

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

James Paul Oetken

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

United States District Judge for the Southern District of New York

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.

Cablevision Systems Corporation
1111 Stewart Avenue
Bethpage, New York 11714

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

1965; Louisville, Kentucky

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.

1988 – 1991, Yale Law School; J.D., 1991

1985 – 1988, University of Iowa; B.A. (with highest distinction), 1988

1984 – 1985, Catholic University of America; 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.

2004 – Present

Cablevision Systems Corporation

1111 Stewart Avenue

Bethpage, New York 11714

Senior Vice President and Associate General Counsel (2007 – Present)

Vice President and Associate General Counsel (2004 – 2007)

2009 – 2010

Fordham Law School

140 West 62nd Street

New York, New York 10023

Adjunct Professor of Law

2001 – 2004

Debevoise & Plimpton

919 Third Avenue

New York, New York 10022

Counsel (2003 – 2004)

Associate (2001 – 2003)

1999 – 2001

The White House

Office of Counsel to the President

Eisenhower Executive Office Building

1650 Pennsylvania Avenue, NW

Washington, DC 20506

Associate Counsel to the President

1997 – 1999

United States Department of Justice

Office of Legal Counsel

950 Pennsylvania Avenue, NW

Washington, DC 20530

Attorney-Advisor

1995 – 1997

Jenner & Block

1099 New York Avenue, NW

Washington, DC 20001

Associate

1993 – 1994

Hon. Harry A. Blackmun
United States Supreme Court
One First Street, NE
Washington, DC 20543
Law Clerk

1992 – 1993

Hon. Louis F. Oberdorfer
United States District Court for the District of Columbia
333 Constitution Avenue, NW
Washington, DC 20001
Law Clerk

1991 – 1992

Hon. Richard D. Cudahy
United States Court of Appeals for the Seventh Circuit
219 South Dearborn Street
Chicago, Illinois 60604
Law Clerk

Summer 1991

Morrison & Foerster
1290 Avenue of the Americas
New York, New York 10104
Summer Associate

Summer 1990

McCutchen, Doyle, Brown & Enersen
Three Embarcadero Plaza
San Francisco, California 94111
Summer Associate

1989 – 1990

Professor Joseph Goldstein
Yale Law School
P.O. Box 208215
New Haven, Connecticut 06520
Research Assistant

Summer 1989

Sidley & Austin
1 South Dearborn Street
Chicago, Illinois 60603
Summer Associate

Summer 1988
University of Iowa
Orientation Services
107 Calvin Hall
Iowa City, Iowa 52242
Graduate Assistant

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

I have not served in the military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Rhodes Scholarship finalist, 1987
Phi Beta Kappa, 1987 – 1988
Mortar Board, 1987 – 1988
E.R. Johnson Prize for highest academic achievement, University of Iowa, 1988
Hancher-Finkbine Medallion, University of Iowa, 1988
Presidential Scholarship, University of Iowa, 1984
Archdiocesan Scholarship, Catholic University of America, 1984

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 Bar Association, Business Law Section
District of Columbia Bar Association
Gay, Lesbian, Bisexual and Transgender Attorneys of Washington (GAYLAW)
National LGBT Bar Association
New York City Bar Association, Media Law Committee
New York State Bar Association

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Maryland, 1995
District of Columbia, 1996
New York, 2002

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, 2000

United States Court of Appeals for the Fourth Circuit, 1995

United States District Court for the Southern District of New York, 2002

United States District Court for the Eastern District of New York, 2002

United States District Court for the District of Maryland, 1995

District of Columbia Court of Appeals, 1996

New York Court of Appeals, 2002

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.

American Civil Liberties Union LGBT Project (2001 – Present)

American Constitution Society (2002 – Present)

DOJ Pride (1997 – 1999)

Human Rights Campaign (1995 – 2001)

Lambda Legal (1995 – 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 these organizations discriminates or formerly discriminated on the basis of race, sex, religion, or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

Assisted Suicide and Democracy: Why an Oregon Federal Judge Was Right to Overturn Attorney General Ashcroft's Assisted Suicide Decision, Findlaw.com (Apr. 23, 2002). Re-published in *Assisted Suicide*, a book compiled by Karen Balkin. Copy supplied.

Review of *The Crusader* by Michael Eisner, Amazon.com, Oct. 19, 2001. Copy supplied.

