

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Lisa Oudens Monaco

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

Assistant Attorney General for National Security

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 Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

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

February 1968, Boston, Massachusetts

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.

University of Chicago Law School  
1994 –1997  
J.D., June 1997

United States Department of Agriculture  
1991 (evening course in economics)

Harvard University  
1986 –1990  
B.A., June 1990

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.

United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Principal Associate Deputy Attorney General (Feb. 2010- present) (Acting, Feb. 2010- Jan. 2011)  
Associate Deputy Attorney General (Jan. 2009-Feb. 2010)

Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535  
Chief of Staff (Sept. 2007-Jan. 2009)  
Deputy Chief of Staff and Counselor (April 2007-Sept. 2007)  
Special Counsel to the Director (on detail, Jan. 2006-April 2007)

Enron Task Force  
United States Department of Justice  
1400 New York Avenue, NW  
Washington, DC 20530  
Assistant United States Attorney (on detail) (May 2004-Jan. 2006)

United States Attorney's Office for the District of Columbia  
555 4<sup>th</sup> Street, NW  
Washington, DC 20001  
Assistant United States Attorney (Jan. 2001-April 2007)

United States Department of Justice  
Office of the Attorney General  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Counsel (Nov. 1998-Jan. 2001)

The Honorable Jane R. Roth  
United States Court of Appeals for the Third Circuit  
844 King Street  
Wilmington, DE 19801  
Law Clerk (Sept. 1997-July 1998)

The Chicago Law Foundation  
University of Chicago Law School  
1111 E 60th St  
Chicago, Illinois 60637  
(scholarship organization that funded summer work by law students in the public interest)  
Treasurer (1995-1997)

Hogan and Hartson, LLP  
555 13<sup>th</sup> St., NW  
Washington, DC 20005  
Summer Associate (June 1996-September 1996)

White House Counsel's Office  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500  
Summer Intern (July 1996 – August 1996)

United States Department of Justice  
Office of Legislative Affairs  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Summer Intern (July--September 1995)

The Honorable Wendell P. Gardner  
Superior Court of the District of Columbia  
500 Indiana Avenue, NW  
Washington, D.C. 20001  
Summer Intern (June-July 1995)

United States Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, DC 20510  
Research Coordinator (June 1992-September 1994)

Health Care Advisory Board  
Watergate Office Complex  
Washington, DC 20005  
Senior Associate (June 1991-June 1992)

The Wilson Quarterly  
Woodrow Wilson International Center for Scholars  
Smithsonian Institution  
370 L'Enfant Plaza  
Washington, DC 20024  
Research Assistant (July 1990-July 1991)

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 never served in the military. I was not required to register for the selective service.

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

Editor-in-Chief, University of Chicago Law School Roundtable, Sept. 1996-June 1997  
Attorney General's Award for Exceptional Service, September 12, 2006  
Department of Justice Awards for Special Achievement (September 2002; August 2003; December 2005)  
Elizabeth Cary Agassiz Certificate of Merit, Harvard College

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.

Member, New York Bar, April 14, 1998 to present (no office held).

I may have had a brief membership to the American Bar Association in approximately 2007 (no office held).

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.

April 14, 1998, New York Bar. I have had no lapses in membership.

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

United States Court of Appeals for the Third Circuit, May 18, 1998  
United States Court of Appeals for the District of Columbia Circuit, May 29, 2001

I believe the above admissions have lapsed because I have had no occasion to practice in those courts since 2004.

I also appeared frequently before the Court of Appeals for the District of Columbia in 2001 in connection with my work in the Appellate Division of the United States Attorney's Office. I do not believe I was required to acquire separate admission to that court. Similarly, as an Assistant United States Attorney I appeared regularly in the United States District Court for District of Columbia

from 2003 to 2004 and in the United States District Court for the Southern District of Texas from 2004 to 2006. I do not believe I was required to be admitted before these courts.

**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.

Edward Bennett Williams Inn of Court, Associate-at-Large, 2002-present  
Washington Sports Club, circa 1990-present

I may have had a free membership in the Harvard Club shortly after graduation from college. In addition, I may briefly have been a member of the Harvard Club of Washington, D.C., when I moved here in 1990. I cannot locate any records of those memberships.

