UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

   Michael Andre Shipp

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

   United States District Judge for the District of New Jersey

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

   United States District Court for the District of New Jersey
   Martin Luther King, Jr. Federal Building & United States Courthouse
   50 Walnut Street
   Newark, New Jersey 07102

   Residence: Monmouth Junction, New Jersey

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

   1965; Paterson, New Jersey

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.

   1991 – 1994, Seton Hall University School of Law; J.D., 1994

   1983 – 1987, Rutgers University; B.S., 1987

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2007 – Present
United States District Court for the District of New Jersey
Martin Luther King Jr. Federal Building and United States Courthouse
50 Walnut Street
Newark, New Jersey 07102
United States Magistrate Judge

2001 – Present
Summer Institute for Pre-Legal Studies
Seton Hall University School of Law
One Newark Center
Newark, New Jersey 07102
Adjunct Professor

2003 – 2007
Office of the Attorney General of New Jersey
Department of Law & Public Safety
Richard J. Hughes Justice Complex
25 West Market Street
Trenton, New Jersey 08625
Counsel to the Attorney General (2007)
Assistant Attorney General in-charge of Consumer Protection (2003 – 2007)

1995 – 2003
Skadden, Arps, Slate, Meagher & Flom LLP
One Newark Center
Newark, New Jersey 07102
Litigation Associate

1994 – 1995
New Jersey Supreme Court
Richard J. Hughes Justice Complex
25 West Market Street
Trenton, New Jersey 08625
Law Clerk to the Honorable James H. Coleman, Jr. (Retired)

1993 – 1994
Stryker, Tams & Dill
One Penn Plaza
Newark, New Jersey 07102
Law Clerk (1993 – 1994)
Summer Associate (Summer 1993)

1992 – 1993
Summer Institute for Pre-Legal Studies
Seton Hall University School of Law

One Newark Center
Newark, New Jersey 07102
Supervisor of Graduate/Teaching Assistants (Summer 1993)
Graduate/Teaching Assistant (Summer 1992)

1992 – 1993
Sellar Richardson
293 Eisenhower Parkway, Suite 170
Livingston, New Jersey 07039
Law Clerk

1987 – 1991
Sprint – United Telephone Systems
160 Center Street
Clinton, New Jersey 08809
Assistant Area Manager (1990 – 1991)
Customer Service Center Supervisor (1988 – 1990)
Management Trainee (1987 – 1988)

Other Affiliations (uncompensated)

2009 – Present
Mu Boule – Sigma Pi Phi Fraternity, Inc.
c/o Dr. Don N. Harris
26 Summerall Road
Somerset, New Jersey 08873
President (2011 – Present)
Vice President (2009 – 2011)

2005 – Present
District Court Historical Society
Martin Luther King, Jr. Federal Building & United States Courthouse
50 Walnut Street
Newark, New Jersey 07102
Member, Board of Directors (2005 – 2006)
Advisor (2007 – present)

2006 – 2007
New Jersey Lawyer Magazine
One Constitution Square
New Brunswick, New Jersey 08901
Member, Editorial Board of Directors

1998 – 2007
Sphinx Scholarship Fund
5 Gary Court

Somerset, New Jersey 08873
Member, Board of Directors

1995 – 1999
Alpha Phi Alpha Fraternity, Inc.
P.O. Box 53
Somerset, New Jersey 08873
President (1997 – 1999)
Vice President (1993 – 1995)

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 with 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.