Note, *Form and Substance in Critical Legal Studies*, 100 Yale L.J. 2209 (May 1991). Copy supplied.

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

None that I can recall or have been able to identify.

- 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.

None that I can recall or have been able to identify.

- 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.

April 19, 2006 – Panel entitled “Supreme Court Update” at 2006 “SuperConference” sponsored by *Inside Counsel* magazine in Chicago, Illinois.

Together with two other panelists, I discussed the most significant Supreme Court decisions of the 2005 – 2006 Term. I have no notes, transcript or recording. Press and Jenner & Block coverage is supplied. The address of *Inside Counsel* is 222 South Riverside Plaza, Suite 620, Chicago, Illinois 60606.

April 21, 2003 – Panel entitled “On the Verge: Progress and Promise in Sexual Orientation and Gender Identity Law” at Pace University Law School. I discussed the *Lawrence v. Texas* case and the amicus brief I had co-authored in that case. I have no notes, transcript or recording. The address of Pace University Law School is 78 North Broadway, White Plains, New York 10603.

April 1, 2003 – Panel entitled “From *Hardwick* to *Lawrence*: Sodomy Laws and GLBT Equality in the New Century” at Ohio State University Moritz College of Law. I discussed the *Lawrence v. Texas* case and the amicus brief I had co-authored in that case. I have no notes, transcript or recording. An archived webcast of this panel discussion is available online at <http://moritzlaw.osu.edu/news/newsrel.php?ID=39>.

June 21, 2000 – GAYLAW “Job Talk” panel discussion held at Arnold & Porter, 555 Twelfth Street, NW, Washington, DC 20004. This panel discussion was a question-and-answer session for LGBT law students, summer associates, and legal interns focusing on career and workplace issues. I have no notes, transcript or recording. GAYLAW coverage supplied. The address of the organization is P.O. Box 34072, Washington, DC 20043.

- 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.

Joyce Murdoch and Deb Price, *Courting Justice: Gay Men and Lesbians v. The Supreme Court*, New York: Basic Books, 2001. Copy supplied.

John Heilprin, *Pizza, Music, Sleeping Bags: Not an Average Night at Supreme Court*, Associated Press, Dec. 1, 2000. Copy supplied.

Telephone Interview with Albert A. Foer for his article, *The Politics of Antitrust in the United States: Public Choice and Public Choices*, 62 U. PITT. L. REV. 475 (Spring 2001). Copy supplied.

Kara Swisher, *Work Around the Clock; Is Managing 'The Job' and 'A Life' Really Possible?*, Washington Post, Mar. 7, 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 never held a judicial office.

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

- i. Of these, approximately what percent were:

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

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

- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
- e. Provide a list of all cases in which certiorari was requested or granted.
- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.
- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

I have never been a judge.

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.

1999 – 2001: Associate Counsel to the President, Office of Counsel to the President, The White House (appointed by President Clinton)

I have not had any 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 have not held an office or position with a political party, election committee, or political campaign, but I have participated as a volunteer in campaigns for John

Kerry (co-hosted a fundraising event) and Al Gore (door-to-door leafleting and phone-banking).

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;

I served as a law clerk to the following three judges:

Hon. Harry A. Blackmun
United States Supreme Court
1993 – 1994

Hon. Louis F. Oberdorfer
United States District Court for the District of Columbia
1992 – 1993

Hon. Richard D. Cudahy
United States Court of Appeals for the Seventh Circuit
1991 – 1992

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

I have not practiced law alone.

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

Summer 1991
Morrison & Foerster
1290 Avenue of the Americas
New York, New York 10104
Summer Associate

1995 – 1997
Jenner & Block
1099 New York Avenue, NW
Washington, DC 20001
Associate

1997 – 1999
United States Department of Justice
Office of Legal Counsel
950 Pennsylvania Avenue, NW
Washington, DC 20530
Attorney-Advisor

1999 – 2001
The White House
Office of Counsel to the President
Eisenhower Executive Office Building
1650 Pennsylvania Avenue, NW
Washington, DC 20506
Associate Counsel to the President

2001 – 2004
Debevoise & Plimpton
919 Third Avenue
New York, New York 10022
Counsel (2003 – 2004)
Associate (2001 – 2003)

2004 – Present
Cablevision Systems Corporation
1111 Stewart Avenue
Bethpage, New York 11714
Senior Vice President and Associate General Counsel (2007 – Present)
Vice President and Associate General Counsel (2004 – 2007)

- 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.