I have made financial contributions over the years to the schools I have attended. I may have made financial contributions to charitable organizations over the years. I have not included in the list above any organizations to which I gave funds and did not otherwise participate in programmatic activities.

- b. 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.

Not that I am aware of.

**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.

I have done my best to identify all books, articles, reports, letters to the editor, editorials and other published material, including through a review of my personal files and searches of electronic databases. Despite my searches, there may be

other materials I have been unable to identify, find or remember. I have located the following:

*Give the People What They Want: The Failure of Responsive Lawmaking*, The University of Chicago Law School Roundtable, Vol. 3, No. 2 (1996). (Law School note)

- 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, although as a staff assistant to the Senate Judiciary Committee from 1992-1994 I provided research assistance to a number of committee reports issued by the Chairman.

- 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.

- 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.

I have done my best to identify speeches or talks I have given by reviewing my calendars, personal files and publicly available electronic databases, although there may be some I do not recall that I have not been able to find.

Seminar on Domestic Preparedness, Harvard University. In October, 2000, I spoke to a small seminar at the John F. Kennedy School of Government. No transcript is available.

Edward Bennett Williams Inn of Court, "Let's Make a Deal – How to deal with the prosecution in white collar cases." I was part of a panel discussion. October 17, 2002. No notes or transcript available.

American Bar Association, Young National Security Lawyers. I was part of a panel discussion on the “law of leaks” and media leak legislation. I cannot recall the precise date but believe it was in the spring of 2004. No notes or transcript available.

Edward Bennett Williams Inn of Court, Electronic Evidence. I was a panelist for a discussion of electronic evidence in criminal prosecutions. I cannot recall the precise date but I believe this was in the spring of 2004. No notes or transcript available.

Federal Bureau of Investigation, All Employee Conference, Indianapolis, Indiana Field Office of the FBI. I gave a presentation to assembled agents and employees on the investigation and subsequent prosecutions arising from the collapse of the Enron Corporation. November 2, 2006. A copy of the presentation is attached.

American Bar Association Annual Meeting, Media, Privacy and Defamation Law Committee Litigation Committee, San Francisco, California. I was part of a panel discussion about the FBI and balancing national security and civil liberties. August 11, 2007. A copy of the presentation is attached.

KWA Women’s Speakers Series, The Belmont Hill School, Belmont, Massachusetts. I spoke about the FBI after 9/11. November 8, 2007. Notes attached.

National Security Fellows Program, John F. Kennedy School of Government, Harvard University, Cambridge, Massachusetts. I was a guest speaker for a meeting of government officials participating in the Kennedy School’s National Security fellows program. November 9, 2007. Notes attached.

American Bar Association, Litigation Section Leadership Meeting, San Diego, California. I was part of a panel discussion on national security issues. January 2008. No notes or transcript are available. My recollection is that I addressed topics similar to those listed above regarding the FBI’s role as an intelligence-focused national security organization.

Securities Enforcement Coordination Conference, Securities and Exchange Commission. I was a panelist with other prosecutors and SEC lawyers to discuss parallel proceedings in white collar cases. March 11, 2008. Notes attached.

YWCA, Women in Power Speakers Series, Palm Beach, Florida. I spoke about women in careers in law and national security. April 22, 2008. Remarks attached.

Women in International Regulatory Law Symposium, “Challenges in International Security,” I was part of a panel discussion regarding international security issues. June 18, 2008. Notes attached.

American Bar Association, Criminal Justice Section, Third Annual National Institute on Securities Fraud, “Subprime Meltdown: Reactions and Actions by the SEC and DOJ.” Arlington, Virginia. I was part of a panel discussion on the Department’s response to the subprime meltdown. October 2, 2008. Notes attached.

American University, International Studies Course, Washington, D.C. I was a guest speaker for a college-level international studies course. October 28, 2008. Notes attached.

Women’s White Collar Bar Luncheon, Patton Boggs, LLP, Washington, DC. I gave brief remarks and fielded questions about the Department’s priorities. January 26, 2010. Notes attached.

Edward Bennett Williams Inn of Court, Lessons from Guantanamo. I introduced the panelists. February 18, 2010. Notes attached.

Fordham Law School, Evidence Course, New York, New York. I was a guest speaker along with the General Counsel of the FBI at a first-year evidence class. We fielded questions about national security issues and careers in the Department of Justice and the Federal Bureau of Investigation. April 19, 2010. Notes attached.