   Alpha Phi Alpha Fraternity, Inc., Theta Psi Lambda President's Award (2008)
   Garden State Bar Association, Roger M. Yancey Award (2008)
   Skadden, Arps, Slate, Meagher & Flom LLP 2002 Pro Bono Service Award (2002)
   PMBR Bar Course Scholarship (1994)
   Thurgood Marshall Student Achievement Award (1994)
   Black Law Students Association Academic Achievement Award (1992 – 1994)
   Clyde Ferguson Scholarship (1992 – 1994)

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
   Asian Pacific American Lawyers Association
   Association of the Federal Bar, District of New Jersey
   Federal Magistrate Judges Association
   Garden State Bar Association
   Judicial Council (2011)
   Historical Society of the United States District Court for the District of New Jersey
   Director (2005 – 2006)
   Advisor (2007 – present)
   Lawyers Advisory Committee of the United States District Court for the District of New Jersey
   Judge member (2007 – present)
   Sat by designation of the Attorney General's Office (2005 – 2006)

New Jersey State Bar Association
Federal Trial Practice Section
Minorities in the Profession Section
Director (approx. 1999 – 2002)

10. **Bar and Court Admission**:

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

New Jersey, 1994
Pennsylvania, 1995

I passed the Pennsylvania bar in 1994, but never practiced there. In 1999, I did not complete the continuing legal education requirements for Pennsylvania and I was transferred to inactive status. I became active again in 2001, and remained so until 2003 when I transferred back to inactive status. I have never practiced in Pennsylvania and do not intend to do so in the future so I remain on inactive status.

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.

New Jersey Supreme Court, 1994
United States District Court for the District of New Jersey, 1994

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.

Alpha Phi Alpha Fraternity, Inc. (1984 – present)
President (1997 – 1999)
Vice President (1993 – 1995)
Just the Beginning Foundation (2007 – present)
Mu Boule – Sigma Pi Phi Fraternity, Inc. (2000 – present)
President (2011 – present)
Vice President (2009 – 2011)

New Jersey Attorney General Advocacy Institute
Faculty (2003 – 2007)
New Jersey Lawyer Magazine
Member, Board of Directors (2006 – 2007)
Seton Hall University School of Law Alumni Council (1999 – 2004)
Seton Hall University School of Law Inter-Scholastic Moot Court Team
Coach (1995 – 2000)
Sphinx Scholarship Fund
Member, Board of Directors (1998 – 2007)

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.

By charter, the fraternities are male-only. To the best of my knowledge, the organizations listed above do not otherwise currently discriminate, and did not formerly discriminate, on the basis of race, sex, religion or national origin.

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.

Shipp, Michael A., *Charitable Giving, Are Fraudsters in Your Pockets?*, 28 N.J. LAW. MAG. 33 (Feb. 2011) (co-authored) (Consumer Protection Issue). Copy supplied.

Shipp, Michael A., *A Tribute to Our Magistrate Judges*, 10 NUNC PRO TUNC 7 (Feb. 2008) (co-authored). Copy supplied.

I do not recall any other publications, although there may be some I have been unable to recall or identify.

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.

Lawyers Advisory Committee of the U.S. District Court for the District of New Jersey Resolution, January 29, 2008. Copy supplied.

Authorized Proposed Amendments to New Jersey Administrative Code Sections 13:101-1.3, 4.2, 5.2, 5.6, 6, 7, and 8.1. Law and Public Safety Juvenile Justice Commission, 2008. Although I was never a member or officer of the Juvenile Justice Commission, in my role as Counsel to the Attorney General, I frequently stood in his place and was charged with reviewing and approving issues in connection with the Commission. Copy supplied.

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

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.

After reviewing my records and publicly-available information, I have listed all presentations, speeches and remarks that I am able to identify. Although I have maintained records since 2007, there may be others I have not been able to remember or identify. For example, I have regularly participated on panels and given informal and formal talks at Rutgers School of Law-Newark and Seton Hall University School of Law. I have also regularly spoken at Career Days for various elementary and middle schools. I have no notes, transcripts or recordings other than those provided herein.