Following my graduation from law school in 1991, I spent three years clerking for federal judges: Judge Richard D. Cudahy on the U.S. Court of Appeals for the Seventh Circuit (1991 – 1992), Judge Louis F. Oberdorfer on the U.S. District Court for the District of Columbia (1992 – 1993), and Justice Harry A. Blackmun on the U.S. Supreme Court (1993 –

1994). I then worked as a litigation associate at Jenner & Block in Washington, DC, until 1997. My work there involved a variety of subject matters, including telecommunications, First Amendment, contract, product liability, employment discrimination, bankruptcy, and voting rights.

In 1997, I became a lawyer for the Federal Government, first as an attorney-advisor with the U.S. Department of Justice, Office of Legal Counsel. In that position I worked on advice and legal opinions for agencies of the Executive Branch and the White House, covering a wide range of statutory and constitutional issues. In 1999, I joined the White House Counsel's Office as Associate Counsel to the President, where I served until the end of President Clinton's Administration in January 2001.

In 2001, I moved to New York and returned to private practice, joining Debevoise & Plimpton's litigation department. While at Debevoise, I again worked on a variety of matters, principally commercial litigations and arbitrations. I also worked on pro bono matters including amicus briefs in two Supreme Court cases, *Lawrence v. Texas* and *Rumsfeld v. Padilla*. In June 2004, I joined the legal department of Cablevision Systems Corporation, a media and entertainment company, as the head of litigation. In that position I have overseen the litigation involving all the divisions of the company, including corporate shareholder class actions and derivation actions, commercial contract disputes, copyright, patent, antitrust, tax, and defamation/First Amendment cases. In 2006, I also took over management of the employment law group within the company's legal department.

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

During my years in private practice at Jenner & Block (1995 – 1997) and Debevoise & Plimpton (2001 – 2004), my clients typically were U.S. corporations, and in some cases non-U.S. corporations. I also worked on a number of matters for government entities and organizations such as unions and professional associations. These matters involved a wide variety of subject matters, including contract, defamation, First Amendment, voting rights, employment law, bankruptcy, and telecommunications law.

At the Office of Legal Counsel, my client was the United States, with the Office exercising the function of providing legal advice and legal opinions to the President and the Executive Branch agencies. At the White House Counsel's Office, my client was the President in his official capacity. In these positions, the subject matters were principally constitutional law –

including the First Amendment, separation of powers, the Appointments Clause, and the Equal Protection Clause – as well as various federal statutory issues and legal ethics.

- 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.

At Jenner & Block and Debevoise & Plimpton, my practice was in civil litigation. I appeared in court on a few occasions while at Jenner & Block, including arguing an appeal before the U.S. Court of Appeals for the Fourth Circuit in 1997 and participating on a trial team in a voting rights case in federal district court in Chicago in 1996. At Debevoise & Plimpton, I appeared in court on a number of occasions, including arguing motions in federal bankruptcy court in Chicago in 2003 and in New York Supreme Court in Manhattan in 2004. I also participated in two arbitration hearings in 2003 and 2004.

As an attorney with the Department of Justice Office of Legal Counsel and the White House Counsel's Office, I was not directly involved in litigation, although I was involved in analyzing and advising with respect to legal issues that later became, and previously had been, the subject of litigation.

As head of litigation at Cablevision, I am primarily responsible for overseeing all the civil litigation involving the company. I frequently appear in court and at depositions as the representative of the company, although outside counsel typically represents the company in court proceedings.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 45% |
| 2. state courts of record: | 35% |
| 3. other courts: | 10% |
| 4. administrative agencies: | 10% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 95% |
| 2. criminal proceedings: | 5% |

- 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.

At Jenner & Block, I assisted on the trial team in a voting rights case that was tried to judgment in the U.S. District Court for the Northern District of Illinois. At Debevoise & Plimpton, I assisted on the trial team in two arbitration hearings. At Cablevision, I have been part of the trial team in three cases that went to trial:

one in the U.S. District Court for the Southern District of New York, one in the U.S. Bankruptcy Court for the District of Delaware, and one in New York Supreme Court for New York County. I did not serve as chief counsel or sole counsel in any of these cases.

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

Two of these cases were bench trials; two were jury trials; two were arbitration hearings.

