were convicted and sentenced to prison. I was the lead prosecutor in this case, handling many of the witnesses as well as the opening statement and rebuttal argument. The conviction was affirmed. *United States v. Scarborough*, 43 F.3d 1021 (6th Cir. 1994).

Co-counsel:
Assistant U.S. Attorney John Roth
Judiciary Center Building
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(202) 353-9460

Counsel for Defendant S. Scarborough:
Ralph Musilli, Esq.
24001 Greater Mack Avenue
Saint Clair Shores, Michigan 48080
(586) 778-0900

Counsel for Defendant K. Scarborough:
Tom Wilhelm, Esq. (deceased)

10. *United States v. Hofstatter*, Crim. No. 91-80542 (E.D. Michigan), Honorable Patrick J. Duggan, 1993 – 1994. This case was one of the first trials in the country involving charges of manufacturing a designer drug called methylcathinone, also known as "cat," under the Controlled Substance Analogue statute, a federal law that made certain kinds of designer drugs illegal if they are chemically similar to, and have the same effects on the central nervous system as, controlled substances. The main defendant, Hofstatter, was a "cook" who had figured out how to synthesize methylcathinone or "cat." The two main defendants were convicted after a jury trial, and the statute was upheld against a

constitutional attack on appeal. One defendant, who had a minor role, was acquitted by the court. Subsequent investigation led to the conviction of McPhee as well. McPhee had worked at Parke-Davis pharmaceutical company in Ann Arbor, and had stolen the formula for methylcathinone, which had been developed as an experimental drug, and given it to Hofstatter. I conducted all of the Grand Jury work, pretrial motion litigation, plea negotiations, jury trial, and sentencing in this case. I handled the direct appeal, and the conviction was affirmed. *United States v. Hofstatter*, 8 F.3d 316 (6th Cir. 1993).

Counsel for Defendant Hofstatter (at trial):
James Hoare, Esq.
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Farmington Hills, Michigan 48334
(248) 553-7777

Counsel for Defendant Hofstatter (on appeal):
Randall F. Karfonta, Esq.
115 North Main Street
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(231) 256-2200

Counsel for Defendant Griffor (at trial):
Howard Wittenberg (no longer in practice)

Counsel for Defendant Griffor (on appeal):
Douglas R. Mulkoff, Esq.
402 West Liberty Street
Ann Arbor, Michigan 48103
(734) 761-8585

Counsel for Defendant Roe (at trial):
Sanford Plotkin
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Detroit, Michigan 48226
(313) 963-3377

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.)

Addressing Management Challenges in Two U.S. Attorney's Offices

As First Assistant and as interim U.S. Attorney for the Eastern District of Michigan, and later as the Justice Department-appointed Acting First Assistant for the Middle District of Georgia, I have grappled with and resolved numerous difficult management challenges in ways that have resulted in positive improvements for the people working in those offices. When I became part of top management of the EDMI U.S. Attorney's Office in 2005, the office was still recovering from a morale destroying episode involving the collapse of one of the nation's first post-9/11 terrorism trials, which was voluntarily dismissed by our office after serious prosecutorial misconduct was discovered. We also had lost several high profile cases. We worked hard to restore morale by stressing professionalism, teamwork, and values. I was the primary drafter of a Mission Statement for our office that encapsulated our vision of what a U.S. Attorney's Office should strive to be, which was: "Our mission is to serve justice by prosecuting federal crimes and representing the United States of America in federal court with diligence, fairness, and integrity. For us, doing right and upholding the letter and spirit of the Constitution and the laws of the land are not only more important than prevailing in any single case, they are the standards by which we measure the success of every case." I am proud of this articulation of our mission. By appointing strong managers, developing a training and mentoring program, and exercising close supervision over charging decisions, we helped to restore the reputation of our office. We also enhanced our productivity by establishing task forces to deal with mortgage fraud, health care fraud, and violent crime, as well as aggressively pursuing a serious public corruption problem in the City of Detroit.

I also worked to restore morale and productivity in the U.S. Attorney's Office for the Middle District of Georgia. I was asked by the Executive Office of U.S. Attorneys to serve as the acting First Assistant U.S. Attorney for that office after they had experienced a number of difficult personnel and management problems, and the Department was seeking an experienced management attorney to assist them. I served six months in this position in 2010, and helped to develop and implement a strategic plan for the improvement of the management structure of the office. This included revising the Criminal Division's management plan; improving case intake, assignment and review procedures; overseeing an increase in productivity in criminal cases indicted; working with the management team to significantly improve relationships with client agencies and the judiciary; initiating a mentoring program that paired less experienced AUSAs with senior AUSAs to provide counsel and guidance; participating in the development of a "Back to Basics" training program for all criminal AUSAs; and establishing a program to improve morale and promote a sense of camaraderie and teamwork among the staff.