October 14, 2011: Remarks to Seton Hall University School of Law students. The Honorable Susan D. Wigenton, U.S.D.J., and I presented remarks in courtroom 2C. Judge Wigenton and I encouraged the students to excel academically and to pursue judicial internships and clerkships. I have no notes, transcript or recording. The visit was sponsored by the Black Law Students Association at Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

July 13, 2011: Lunch with the New Jersey Law and Education Empowerment Project (LEEP) students in Chambers. I provided general comments regarding the

importance of a strong education. I have no notes, transcript or recording. The lunch was sponsored by Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

July 12, 2011: Remarks to summer interns from Newark Municipal Prosecutor's Office in courtroom 2C. I encouraged the students to excel academically and to pursue judicial internships and clerkships. I have no notes, transcript or recording. The visit was sponsored by Newark Municipal Prosecutor, 31 Green Street, Newark, New Jersey 07102.

July 2, 2011: Remarks, Pre-Legal Program luncheon. I provided general congratulatory comments and encouraged the students to excel when they returned to their undergraduate institutions. I have no notes, transcript or recording. The luncheon was sponsored by the Summer Institute for Pre-Legal Studies, Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

June 23, 2011: Remarks to summer interns from the New Jersey Attorney General's Office in courtroom 2C. I encouraged the students to excel academically and to pursue judicial internships and clerkships. I have no notes, transcript or recording. The event was sponsored by the New Jersey Office of the Attorney General, New Jersey Department of Law and Public Safety, Division of Law, 124 Halsey Street, Newark, New Jersey 07101.

April 28, 2011: Served as mock trial host and provided remarks, Take Your Child to Work Day. Welcome and mock trial script supplied.

April 2, 2011: Mock Trial Judge, John J. Gibbons National Criminal Procedure Moot Court Competition. I have no notes, transcript or recording. The address of the Gibbons Competition is Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

March 3, 2011: Panelist, Judges of Color Panel. I answered general questions about what judges looked for in a law clerk. I have no notes, transcript or recording. The event was sponsored by Rutgers School of Law-Newark, 123 Washington Street, Newark, New Jersey 07102.

February 10, 2011: Remarks, "Tea with the Judge." Seton Hall University School of Law. I encouraged the students to excel academically and to pursue judicial internships and clerkships. I have no notes, transcript or recording. The event was sponsored by Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

June 26, 2010: Remarks, Pre-Legal Program luncheon. I provided general congratulatory comments and encouraged the students to excel when they returned to their undergraduate institutions. I have no notes, transcript or

recording. The luncheon was sponsored by the Summer Institute for Pre-Legal Studies, Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

June 23, 2010: Remarks to summer interns from the New Jersey Attorney General's Office in conjunction with the Newark Municipal Prosecutor's Office in courtroom 2C. Notes supplied.

May 4, 2010: Mock Trial Judge, Benjamin N. Cardozo Law School, Trial Practice class. I have no notes, transcript or recording. The mock trial was sponsored by the Benjamin N. Cardozo School of Law, 55 Fifth Avenue, New York, New York 10003.

February 1, 2010: Speech, "Believe in the Dream," in celebration of Black History Month, City of Paterson. PowerPoint presentation supplied.

January 25, 2010: Panelist, New Jersey Institute for Continuing Legal Education, Federal Practice Training, "Practice Before a United States Magistrate Judge." Notes and audio supplied.

January 21, 2010: Panelist, John C. Lifland American Inn of Court. Panel on Rule 16 Conferences and Rule 26 Disclosures. I have no notes, transcript or recording. The panel was sponsored by the Lifland American Inn of Court, One Constitution Square, New Brunswick, New Jersey 08901.

November 10, 2009: Presentation, New Jersey Attorney General's Office. Notes and PowerPoint presentation supplied.

October 2, 2009: Keynote speaker, Minority and Leadership Equal Success Program, Somerset School North Plainfield. "Life's Biggest Moments Begin at Home." Notes and PowerPoint presentation supplied.

August 7, 2009: Panelist, City of Newark Law Department. I provided biographical information regarding my pathway to the bench, answered questions regarding internships and provided career advice. I have no notes, transcript or recording. The address of the law department is 31 Green Street, Newark, New Jersey 07102.