- 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 as counsel for a party in any case before the Supreme Court of the United States. I have worked on the following amicus briefs in cases before the Supreme Court:

Amicus brief in *Rumsfeld v. Padilla*, 542 U.S. 426 (2004), on behalf of Professor Louis Henkin, Professor Harold Hongju Koh, and Michael Posner. Copy supplied.

Amicus brief in *Lawrence v. Texas*, 539 U.S. 558 (2003), on behalf of the National Gay and Lesbian Law Association and other groups (co-authored with Chai Feldblum). Copy supplied.

I also assisted in the preparation of the opposition to a petition for certiorari in *Cartoon Network v. CSC Holdings*, No. 08-448. Copy supplied.

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) *Lippe v. Bairnco*, 249 F. Supp. 2d 357 (S.D.N.Y. 2003) (Chin, J.), *aff'd*, 99 F. App'x 274 (2d Cir. 2004) (Meskill, Katzmann, Wesley, JJ.). This was a complex case involving fraudulent conveyance and related claims against a U.S. corporation that had filed for bankruptcy following the filing of over 100,000 asbestos-related product liability claims. On behalf of the company, we filed summary judgment motions in 2002-2003, prevailing on summary judgment and on appeal. Co-counsel: John Hall, Steve Klugman, and Jeremy Feigelson, Debevoise & Plimpton LLP, 919 Third Avenue New York, NY 10022, (212) 909-6000. Opposing Counsel: Stanley Levy, Levy, Phillips & Konigsburg LLP, 800 Third Avenue, 11th Floor, New York, NY 10022, (212) 605-6200.

2) *International Arbitration for non-U.S. Corporation*. In 2001-2003, I represented a non-U.S. corporation with my Debevoise & Plimpton colleagues in a major confidential arbitration conducted under the auspices of the American Arbitration Association. The arbitration included document discovery and depositions, with various phases of the case taking place in Japan, Brazil, and London, and an arbitration hearing before a panel of three arbitrators in New York. The claims involved allegations of breach of the duty of good faith and fair dealing in connection with a bid for a mining company. We prevailed at the hearing on behalf of the defendant company. Co-counsel: Donald F. Donovan and Steve Klugman, Debevoise & Plimpton LLP, 919 Third Avenue, New York, NY 10022, (212) 909-6000. Opposing counsel: Fred Davis, Shearman & Sterling LLP, 599 Lexington Avenue, New York, NY 10022 (currently at Debevoise & Plimpton LLP, 21 Avenue George V, Paris, France 75008, +33 1 40 73 13 10).

3) *Barnett v. City of Chicago*, 969 F. Supp. 1359 (N.D. Ill. 1997) (Duff, J.), *aff'd in part, vacated in part, and remanded*, 141 F.3d 699 (7th Cir. 1998) (Posner, Ripple, Kanne, JJ.). This case involved a challenge under the Voting Rights Act to the 1990 redistricting of the City of Chicago's alderman ward map. I served on the trial team during the 48-day trial in federal district court in Chicago during 1996, serving principally as the brief-writer and legal expert on the team. Our client, the City of Chicago, prevailed in the bench trial when Judge Brian Barnett Duff upheld the legality of the ward map. The case was later appealed to the Seventh Circuit, when I was no longer involved in it. The Seventh Circuit affirmed in part, reversed in part, and remanded for further proceedings. Co-counsel: Jerry Solovy, Joel Pelz, and Paul Smith, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654, (312) 222-9350. Opposing counsel: Judson Miner, Miner Barnhill & Galland, 14 West Erie Street, Chicago, IL 60610, (312) 751-1170; Maria Valdez, Mexican-American Legal Defense and Education Fund (currently United States Magistrate Judge, U.S. District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois, 60604, (312) 435-5690).

4) *Heyman v. M.L. Marketing*, 116 F.3d 91 (4th Cir. 1997) (Michael, Motz, Goodwin, JJ.) (argued). This appeal, which I argued in 1997, involved the interpretation of Rule 60(b) of the Federal Rules of Civil Procedure, specifically the standard for "excusable neglect" to obtain relief from a judgment in the context of a bankruptcy trustee seeking substitution of counsel. I represented the appellant seeking relief. The Fourth Circuit held that the district court had not abused its discretion under Fourth

Circuit case law and affirmed. Co-counsel: Carl Nadler, Jenner & Block LLP, Washington, DC (currently at Arnold & Porter LLP, 555 Twelfth Street NW, Washington, DC, 20004, (202) 942-6130). Opposing counsel: Robert Marino, Reed Smith (currently at Redmon, Peyton & Braswell LLP, 510 King Street, Alexandria, VA 22314, (703) 684-2000).