Practicing Law Institute, Enforcement 2010: Multi-Agency Enforcement Efforts in the New Decade, New York, New York. I was part of a panel discussion about dealing with enforcement agencies. June 1, 2010. A webcast of this panel is available at:  
<http://www.pli.edu/Content.aspx?dsNav=Ny:True,Ro:0,N:4294963167-167&ID=72109>

Georgetown Law School, Legislation Course, September 21, 2010. I was a guest speaker regarding my experiences working in different branches of government. Notes attached.

- 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.

In the summer of 2008, I was interviewed by Garrett Graff for a two-part series regarding the FBI and Director Mueller that ran in the *Washingtonian* magazine in

August and September of 2008. Copies of the articles are attached. (This series spawned a book project by the author. Information from this interview and others has been included in that book which has just recently been published. *Threat Matrix: The FBI at War in the Age of Global Terror*, Garrett Graff, Little Brown, 2011. A copy of the excerpts in which I am quoted is attached).

In June 2007, I was interviewed by Richard G. Jones of the *New York Times*, in connection with a profile of the incoming Attorney General of New Jersey, Anne Milgram. That profile appeared on June 21, 2007. A copy of the article is attached.

I was interviewed by a reporter from the *Denver Post* in connection with a profile of Cliff Stricklin, one of my co-counsel on the Enron Task Force. That profile appeared on March 11, 2007, "NACCHIO ON TRIAL," Greg Griffin, *Denver Post*, March 11, 2007. A copy of the article is attached.

In January 2006, I was interviewed by John Roper of the *Houston Chronicle*, in connection with a profile of Kathryn Ruemmler of the Enron Task Force that appeared in that paper on January 29, 2006. A copy of the article is attached.

**13. 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 been a candidate for public office, although as listed in answer to Q6., I have held a number of positions in the federal government.

- 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.

None.

**14. 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 Honorable Jane R. Roth, United States Court of Appeals for the Third Circuit. September 1997-June 1998.

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

I have never practiced 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.

United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Principal Associate Deputy Attorney General  
Acting Principal Associate Deputy Attorney General  
Associate Deputy Attorney General  
January 2009-present

Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, DC 20535  
Chief of Staff to the Director  
Deputy Chief of Staff and Counselor  
Special Counsel to the Director (on detail)  
January 2006-January 2009

Enron Task Force  
United States Department of Justice  
1400 New York Avenue, NW.  
Washington, DC 20530  
Assistant United States Attorney (on detail)  
May 2004-January 2006

United States Attorney's Office for the District of Columbia  
555 4<sup>th</sup> Street, NW  
Washington, DC 20001  
Assistant United States Attorney  
January 2001-April 2007

United States Department of Justice  
Office of the Attorney General  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
Counsel to the Attorney General  
November 1998-January 2001

United States Court of Appeals for the Third Circuit  
The Honorable Jane R. Roth  
844 King Street  
Wilmington, DE 19804  
Law Clerk  
September 1997-June 1998

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have never served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

From September 1998 to January 2001, I was Counsel to the Attorney General and provided information and staff assistance on a range of criminal justice issues. From 2001 to the present, I have continued to serve in the Department of Justice primarily as a prosecutor and then as an advisor and supervisor of national security, law enforcement and litigation matters.

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

I have served one client throughout my legal career: the United States.

The areas in which I have specialized are national security, criminal prosecution and law enforcement.

- 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.

- i. Indicate the percentage of your practice in:
1. federal courts;

1998-2001: 0%  
2001-2003: 0%  
2003-2011: 100%

2. state courts of record;  
1998-2001: 0%  
2001-2003: 100%  
2003-2011: 0%

3. other courts;  
None

4. administrative agencies  
None

ii. Indicate the percentage of your practice in:

1. civil proceedings;  
1998-2009: 0%  
2009-2011: 25%
2. criminal proceedings.  
1998-2009: 100%  
2009-2011: 75%

From 1998-2001, while serving as Counsel to the Attorney General, I provided staff assistance on criminal justice, national security and congressional oversight matters and did not appear in court. When I became an Assistant United States Attorney (AUSA) in 2001, all of my work was in the criminal arena. For approximately four years, I appeared in court often on a daily basis in the District of Columbia Superior Court and United States District Court in the District of Columbia. In 2004, I was detailed to the Department of Justice's Criminal Division and the Enron Task Force. During the investigation and subsequent trials of several Enron executives I appeared in court or the grand jury frequently, including a three-month trial in Federal court in Houston, Texas. During my career as an AUSA, my practice was roughly split between Superior Court in the District of Columbia and Federal court matters.