August 5, 2009: Remarks, Legal Education Opportunity Students from Seton Hall Law School. I encouraged the students to excel academically and to pursue judicial internships and clerkships. I have no notes, transcript or recording. The event was sponsored by Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

July 11, 2009: Remarks, Marcel Shipp Football Camp. I have no notes, transcript or recording. The event was sponsored by Marcel Shipp and co-sponsored by the

City of Paterson, Division of Recreation, 133 Ellison Street, Paterson, New Jersey 07505.

June 27, 2009: Remarks, Pre-Legal Program luncheon. I provided general congratulatory comments and encouraged the students to excel when they returned to their undergraduate institutions. I have no notes, transcript or recording. The luncheon was sponsored by the Summer Institute for Pre-Legal Studies, Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

May 20, 2009: Panelist, Diversity Summit. I spoke about my career path to becoming a federal magistrate judge. I have no notes, transcript or recording. The Diversity Summit was sponsored by the Office of the New Jersey Attorney General, Department of Law and Public Safety, P.O. Box 080, Trenton, New Jersey 08625.

April 2, 2009: Panel member, Rutgers Business Law Journal and Rutgers School of Law-Newark, "E-discovery 101: Overview of E-Discovery Rule Amendments, New Amendments, Recent Case Law of Interest, and Why Zubulake is Still the Best E-Discovery Example from Which to Learn." I have no notes, transcript or recording. The address of the Law Journal is Rutgers School of Law-Newark is 123 Washington Street, Newark, New Jersey 07102.

March 28, 2009: Mock Trial Judge, John J. Gibbons National Criminal Procedure Moot Court Competition. I have no notes, transcript or recording. The address is The Gibbons Competition, Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

March 26, 2009: Panel member, United States District Court Federal Bar Conference. I spoke about Rule 16 conferences and final pretrial orders. I have no notes, transcript or recording. The conference was sponsored by the Association of Federal Bar of New Jersey, P.O. Box 172, West Allenhurst, New Jersey 07711.

February 24, 2009: Panel speaker, "Minority Judges Panel: Diversity and Networking Reception," which was hosted by law school minority student associations. I answered general questions about what judges looked for in a law clerk and provided career advice. I have no notes, transcript or recording. The address of Rutgers School of Law-Newark is 123 Washington Street, Newark, New Jersey 07102.

January 28, 2009: Remarks, 100th Anniversary celebration of the NAACP. I was slated for a panel on the impact of the NAACP legal work on education, employment law, voting rights and the justice system, but was unable to attend the event in time for my panel. Instead, I gave informal remarks at the end of the celebration. I have no notes, transcript or recording. The event was sponsored by

the Middlesex County Bar Association, 87 Bayard Street, New Brunswick, New Jersey 08901.

January 22, 2009: Provided closing remarks at Dedication of Dr. Martin Luther King, Jr. Exhibit. I have no notes, transcript or recording. The event was sponsored by the Historical Society for the United States District Court for the District of New Jersey, Martin Luther King Jr. Federal Building and United States Courthouse, 50 Walnut Street, Newark, New Jersey 07102.

December 2008: Remarks, Alpha Phi Alpha Founder's Day Program. Notes supplied.

October 30, 2008: Guest speaker, Legal Education Opportunity Program's 30th Anniversary Banquet, Seton Hall University School of Law. Remarks supplied.

June 28, 2008: Remarks, Pre-Legal Program luncheon. I provided general congratulatory comments and encouraged the students to excel when they returned to their undergraduate institutions. I have no notes, transcript or recording. The luncheon was sponsored by the Summer Institute for Pre-Legal Studies, Seton Hall University School of Law, One Newark Center, Newark, New Jersey 07102.

June 14, 2008: Remarks, Garden State Bar Association Dinner and recipient of the Roger M. Yancey Award. The pre-recorded award speech can be found at http://www.Youtube.com/watch?V=J0A8GwEIQ1E.

April 24, 2008: Welcome address for Take Your Child to Work Day. I have no notes, transcript or recording. The event was sponsored by the United States District Court, District of New Jersey, 50 Walnut Street, Newark, New Jersey 07102.