5) *KPERS v. Reimer & Koger Assocs.*, 941 P.2d 1321 (Kan. 1997) (Larson, J.). I assisted in the briefing of the constitutional issues in this appeal in 1996-1997, which involved due process and equal protection challenges to retroactive state legislation extending a statute of limitations for a specific class of claims. The Kansas Supreme Court ultimately ruled in favor of the plaintiff, the Kansas Public Employees Retirement System, on alternative grounds and without reaching the federal constitutional questions. Co-counsel: David Sanders, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654, (312) 222-9350. Opposing counsel: Frank Rice, Schroer Rice P.A., 214 SW 6th Avenue Suite 305, Topeka, KS 66603, (785) 357-0333.

6) *Official Committee of Unsecured Creditors of TW, Inc. v. Cablevision Sys. Corp.*, No. 05-50585 (U.S. Bankruptcy Court for the District of Delaware). A former Cablevision subsidiary that had operated The Wiz retail electronics business filed a Chapter 11 bankruptcy petition, and in 2005 the Creditors Committee filed claims against Cablevision and several of its officers and directors, including fraudulent conveyance, preferential transfer, and breach of fiduciary duty claims, seeking recovery of over \$300 million. A trial on the central solvency issues in the case took place in November 2007, resulting in a judgment in favor of the Cablevision defendants on those issues. The case subsequently was settled. As in-house counsel for the defendants, I worked closely with outside counsel in preparing witnesses for depositions and trial, drafting papers, and ultimately reaching settlement. Co-counsel: Richard Werder, Quinn Emanuel Urquhart & Sullivan LLP, 51 Madison Avenue, New York, NY 10010, (212) 849-7000; Paul Harner, Paul, Hastings, Janofsky & Walker LLP, 191 North Wacker Drive, Chicago, IL 60606, (312) 499-6060. Opposing counsel: Steven J. Mandelsberg, Robert J. Malatak, and Mark T. Power, Hahn & Hessen LLP, 488 Madison Avenue, New York, NY 10022, (212) 478-7200.

7) *Cartoon Network v. CSC Holdings*, 478 F. Supp. 2d 607 (S.D.N.Y. 2007) (Chin, J.), *rev'd*, 536 F.3d 121 (2d Cir. 2008) (Walker, Sack, Livingston, JJ.). This was a significant copyright case involving the lawfulness under the Copyright Act of an innovative remote-server digital video recorder system developed by Cablevision. I was not listed as counsel on the case, but I was involved as an in-house lawyer for Cablevision from 2006 to 2009 in the litigation, including the briefing of the summary judgment motions and the appeal. Although Cablevision lost on summary judgment in the district court, the Second Circuit reversed, concluding that the system did not violate the Copyright Act. I was also involved in preparing the opposition to the certiorari petition filed by the plaintiffs in the United States Supreme Court. The Supreme Court denied certiorari. Co-counsel: Jeffrey Lamken, Molo Lamken LLP, 600 New Hampshire Avenue, NW, Washington, DC 20037, (202) 556-2000; and Timothy Macht, Macht, Schapiro, Arato & Isserles LLP, The Grace Building, 1114 Avenue of the Americas, 45th

Floor, New York, NY 10036, (212) 479-6724. Opposing counsel: Katherine B. Forrest, Cravath, Swaine & Moore LLP (currently Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, (202) 514-2000), Robert Garrett, Arnold & Porter LLP, 555 Twelfth Street, NW, Washington, DC 20004, (202) 942-5444, and (in-house) Edward J. Weiss, Senior Vice President and Deputy General Counsel, Time Warner, Inc. (currently General Counsel, New England Sports Ventures LLC, 480 Arsenal Street, Watertown, MA 02472, (617) 536-9233).