Michigan Attorney General's High Tech Crime Unit and Operation "Nolita"

In 1999, I was appointed by then-Attorney General (later Governor) Jennifer M. Granholm to establish Michigan's first state-wide computer crime prosecution unit. We faced many challenges as we tried to set up a team of attorneys and investigators charged with bringing cases in a new area of law: criminal activity on the Internet. We brought cases of first impression, increased the state's expertise in this area by conducting training across the state, and assisted many local agencies with developing their cases. In order to attack the financial side of the Internet child pornography business, we developed an operation designed to prevent the ability of pay-for-view child porn websites to accept credit card payments. We called this investigation "Operation Nolita." Although no criminal charges were brought, we used undercover methods to identify approximately 100 websites that appeared to contain sexually explicit images of children under the age of 17, and also determined which credit card processing companies they used. We employed the Attorney General's civil authority by issuing "cease and desist" letters to the four or five credit card processing companies that we had identified. As to each credit processing company, we identified the child porn websites that they were supporting and notified them that, if they did not stop accepting credit card transactions for these websites, we would bring charges for facilitating the distribution of child pornography. Within two weeks, almost all of the child porn websites' credit card processing facilities were disconnected, as our undercover officers determined by attempting to access them. This meant that some 100 child porn websites were suddenly unable to accept new customers, and their exploitation of children was stopped.

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.

In the Fall of 1997, I taught a 2-credit course on negotiations at the Wayne State School of Law. I no longer have a syllabus for this course.

I have also served periodically as an adjunct professor at the University of Detroit – Mercy School of Law since 1995, and have taught the following courses:

Legal Issues in Computer Crime
Winter 2012, Winter 2008, Fall 2003, Winter 2001

This 2-credit course is a criminal law survey covering the federal and state statutes on computer crime, searching and seizing computers, the law of electronic surveillance and gathering electronic evidence. Syllabi supplied.

Trial Practice
Winter 1995 – Winter 1999

This is a 3-credit evening course in trial advocacy covering law of evidence, admissibility of exhibits, direct and cross examination, opening statements and closing arguments. The final consisted of a mock trial. I did not retain any syllabi.

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

customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

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

If my work schedule permits, I would like to continue teaching at the University of Detroit – Mercy School of Law. If it is permissible under the judicial code of ethics, I would like to remain involved as a member of governing boards of non-profit organizations or bar-related organizations such as the Caritas Welcome Center and the Historical Society for the U.S. District Court for the Eastern District of Michigan.

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 recuse myself from any case in which my brother, Frederick A. Berg, Jr., an attorney practicing before the U.S. District Court for the Eastern District of Michigan, is representing a party. I would also be prepared to recuse myself from any criminal cases that I directly supervised or handled while in the United States Attorney's Office.

    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 would consult the applicable canons of the Code of Judicial Conduct for United States Judges, and seek the advice of fellow judges in assessing any real or potential conflicts of interest.

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.

Because the vast majority of my career has been in public service and as a prosecutor, I have not provided any *pro bono* legal services. However, I have devoted time serving the disadvantaged in other non-legal ways.

For example, in the summer of 1998, I traveled to Honduras on a one-week medical mission with my brother-in-law, who is an eye surgeon. Because I had proficiency in Spanish, I served as a translator for the patients who came to receive eye exams, and surgery in an impoverished and remote town in the mountains of Honduras.

I have also regularly participated two times per year packing food boxes for the poor for Focus Hope. I have been doing this for approximately five years, with my entire family. This is an activity sponsored by the Catholic Lawyer's Society and the Irish-American Lawyer's Society. In connection with the Catholic Lawyer's Society, I organized a charitable event at St. Al's Community Center, where volunteers feed breakfast to the homeless. This event was conducted in 2008 and 2009. I also organized a similar event, where the attorneys served food to the guests of the Caritas Welcome Center, in 2012.

In addition, my parish hosts the homeless once a year, and parishioners prepare and serve food, organize activities, and provide security. I have participated in this activity for several years, usually by serving one of the meals and also taking a shift as "security" during the evening or night.

In 2001, my wife raised funds to build a children's park and playground in Detroit. Over the next several years, and continuing until the present time, I have spent many volunteer hours working on this park, building the equipment, moving and spreading wood chips, cleaning, gardening, and doing maintenance work.