During 2006-2009, while I was at the FBI, my work did not often involve litigation and I did not have occasion to appear in court. In 2009, I began work as an Associate Deputy Attorney General and assisted in the supervision of federal criminal and civil matters related to national security (as well as criminal and other matters) but I did not have direct responsibility for any cases and did not appear in court. In 2010, I began work as Acting Principal Associate Deputy Attorney General and now serve permanently in that position. I supervise the staff of lawyers in the Office of the Deputy Attorney General and assist the Deputy Attorney General in overseeing the operations of the Department.

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

I have tried approximately 15 jury trials to verdict. I was sole counsel in all but approximately five of these cases. In those five cases, I worked with one other prosecutor, with the exception of one case in which I was co-counsel with two other prosecutors.

During my time in the United States Attorney's Office for the District of Columbia and the misdemeanor section of that office, I tried many non-jury cases to verdict. The majority of misdemeanor cases were resolved by plea or bench trial. I do not recall how many bench trials I tried to verdict, but I would estimate 30-40.

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

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

15. **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. U.S. v. Joseph Hirko; Scott Yeager; Rex Shely; Michael Krautz and Kevin Howard  
Southern District of Texas (4:03CR00093)  
Judge Vanessa Gilmore  
April 2005-July 2005

Defendants were five executives of Enron's Broadband business unit who were charged with conspiracy to commit securities and wire fraud, insider trading, and money laundering in connection with misrepresentations to the investing public about the progress and success of the Enron "intelligent network." The investigation and prosecution was part of the Enron Task Force's investigation into the collapse of Enron stemming from the December 2001 bankruptcy of that corporation. I was co-lead counsel in a three-month trial after which the jury was unable to reach a verdict on a majority of the charges. In 2005, my co-counsel and I reindicted the defendants in three indictments. After I left the Task Force, a number of defendants pleaded guilty or were retried.

In 2008, the lead defendant (Hirko) pleaded guilty to wire fraud. He received a 16-month sentence and was ordered to pay more than \$8 million in restitution and forfeiture. In 2010, defendant Shelby pleaded guilty to insider trading. He agreed to forfeit more than \$2 million in proceeds and is awaiting sentencing. Defendants Krautz and Howard were retried in 2006. At retrial, Howard was convicted of fraud, conspiracy and falsifying books and records. Krautz was acquitted. Howard moved to vacate his convictions based on United States v. Brown, 459 F.3d 509 (5<sup>th</sup> Cir. 2006), *cert. denied*, 127 S.Ct. 2249 (2007), which clarified the meaning of "honest services" fraud. The district court vacated the convictions (471 F.Supp.2d 772), and the Fifth Circuit affirmed (517 F.3d 731 ). In 2009, Howard pleaded guilty to one count of falsifying books and records and was sentenced to one year of probation. Defendant Yeager challenged the November 2005 superseding indictment on collateral estoppel and double jeopardy grounds. The district court denied his motion to dismiss the superseding indictment (446 F.Supp.2d 719) and the Fifth Circuit affirmed (521 F.3d 367). In 2009, the Supreme Court granted certiorari, reversed and remanded, finding that the jury's inability to reach verdicts on insider trading counts was a "nonevent" for purposes of determining the issue-preclusive effect of the acquittals. (129 S.Ct. 2360 ).

Co-Counsel:

Benton Campbell  
Former AUSA on the Enron Task Force  
Currently, Partner at Latham & Watkins, 885 Third Avenue, New York, New York, 10022, 212-906-1200;

Cliff Stricklin  
Former AUSA on the Enron Task Force  
Currently, Partner at Holme Roberts and Owen LLP, 1700 Lincoln Street, Suite 4100, Denver, CO 80203, 303-866-0372.