8) *Lawrence v. Texas*, 539 U.S. 558 (2003). This was a federal constitutional challenge to the Texas statute criminalizing same-sex sodomy. In 2003, I co-wrote an amicus brief on behalf of the National Gay and Lesbian Law Association and several other organizations in support of the petitioners, who were represented by Lambda Legal and Jenner & Block. The Supreme Court reversed the petitioners' convictions, overruling *Bowers v. Hardwick* and striking down the Texas sodomy statute. Co-counsel (for plaintiffs): Paul M. Smith, Jenner & Block, 1099 New York Avenue, NW, Suite 900, Washington, DC 20001, (202) 639-6060; and Ruth Harlow, Legal Director, Lambda Legal (currently at Linklaters LLP, 1345 Avenue of the Americas, New York, NY 10105, (212) 903-9210). Opposing counsel: Charles Rosenthal, District Attorney, Harris County, Texas; William J. Delmore III and Scott A. Durfee, Assistant District Attorneys, 1201 Franklin Street, Houston, TX 77002, (713) 755-5800.

9) *Campbell v. Sundquist*, 926 S.W.2d 255 (Tenn. Ct. App. 1996). This case involved an earlier challenge to the State of Tennessee's statute criminalizing sodomy under the Tennessee State Constitution's equal protection clause. In 1995, I worked on an amicus brief with my colleagues at Jenner & Block on behalf of the American Psychological Association in support of the petitioner. The Tennessee Court of Appeals struck down the statute under the Tennessee Constitution. Co-counsel (for plaintiffs): Abby Rubenfeld, Rubenfeld Law Office, 2409 Hillsboro Road, Nashville, TN 37212, (615) 386-9077; (for APA) Paul M. Smith, Jenner & Block, 1099 New York Avenue, NW, Suite 900, Washington, DC 20001, (202) 639-6060. Opposing counsel: Jerry L. Smith, Office of the Tennessee Attorney General (currently Judge, Tennessee Court of Criminal Appeals, 200 Supreme Court Building, 401 Seventh Avenue North, Nashville, TN 37219, (615) 741-2681).

10) *VOOM HD Holdings LLC v. EchoStar Satellite LLC*, No. 600292/08 (New York Supreme Court, New York County). This is a breach of contract action filed by a Cablevision subsidiary seeking over \$2 billion in damages. In 2008, EchoStar Satellite LLC terminated a 15-year contract for high-definition programming, and VOOM HD Holdings LLC claims that its termination violated the terms of the parties' agreement. As in-house counsel for the plaintiff, I have worked closely with outside counsel in preparing witnesses for depositions, drafting substantive and procedural motions, and preparing for the jury trial in the case, which has not yet occurred. Co-counsel: Orin Snyder, Gibson Dunn & Crutcher, 200 Park Avenue, New York, NY 10166, (212) 351-2400; Miguel Estrada and Thomas Dupree, Gibson Dunn & Crutcher, 1050 Connecticut Avenue NW,

Washington, DC 20036, (202) 955-8500. Opposing counsel: Chet Kerr, Morrison & Foerster, 1290 Avenue of the Americas, New York, NY 10104, (212) 468-8043.

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.)

During my time working at the Department of Justice, Office of Legal Counsel, and in the White House Counsel's office, I worked on several significant legal matters that did not involve litigation. At OLC, I reviewed numerous draft and proposed congressional bills, focusing on potential constitutional issues that they raised. I advised on various constitutional and statutory questions before they involved litigation, including questions involving whether physician-assisted suicide was prohibited by the Controlled Substances Act – an issue that was subsequently resolved by the Supreme Court, consistent with the statutory position we had taken on behalf of the Justice Department, in *Gonzales v. Oregon*, 546 U.S. 243 (2006). In the White House Counsel's office, I provided advice on constitutional issues (working with OLC), including First Amendment and Appointments Clause issues.

During the past six years as head of litigation at Cablevision, I have been involved in various matters that implicated significant legal issues but did not directly involve litigation. I have been involved in a range of business projects and plans with an eye toward minimizing litigation risk and recommending actions that will avoid legal disputes. I have also been involved in corporate compliance and serve on the company's Compliance Committee, overseeing the development and implementation of company policies that are designed to ensure compliance with the law. In addition, I have been involved with SEC and other government regulatory investigations for the company.

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.

Employment Discrimination, Fordham Law School, Fall 2009. This course focused on the major federal statutes prohibiting discrimination in employment, including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act. Syllabus supplied.

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.

As part of my compensation package at Cablevision, I have been awarded stock options and restricted stock.

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

I have no present plan, commitment, or agreement with respect to outside employment during any service with the court.