I have also served as a member of Gesu's St. Vincent de Paul Society for several years, and assisted in assembling and handing out Thanksgiving and Christmas food boxes to poor families over the years, approximately from 2003 – 2009.

Finally, since January 2010 I have been the President of the Board of Directors of the Caritas Welcome Center, a homeless persons' care center that currently operates out of space provided by the Deliverance Temple. This Center provides a safe, welcoming environment for street people who suffer from addiction, mental illness, alcoholism and poverty. The Center provides daily refreshments, a hospitality area, and a quiet area, one hot meal a week, a shaving room, phone access, a men's group and women's group, and periodic distribution of socks and hygiene items. Although I sometimes assist in direct provision of services, my work with the Center consists of serving as the President of the Board, scheduling and managing the meetings of the Board, communicating with the Director about the needs of the Center and conveying them to the Board, and similar activities.

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.

I submitted a Judicial Advisory Committee Questionnaire to Senator Levin's Committee on January 24, 2011. I was notified that I was selected to be interviewed on February 15, 2011. I was interviewed by the Judicial Advisory Committee on March 8, 2011. On March 14, 2011, I received a letter from Senators Levin and Stabenow indicating that I had been recommended by the Committee, and that the Senators were forwarding my name along with four others to President Obama for his consideration to fill one of the two then-existing vacancies on the U.S. District Court for the Eastern District of Michigan. Since January 27, 2012, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On February 28, 2012, I met with officials from the White House Counsel's Office and the Department of Justice in Washington, DC. On April 25, 2012, the President submitted my nomination 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.

AO 10 Rev. 1/2012	**FINANCIAL DISCLOSURE REPORT** **NOMINATION FILING**	*Report Required by the Ethics in Government Act of 1978 (5 U.S.C. app. §§ 101-111)*

1. Person Reporting (last name, first, middle initial)	**2. Court or Organization**	**3. Date of Report**
Berg, Terrence G.	U.S.District Court, Eastern District of Michigan	04/25/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge	**5a. Report Type (check appropriate type)** ☑ Nomination Date 04/25/2012 ☐ Initial ☐ Annual ☐ Final **5b.** ☐ Amended Report	**6. Reporting Period** 01/01/2011 to 03/31/2012
7. Chambers or Office Address Theodore Levin U.S. Courthouse 231 W. Lafayette Detroit, Michigan 48226		

IMPORTANT NOTES: ***The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each part where you have no reportable information. Insert signature on last page.***

I. POSITIONS. *(Reporting individual only; see pp. 9-13 of filing instructions.)*

☐ NONE *(No reportable positions.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
1.	President, Board of Directors	Caritas Welcome Center
2.	Member, Board of Directors	Catholic Lawyers' Society of Detroit
3.	Member, Board of Directors	Historical Society for the United States District Court for the Eastern District of Michigan
4.		
5.		

II. AGREEMENTS. *(Reporting individual only; see pp. 14-16 of filing instructions.)*

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

Name of Person Reporting	Date of Report
Berg, Terrence G.	04/25/2012

III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)*

A. Filer's Non-Investment Income

☐ NONE *(No reportable non-investment income.)*

DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1. 2012	University of Detroit-Mercy, Adjunct Professor salary	$1,500.00
2.		
3.		
4.		

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.*

(Dollar amount not required except for honoraria.)

☐ NONE *(No reportable non-investment income.)*

DATE	SOURCE AND TYPE
1. 2012	Gesu Catholic School Salary
2. 2011	Gesu Catholic School Salary
3.	
4.	

IV. REIMBURSEMENTS -- *transportation, lodging, food, entertainment.*

(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)

☐ NONE *(No reportable reimbursements.)*

SOURCE	DATES	LOCATION	PURPOSE	ITEMS PAID OR PROVIDED
1. Exempt				
2.				
3.				
4.				
5.				

Name of Person Reporting	Date of Report
Berg, Terrence G.	04/25/2012

V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*

☐ NONE *(No reportable gifts.)*

	SOURCE	DESCRIPTION	VALUE
1.	Exempt		
2.			
3.			
4.			
5.			

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*

☑ NONE *(No reportable liabilities.)*

	CREDITOR	DESCRIPTION	VALUE CODE
1.			
2.			
3.			
4.			
5.			