February 25, 2008: Keynote Speaker, District Court of New Jersey's Black History Month Program. "Remembering Yesterday, Building Hope for Tomorrow." Notes and PowerPoint presentation supplied.

December 6, 2007: Remarks at my Investiture Ceremony. DVD and notes supplied.

December 1, 2007: Guest speaker, Paterson School District. "Life's Biggest Moments Begin at Home." PowerPoint presentation and notes supplied.

April 27, 2007: Guest speaker, "Fair Housing: It's not an Option, It's the Law" conference. The event was co-sponsored by the New Jersey State Bar Foundation, New Jersey Apartment Association, New Jersey Association of County Disability Services, New Jersey State Conference of the NAACP, Latino Leadership Alliance of New Jersey, the U.S. Department of Housing & Urban

Development, and the following New Jersey state entities: Division on Civil Rights, Commission on Civil Rights, Department of the Public Advocate, and Department of Community Affairs. I have no notes, transcript or recording. The address of the New Jersey State Bar Association is One Constitution Square, New Brunswick, New Jersey 08901.

2003 – 2007: New Jersey Attorney General Advocacy Institute. I taught skills-related courses to incoming Deputy Attorneys General. The courses included: Trial Techniques; Taking Effective Depositions; and Conducting Internal Investigations. I have no notes, transcript or recording. The address of the Office of the Attorney General is 25 West Market Street, Trenton, New Jersey 08625.

June 20, 2006: Guest speaker at high school commencement ceremony for New Jersey Training School for Boys. I encouraged students who received their General Equivalency Diplomas while incarcerated to get their lives back on track and to lead law-abiding, productive lives. I have no notes, transcript or recording, but press coverage is supplied. The address of the school is P.O. Box 500, Grace Hill Road, Monroe Township, New Jersey 08831.

December 12, 2001: Remarks, Re-Swearing In Ceremony for the Honorable James H. Coleman, Jr. at a ceremony giving him lifetime tenure. I have no notes, transcript or recording. This event was sponsored by the New Jersey Judiciary, 25 West Market Street, Trenton, New Jersey 08625.

June 1998: Panelist, Symposium on Professionalism sponsored by New Jersey Commission for Professionalism in the Law. I have no notes, transcript or recording, but press coverage is supplied. The Commission does not have a physical address.

Late March 1991: Speaker, Passaic County Vocational and Technical High School career day. I have no notes, transcript or recording, but press coverage is supplied. The address of the high school is 45 Reinhardt Road, Wayne, New Jersey 07470.

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.

Charles Toutant, Michael Booth, Lisa Brennan, and Tony Mauro, *Inadmissible; Judge-Schooled*, New Jersey Law Journal, Oct. 19, 2007 (quote re-printed in multiple outlets). Copy supplied.

Press release, *Attorney General Names New Counsel*, Office of the New Jersey Attorney General, Feb. 26, 2007. Copy supplied.

Press release, *New Jersey Announces Agreement with Nissan North America*, Office of the New Jersey Attorney General, Jan. 19, 2006 (quote re-printed in multiple outlets). Copy supplied.

Noreen Seebacher, *Legal Education Opportunities Institute Opens Doors*, Seton Hall Law School Magazine, Issue 1 (Fall 2002). Copy supplied.

Ray Alexander Smith, *Family of Slain Parolee, Police in Heated Meeting*, The Record, Feb. 15, 1996. Copy supplied.

Chris Mondics, *Coleman Confirmed for Top Court*, Philadelphia Inquirer, Oct. 21, 1994. Copy supplied.

Kerrie Beckner, *Alumni Return to Share Job Expertise*, The Record, Apr. 3, 1991. Copy supplied.

I have not made any other comments that I can recall. Since assuming my judicial position in 2007, it has not been my practice to give interviews.

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.