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 am not aware of any likely conflicts of interest based on family members. Based on my six years of work as an in-house lawyer for Cablevision, cases involving Cablevision would be the only category of cases I am aware of that may present a potential conflict of interest. I would handle any matters involving actual or potential conflicts of interest by applying the Code of Conduct for United States Judges and any other relevant ethical canons or rules.

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

I would handle any matters involving actual or potential conflicts of interest by applying the Code of Conduct for United States Judges and any other relevant ethical canons or rules.

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.

As an attorney at Jenner & Block in Washington and Debevoise & Plimpton in New York, I participated in several pro bono activities.

In 1995, through the court's pro bono program, I was requested by Judge Peter Messitte of the United States District Court for the District of Maryland to provide research analyzing the Title VII claims raised by a *pro se* plaintiff, including the retroactivity of recent Title VII decisions.

In 2003, on a pro bono basis, I co-wrote an amicus brief in *Lawrence v. Texas*, 539 U.S. 558 (2003), a federal constitutional challenge to the Texas statute criminalizing same-sex sodomy. The brief was on behalf of the National Gay and Lesbian Law Association and several other organizations and was written in support of the petitioners, who were represented by Lambda Legal. The Supreme Court reversed the petitioners' convictions, overruling *Bowers v. Hardwick* and striking down the Texas sodomy statute.

In 1995, I worked on an amicus brief on behalf of the American Psychological Association in support of the petitioner in *Campbell v. Sundquist*, 926 S.W.2d 255 (Tennessee Court of Appeals 1996), which involved a challenge to the State of Tennessee's statute criminalizing sodomy under the Tennessee State Constitution's equal protection clause. The Tennessee Court of Appeals struck down the statute under the Tennessee Constitution.

In 2003, I worked on an amicus brief in *Rumsfeld v. Padilla*, 542 U.S. 426 (2004), on behalf of Professor Louis Henkin, Professor Harold Hongju Koh, and Michael Posner. The case involved a habeas corpus petition challenging the detention of a U.S. citizen as an enemy combatant.

I have also participated in other pro bono and fundraising activities in connection with the ACLU, Lambda Legal, the Human Rights Campaign, and other organizations

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 was contacted by an acquaintance and former Justice Department colleague in early July 2010 and asked whether I would be interested in being considered for a district court judgeship. Shortly thereafter, I received a questionnaire for judicial position from an assistant in the office of a member of Senator Schumer's Judicial Screening Committee. On July 28, 2010, I submitted the completed questionnaire to the assistant who had provided it and to a member of Senator Schumer's staff. On August 30, 2010, I had an interview with Senator Schumer's Judicial Screening Committee. On September 12, 2010, I had an interview with Senator Schumer.

Since September 28, 2010, I have been in contact with pre-nominations officials from the Department of Justice. On December 8, 2010, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, DC. On January 26, 2011, 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.

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) Oetken, James Paul	2. Court or Organization Southern District of New York	3. Date of Report 01/26/2011
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) District Judge	5a. Report Type (check appropriate type) ☒ Nomination, Date 01/26/2011 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2010 to 12/31/2010
7. Chambers or Office Address 500 Pearl Street New York, NY 10007	8. On the basis of the information contained in this Report and any modifications pertaining thereto, it is, in my opinion, in compliance with applicable laws and regulations. Reviewing Officer _____ Date _____	
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. Sign on last page.		

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

☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Senior Vice President, Associate General Counsel	Cablevision Systems Corporation
2. Adjunct Professor of Law	Fordham University
3.	
4.	
5.	

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

☒ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1.	
2.	
3.	

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Oetken, James Paul

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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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2010	Cablevision Systems Corporation - salary and bonus	\$834,036.00
2. 2009	Cablevision Systems Corporation - salary and bonus	\$760,405.00
3. 2009	Fordham University - salary	\$3,000.00
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.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1.	
2.	
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.)*

<u>SOURCE</u>	<u>DATES</u>	<u>LOCATION</u>	<u>PURPOSE</u>	<u>ITEMS PAID OR PROVIDED</u>
1. Exempt				
2.				
3.				
4.				
5.				

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V. GIFTS. *(Includes those to spouse and dependent children; see pp. 28-31 of filing instructions.)*☐ NONE *(No reportable gifts.)*

	<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
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.)*

	<u>CREDITOR</u>	<u>DESCRIPTION</u>	<u>VALUE CODE</u>
1.			
2.			
3.			
4.			
5.			