Counsel for Defendants:

Defendant Hirko was represented by:  
Per Ramjford, Partner, Stoel Rives, LLP, 900 SW Fifth Street, Suite 2600, Portland,  
OR 97204, 503-294-9257); and David Anjali, Anjali Law Group, LLC, 121 SW  
Morrison Street, Suite 400, Portland, OR 97204, 503-954-2232

Defendant Yeager was represented by:  
JA "Tony" Canales, Canales and Simonson, PC, 2601 Morgan Avenue, PO Box  
5624, Corpus Christi, TX 78405, 361-883-0601

Defendant Shelby was represented by:  
Edwin J. Tomko and Jason Ross, Curran Tomko Tarski, LLP, 2001 Bryan Street,  
Suite 2000, Dallas, TX 75201, 214-270-1405

Defendant Krautz was represented by:  
Barry J. Pollack, Partner, Miller & Chevalier, 655 Fifteenth Street, NW, Suite 900,  
Washington, DC 20005, 202-626-5830

Defendant Howard was represented by:  
Jack B. Zimmerman and Jim E. Lavine, Zimmerman and Lavine, 770 S. Post Oak  
Lane, Suite 620, Houston, TX 77056, 713-552-0300

2. United States v. Kevin Hannon  
Southern District of Texas  
Judge Vanessa Gilmore  
August 2004

The defendant was the Chief Operating Officer of the Enron Broadband business unit. In August 2004, I negotiated a plea agreement with the defendant in which he pleaded guilty to conspiracy to commit wire and securities fraud and agreed to testify in subsequent trials for the Enron Task Force. He was sentenced to 24 months incarceration.

Counsel for Defendant:

Reid Figel, Partner, Kellogg, Huber, Hansen, Todd, Evans and Figel, 1615 M Street,  
NW, Suite 400, Washington, DC 20036, 202-326-7918

3. United States v. Ken Rice  
Southern District of Texas  
Judge Vanessa Gilmore  
July 2004

The defendant was the Co-Chief Executive Officer of the Enron Broadband business unit. He was indicted in 2003 for conspiracy to commit securities and wire fraud, insider trading and money laundering. In July 2004, my co-counsel and I negotiated a plea agreement with defendant Rice in which he pleaded guilty to securities fraud and agreed to testify as a cooperating witness in subsequent Enron Task Force prosecutions. He was sentenced to 27 months of incarceration and ordered to forfeit approximately \$15 million to the victims of the Enron fraud.

Co-counsel:

Benton J. Campbell, Partner, Latham & Watkins, 885 Third Avenue, New York, New York, 10022, 212-906-1200;

Counsel for Defendant:

William D. Dolan, III, Venable LLP, 8010 Towers Crescent Drive, Suite 300, Vienna, VA 22182, 703-760-1680.

4. United States v. Jeffrey K. Skilling and Kenneth Lay  
Southern District of Texas  
C.R. No. H-04-25 (S-2); Judge Simeon P. Lake  
December 2005-January 2006

I worked on certain pre-trial litigation matters but was not a part of the trial team for this case. My involvement in pretrial litigation included work on the government's motion to preclude certain expert testimony and to provide for additional disclosure from the defense. In addition, I litigated the government's response to the defendants' motion to preclude the government from introducing evidence of defendants' fraudulent trading strategies and market manipulation by Enron traders in California. Although the government lost that motion, it was significant because it highlighted Enron's practice of generating profits from fraudulent strategies and concealing those profits using reserve accounts. This was a strategy employed in the overall conspiracy to misrepresent the true state of Enron with which the defendants were charged.

Attorneys for the Government:

Sean Berkowitz, former Director, Enron Task Force, currently, Partner, Latham and Watkins, LLP, 233 South Wacker Drive, Suite 5800, Chicago, IL , 60606, 312-777-7016;  
Kathryn H. Ruemmler, former Deputy Director, Enron Task Force, currently, Principal Deputy White House Counsel, The White House, Washington, DC, 202-456-1256;  
John Hueston, former AUSA, Enron Task Force, currently, Partner, Irell & Manella, 1800 Avenue of the Stars, Suite 900, Los Angeles, CA, 90067, 310-277-1010;  
Cliff Stricklin, former AUSA, Enron Task Force, currently Partner, Holme Roberts and Owen LLP, 1700 Lincoln Street, Suite 4100, Denver, CO 80203, 303-866-0372;

J. Douglas Wilson, Deputy Criminal Chief, U.S. Attorney's Office for San Francisco, 450 Golden Gate Avenue, San Francisco, CA 94102, 415-436-6778.