Name of Person Reporting	Date of Report
Berg, Terrence G.	04/25/2012

VII. INVESTMENTS and TRUSTS *-- income, value, transactions (Includes those of spouse and dependent children; see pp. 34-60 of filing instructions.)*

☐ NONE *(No reportable income, assets, or transactions.)*

	A. Description of Assets (including trust assets)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	Place "(X)" after each asset exempt from prior disclosure	(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1.	401K # 1		None	M	T	Exempt				
2.	- American Funds Europacific Growth Fund									
3.	- ING Small Cap Growth Equity									
4.	- RidgeWorth Small Cap Value Equity Fund									
5.	- SSgA S&P 500 Index Fund									
6.	- SSgA S&P MidCap Index Fund									
7.	- SSgA Target Retirement 2025									
8.	- SSgA Yield Enhanced Short-Term Investment Fund									
9.	Calvert Tax Free Municipal Bond Fund	A	Int./Div.	K	T					
10.	First Eagle Global Fund Class A	A	Dividend	J	T					
11.	Virtus Growth and Income Fund-C		None	J	T					
12.	Coca Cola Enterprises, Inc.	A	Dividend	J	T					
13.	Michigan 529-Aggressive Age-Based Option Age 18+		None	J	T					
14.	Michigan 529-Moderate Age-Based Option Age 15-17		None	K	T					
15.	Michigan 529-Moderate Age-Based Option Age 12-14		None	K	T					
16.	Peoples Trust Credit Union Accounts	A	Int./Div.	L	T					
17.	Phoenix Life Insurance Company Whole Life Policy		None	K	T					

1. Income Gain Codes: (See Columns B1 and D4)	A =$1,000 or less	B =$1,001 - $2,500	C =$2,501 - $5,000	D =$5,001 - $15,000	E =$15,001 - $50,000
	F =$50,001 - $100,000	G =$100,001 - $1,000,000	H1 =$1,000,001 - $5,000,000	H2 =More than $5,000,000	
2. Value Codes (See Columns C1 and D3)	J =$15,000 or less	K =$15,001 - $50,000	L =$50,001 - $100,000	M =$100,001 - $250,000	
	N =$250,001 - $500,000	O =$500,001 - $1,000,000	P1 =$1,000,001 - $5,000,000	P2 =$5,000,001 - $25,000,000	
	P3 =$25,000,001 - $50,000,000		P4 =More than $50,000,000		
3. Value Method Codes (See Column C2)	Q =Appraisal	R =Cost (Real Estate Only)	S =Assessment	T =Cash Market	
	U =Book Value	V =Other	W =Estimated		

Name of Person Reporting	Date of Report
Berg, Terrence G.	04/25/2012

VIII. ADDITIONAL INFORMATION OR EXPLANATIONS. *(Indicate part of report.)*

Name of Person Reporting	Date of Report
Berg, Terrence G.	04/25/2012

IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app. § 501 et. seq., 5 U.S.C. § 7353, and Judicial Conference regulations.

Signature Terrence G. Berg

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILLFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. app. § 104)

Committee on Financial Disclosure
Administrative Office of the United States Courts
Suite 2-301
One Columbus Circle, N.E.
Washington, D.C. 20544

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks		74	121	Notes payable to banks-secured			
U.S. Government securities – Series EE		2	450	Notes payable to banks-unsecured			
Listed securities – see schedule		237	299	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable-add schedule			
Real estate owned – see schedule		171	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		15	500				
Cash value-life insurance		35	853				
Other assets itemize:							
Thrift Savings Plan		522	403				
				Total liabilities			0
				Net Worth	1	058	626
Total Assets	1	058	626	Total liabilities and net worth	1	058	626
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	No		
On leases or contracts				Are you defendant in any suits or legal actions?	No		
Legal Claims				Have you ever taken bankruptcy?	No		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities	
American Funds EuroPacific Growth Fund	$ 24,600
Calvert Tax Free Reserves Money Market	18,077
Coca Cola stock	80
First Eagle Global Fund Class A	13,423
ING Small Cap Growth Equity	8,755
Michigan 529 Aggressive Age-Based Option Age 18+	1,668
Michigan 529 Moderate Age-Based Option Age 15-17	23,670
Michigan 529 Moderate Age-Based Option Age 12-14	33,560
RidgeWorth Small Cap Value Equity Fund	8,511
SSgA S&P 500 Index Fund	10,991
SSgA S&P MidCap Index Fund	17,763
SSgA Target Retirement 2025	65,285
SSgA Yield Enhanced Short-Term Investment Fund	1,758
Virtus Growth and Income Fund-C	9,158
Total Listed Securities	$ 237,299

Real Estate Owned	
Personal residence	$ 156,000
Vacation home (20% interest)	15,000
Total Real Estate Owned	$ 171,000

AFFIDAVIT

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

4-23-12
(DATE)

(NAME)

Beryl A. Robbins
(NOTARY)

BERYL A. ROBBINS
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Jan 11, 2015
ACTING IN COUNTY OF WAYNE