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Name of Person Reporting

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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) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(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. Cablevision Systems Corporation	C	Dividend	N	T	Exempt				
2. Madison Square Garden, Inc.		None	L	T					
3. General Electric	A	Dividend	J	T					
4. Hewlett-Packard Company	A	Dividend	J	T					
5. NASDAQ Group Inc.		None	J	T					
6. BlackRock Global Opportunities Equity Trust	B	Dividend	J	T					
7. American Funds Investment Co. of America - B	A	Dividend	J	T					
8. Invesco Prime Interest Trust Fund	A	Dividend	J	T					
9. Vanguard 500 Index Fund	B	Dividend	L	T					
10. Federated Enhanced Treasury Income Fund	A	Dividend	J	T					
11. Invesco Van Kampen Dynamic Credit Opportunities Fund	A	Dividend	J	T					
12. Claymore Delta Global Agriculture UIT	A	Dividend	K	T					
13. Claymore Health Care Portfolio UIT	A	Dividend	J	T					
14. Van Kampen IPOX 30 Index Portfolio UIT	A	Dividend	J	T					
15. HSBC Bank USA, N.A. NTS B/E Structure Product	C	Interest	L	T					
16. UBS AG 100% PPN ARBN S&P 500 Structured Product		None	J	T					
17. ABM AMRO Income Plus Fund	A	Dividend	K	T					

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

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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) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(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)
18. AllianceBernstein International Style Blend Collective Trust		None	K	T					
19. EB Diversified Stock Fund		None	K	T					
20. Target Small Cap Value Portfolio Fund Class T	A	Dividend	J	T					
21. Vanguard Institutional Index Fund Institutional Plus Shares	A	Dividend	J	T					
22. Vanguard Strategic Equity Fund - Inv	A	Dividend	K	T					
23. Columbia Acorn USA New York S29 Fund Class B		None	M	T					
24. Citibank N.A. cash accounts	B	Interest	L	T					
25. GE Interest Plus cash account	B	Interest	K	T					
26. Fieldpoint Private Bank and Trust cash account	A	Interest	K	T					
27. UBS Bank USA cash account	A	Interest	J	T					

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

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

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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



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

FILING INSTRUCTIONS

Mail signed original and 3 additional copies to:

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		120	821	Notes payable to banks-secured			
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule		920	943	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 – personal residence	1	470	000
Real estate owned – personal residence	2	450	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		10	000				
Cash value-life insurance							
Other assets itemize:							
				Total liabilities	1	470	000
				Net Worth	2	031	764
Total Assets	3	501	764	Total liabilities and net worth	3	501	764
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

Cablevision Systems Corporation	\$ 357,610
Madison Square Garden, Inc.	71,062
General Electric	6,009
Hewlett-Packard Company	1,464
NASDAQ Group Inc.	7,368
BlackRock Global Opportunities Equity Trust	9,019
American Funds Investment Co. of America -B	3,069
Invesco Prime Income Trust Fund	7,782
Vanguard 500 Index Fund	99,003
Federated Enhanced Treasury Income Fund	8,584
Invesco Van Kampen Dynamic Credit Opportunities Fund	3,356
Claymore Delta Global Agriculture UIT	15,045
Claymore Health Care Portfolio UIT	3,795
Van Kampen IPOX 30 Index Portfolio UIT	4,766
HSBC Bank, USA, N.A. NTS B/E Structured Product	89,625
UBS AG 100% PPN ARBN S&P 500 Structured Product	9,890
ABM AMRO Income Plus Fund	31,841
AllianceBernstein International Style Blend Collective Trust	19,843
EB Diversified Stock Fund	22,386
Target Small Capitalization Value Portfolio fund Class T	1,609
Vanguard Institutional Index Fund Institutional Plus Shares	11,502
Vanguard Strategic Equity Fund –Inv	21,695
Columbia Acorn USA New York 529 Fund Class B	114,620
Total Listed Securities	\$ 920,943

AFFIDAVIT

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

1/24/2011
(DATE)

J. Paul Detken
(NAME)

David Dunn
(NOTARY)

DAVID DUNN
Notary Public, State of New York
No. 02DU6165409
Qualified in New York County
Commission Expires May 7, 2011