Counsel for Defendants:

Dan Petrocelli, Partner, O'Melveny and Myers, LLP, 1999 Avenue of the Stars, Suite 200, Los Angeles, CA 90067, 310-553-6700; Mark Holscher, Partner, Kirkland & Ellis, 777 S. Figueroa, Los Angeles, CA 90017, 213-680-9180; Chip Lewis, 2120 Welch St., Houston, TX 77019, 713-523-7878.

5. United States v. Obafemi Orenuga  
United States District Court for the District of Columbia  
No. 03-464  
March 2004  
430 F.3d 1158 (D.C.Cir. 2005)  
Judge John Bates

Defendant was a tax auditor for the District of Columbia Office of Tax and Revenue. He was convicted at trial for receiving bribes in exchange for reducing the tax liability of local businesses. He was sentenced to 24 months of incarceration.

Co-counsel:

Julienne Himmelstein, Assistant United States Attorney, U.S. Attorney's Office for the District of Columbia, 555 Fourth Street, NW, Washington, DC, 20001, 202-252-7957.

Counsel for Defendant:

Edward C. Sussman, 601 Pennsylvania Avenue, NW, Suite 900, Washington, DC 20004, 202737-7110.

6. United States v. Reginald Steward  
No. 03-CF-393  
Superior Court of the District of Columbia Criminal Division  
Judge Erik P. Christian  
April 2003

Defendant was convicted of unlawful distribution of heroin after a jury trial. The government utilized expert testimony regarding the practice of drug distribution operations and eye witness testimony. The defendant was sentenced to 27 years incarceration with all but 180 months sentence suspended.

Counsel for the defendant:

Walter Booth, 4550 Montgomery Avenue, Suite 601, North Bethesda, MD 20814.

7. United States v. William Mayo  
No. F-6976-02  
Superior Court of the District of Columbia Criminal Division  
Judge Russell Canan  
February 2003

Defendant was charged with armed robbery and possession of a firearm during the commission of a crime of violence. The defendant was acquitted. The matter was significant because it involved litigation over expert testimony regarding eyewitness identification by the sole witness/victim to the armed robbery.

Counsel for the Defendant:

Cynthia Katkish, 601 Pennsylvania Avenue, NW, 900 South pmb 221, Washington, D.C. 20004

8. United States v. Didar Velasquez  
801 A.2d 72 (D.C. 2002)  
District of Columbia Court of Appeals  
Chief Judge Wagner, Judge Schwelb, and Judge Farrell

I briefed and argued this appeal involving a defendant who was convicted of assault with intent to commit first-degree sexual abuse and threatening to injure a person. The case arose out of an incident in which the defendant assaulted the complaining witness who was babysitting her three-year old cousin. The defendant argued that his conviction should be reversed because the trial court violated his Sixth Amendment right to confront the witness against him by precluding his cross examination of the complaining witness about her mental illness following the assault. The Court of Appeals affirmed.

Counsel for the Defendant:

Donald Dworsky, 7307 Macarthur Boulevard, Bethesda, MD, 20816, 301-229-1904.

9. United States v. Ricardo Riley  
790 A.2d 538 (D.C. 2002)  
District of Columbia Court of Appeals  
Judges Steadman, Glickman and Belson

I briefed and argued this appeal involving a defendant who was convicted of armed robbery. The defendant argued that the trial court erred permitting the government to

introduce evidence of other crimes to demonstrate his intent to aid and abet another in the commission of the robbery. The Court of Appeals affirmed.

Counsel for the Defendant:

Kali Bracey, formerly of Public Defender Service, now with Jenner & Block, 1099 New York Avenue, NW, Suite 900, Washington, DC, 20001, 202-639-6871.

10. United States v. Jose Chavez-Quintanilla  
788 A.2d 564 (D.C. 2002)  
District of Columbia Court of Appeals  
Judges Terry, Ruiz and Pryor

I briefed and argued this appeal involving a defendant who was convicted of possession of cocaine and marijuana with intent to distribute. On appeal the defendant challenged the basis for the search of the convenience store that was being used as a front for drug distribution in a District of Columbia neighborhood. In particular, the defendant challenged the use of confidential source information as a basis for an affidavit establishing probable cause for the search. The Court of Appeals affirmed.

Counsel for Defendant:

Manuel Retureta, Retureta & Wasseem, PLLC, 1614 20<sup>th</sup> Street, NW, Washington, DC, 20009, 202-450-6119.

4. **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.)

From September 1998 to January 2001, I was Counsel to the Attorney General and I provided information, advice and staff assistance on a range of criminal justice, law enforcement, national security and oversight matters. I was not engaged in litigation.

In January 2001, I joined the United States Attorney's Office for the District of Columbia as an Assistant United States Attorney and thereafter worked as a prosecutor. I served in the Appellate Section and in the Superior Court Misdemeanor, Felony Trial and Grand Jury Sections as well as the Criminal Division's Fraud and Public Corruption Section. In Superior Court my practice consisted of representing the United States in criminal appeals to the District of Columbia Court of Appeals and the Court of Appeals for the District of Columbia Circuit, and conducting grand jury investigations and prosecuting

drug and gun-related offenses and other violent crimes. In Federal District Court, my practice consisted of investigating and prosecuting cases of public corruption and fraud. In 2004, I began a detail to the Department of Justice Criminal Division and the Enron Task Force. I served as a prosecutor (on detail) to the Enron Task Force to investigate and prosecute the fraud associated with the collapse of Enron.

In January 2006, I began another detail as an Assistant United States Attorney serving as Special Counsel to the Director of the Federal Bureau of Investigation. As Special Counsel to the Director, I provided advice and guidance on a range of national security and law enforcement matters. I did not appear in court in this job.

In April 2007, I became Deputy Chief of Staff and Counselor to the Director and then Chief of Staff at the Federal Bureau of Investigation. During this time I ran the day-to-day operations of the Director's office and provided advice and guidance on national security operations and investigations as well as on criminal and law enforcement matters. I also assisted in the management and oversight of the National Security Branch of the FBI (which is responsible for counterterrorism and counterintelligence investigations) and in the development of the intelligence capability of the FBI. I assisted the Director of the FBI and other senior executives in advancing the transformation of the FBI into a threat-based, intelligence-driven national security organization. In this capacity, I had regular interaction with representatives of the Intelligence Community, the President's Foreign Intelligence Advisory Board, and congressional staff.

In 2009, I became an Associate Deputy Attorney General. During this period I assisted the Deputy Attorney General in the management of the national security functions of the Department including the National Security Division and the Federal Bureau of Investigation. On behalf of the Deputy Attorney General, I assisted in the supervision of significant investigations and prosecutions to disrupt national security threats. I worked regularly with prosecutors and agents on issues relating to counterterrorism and counterintelligence investigations and prosecutions but I did not have direct responsibility for any cases. From time to time, I briefed senior officials on pending investigations, prosecutions and national security policy matters. My work also involved representing the Department at the National Security Council and in interagency meetings with counterparts from the Departments of Defense, State, Central Intelligence Agency, and the Office of the Director of National Intelligence and other agencies on a range of issues concerning law enforcement investigations, intelligence collection, and detention policy.

For the past year I have served as the Principal Associate Deputy Attorney General (first in an acting capacity). In this role, I have had responsibility for management of the staff of lawyers in the Deputy Attorney General's Office who assist the Deputy Attorney General in conducting management of the Department. I have assisted the Deputy Attorney General in oversight of a range of litigation, policy, and operational matters. These matters range from significant national security investigations and operations to criminal prosecutions and civil litigation.

5. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have never taught a course. I have been a guest speaker on a few occasions at one college and two law schools as described in 12 d. above.

6. **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.

I am invested in the Government's Thrift Savings Plan.

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

No.

8. **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).

Please see SF-278.

9. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

Please see attached Net Worth Statement.

10. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors 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 serve as the trustee or trust protector of trusts created for the benefit of a niece and nephew and one trust for the benefit of a friend's children. I do not have a vested interest in any of those trusts, and my role will cease if I am confirmed as Assistant Attorney General.

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

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official.

- 11. **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. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

Since I joined the Department of Justice, I have not had the opportunity to represent anyone other than the United States. From time to time I have spoken to law school and college classes regarding careers in the law and national security.

During law school, I served in the Mandel Legal Aid Clinic at the University of Chicago Law School representing indigent clients in the Law School's mental health clinic. I performed this work during my second and third years of law school. Also during law school I served as the treasurer of a public interest scholarship fund that enabled law students to do work in the public interest during the summers.

**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                        | 54         | 342 | .12 | Notes payable to banks-secured                              |     |     | 0   |
| U.S. Government securities-add schedule          |            |     | 0   | Notes payable to banks-unsecured                            |     |     | 0   |
| Listed securities-add schedule<br>See Schedule A | 13         | 316 | .72 | Notes payable to relatives                                  |     |     | 0   |
| Unlisted securities--add schedule                |            |     | 0   | Notes payable to others                                     |     |     | 0   |
| Accounts and notes receivable:                   |            |     | 0   | Accounts and bills due                                      |     |     | 0   |
| Due from relatives and friends                   |            |     | 0   | Unpaid income tax                                           |     |     | 0   |
| Due from others                                  |            |     | 0   | Other unpaid income and interest                            |     |     | 0   |
| Doubtful                                         |            |     | 0   | Real estate mortgages payable-add schedule - See Schedule C | 286 | 744 | .69 |
| Real estate owned-add schedule<br>See Schedule B | 430<br>est | 000 | .00 | Chattel mortgages and other liens payable                   |     |     | 0   |
| Real estate mortgages receivable                 |            |     | 0   | Other debts-itemize:                                        |     |     |     |
| Autos and other personal property                | 5<br>est   | 000 | .00 | See Schedule D                                              |     |     |     |
| Cash value-life insurance                        |            |     | 0   | Home Equity Loan                                            | 9   | 230 | .99 |
| Other assets itemize:                            |            |     |     | Car Loan                                                    | 18  | 282 | .51 |
| Retirement Account                               | 208        | 064 | .46 |                                                             |     |     |     |
| Fidelity IRA Account                             | 13         | 567 | .45 |                                                             |     |     |     |
| Unpaid Leave: Est.                               | 32<br>est  | 000 | .00 | Total liabilities                                           | 314 | 258 | .19 |
|                                                  |            |     |     | Net Worth                                                   | 442 | 032 | .56 |

|                                   |     |     |     |                                                      |     |     |     |
|-----------------------------------|-----|-----|-----|------------------------------------------------------|-----|-----|-----|
| Total Assets                      | 756 | 290 | .75 | Total liabilities and net worth                      | 756 | 290 | .75 |
| CONTINGENT LIABILITIES            |     |     |     | GENERAL INFORMATION                                  |     |     |     |
| As endorser, comaker or guarantor |     |     | 0   | Are any assets pledged? (Add schedule)No             |     |     | 0   |
| On leases or contracts            |     |     | 0   | Are you defendant in any suits, or legal actions? No |     |     | 0   |
| Legal Claims                      |     |     | 0   | Have you ever taken bankruptcy? No                   |     |     | 0   |
| Provision for Federal Income Tax  |     |     | 0   |                                                      |     |     |     |
| Other special debt                |     |     | 0   |                                                      |     |     |     |

## **Lisa Oudens Monaco Net Worth Statement**

### **Schedule A**

#### **Listed Securities**

|                                                 | Market Value |
|-------------------------------------------------|--------------|
| Fidelity Equity Income II Account (Mutual Fund) | \$13,316.72  |

### **Schedule B**

#### **Real Estate Owned**

|                                                                | Market Value                        |
|----------------------------------------------------------------|-------------------------------------|
| 1736 18 <sup>th</sup> Street, NW, #301<br>Washington, DC 20009 | \$430,000.00<br>(purchased in 2004) |

### **Schedule C**

#### **Real Estate Mortgage Payable HSBC Mortgage**

| Value        |
|--------------|
| \$286,744.69 |

### **Schedule D**

#### **Other Debts HSBC Home Equity Loan**

| Value       |
|-------------|
| \$ 9,230.99 |

|                                                                                                     |             |
|-----------------------------------------------------------------------------------------------------|-------------|
| Car Loan: Audi Financial Services<br>(3 ½ year lease, payable in monthly installments of \$489/mo.) | \$18,282.51 |
|-----------------------------------------------------------------------------------------------------|-------------|