In October 2007, I was appointed and sworn in as a United States Magistrate Judge for the District of New Jersey. I preside over pre-trial proceedings in civil cases and I preside over civil actions in full when all parties consent. I also preside over the initial phase of all criminal matters, including bail hearings and initial appearances.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? 2

i. Of these, approximately what percent were:

jury trials:	50 %
bench trials:	50 %
civil proceedings:	100 %
criminal proceedings:	0 %

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

See attached list of opinions.

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).

1. *Hahn v. OnBoard, LLC*, Civil Action No. 09-3639 (MAS), 2011 U.S. Dist. LEXIS 16633 (D.N.J. Feb. 18, 2011); 2011 U.S. Dist. LEXIS 115144 (D.N.J. Oct. 5, 2011).

The parties consented to magistrate judge jurisdiction in this matter. Plaintiff Hahn sought damages in excess of $75,000 for alleged breach of contract and breach of the implied covenant of good faith and fair dealing, as well as tortious interference with contract by Defendants. Plaintiff was a former employee of Onboard, LLC, a corporation incorporated in the State of New York. There were many factual disputes as to the circumstances surrounding Hahn's termination. The Honorable Dickinson R. Debevoise, U.S.D.J., dismissed several counts and allowed the filing of an amended complaint. I presided over all in-person and telephone status conferences involving pre-trial issues. After the parties consented to my full civil jurisdiction, Plaintiff filed a motion for summary judgment, which I denied in a written opinion on February 18, 2011. Additionally, I presided over a three-day bench trial, listening to testimony and receiving evidence from various key witnesses and the parties. On October 5, 2011, I issued a final opinion denying all claims and counterclaims.

Counsel for Plaintiff Hahn:	Melinda Beth Maidens Jeffer, Hopkinson & Vogel 1600 Route 208 North Post Office Box 507 Hawthorne, NJ 07507 (973) 423-0100
Counsel for Defendant Onboard LLC:	Arthur D. Russell 661 Franklin Avenue Nutley, NJ 07110 (973) 661-4545

2. *Colon v. Mountain Creek Waterpark*, Civil Action No. 06-4298 (MAS), 2009 U.S. Dist. LEXIS 91351 (D.N.J. Sept. 30, 2009).

Plaintiff, a customer at Mountain Creek Waterpark, was injured while attempting to board a water ride known as the Colorado River Ride. I originally presided over discovery in the matter. After counsel consented to magistrate judge jurisdiction, I denied Defendant's motion for summary judgment. I decided a number of in limine motions and presided over an approximately six-day jury trial in the matter. After the trial resulted in a defense verdict, I entered an opinion denying Plaintiff's motion for a judgment notwithstanding the verdict or, alternatively, for a new trial. The matter is currently on appeal to the Third Circuit.

Counsel for Plaintiff Colon:	Michael J. Breslin, Jr. 126 State Street, 2nd Floor Hackensack, NJ 07601 (201) 343-5678
Counsel for Defendant Mountain Creek Waterpark:	Carla Varriale Havkins Rosengeld Ritzert & Varriale Eleven Penn Plaza, Suite 2101 New York, NY 10001 (646) 747-5130

3. *Taylor v. State of New Jersey, et al.*, Civil Action No. 08-4651 (MAS).

This multi-party action presented a plethora of discovery-related issues. The case arose from an incident of alleged police misconduct after Plaintiff's arrest for an outstanding municipal warrant. Plaintiff Taylor alleged violation of his civil rights while acting under the color of law against multiple entities, along with assault and battery and intentional infliction of emotional distress allegations. This case required extremely efficient case management and I resolved several disputes in the matter. Counsel consented to magistrate judge jurisdiction in May 2011. A jury trial was scheduled to commence on July 25, 2011. However, I settled the matter and an order was entered on July 20, 2011, dismissing the case as settled.

Counsel for Plaintiff Taylor:	Joel Martin Bacher 401 Hamburg Turnpike, Suite 201 Wayne, NJ 07470 (973) 720-8111
Counsel for Defendant City of Newark:	Avion Monique Benjamin Corporation Counsel Office 920 Broad Street, Room 316 Newark, NJ 07102 (973) 733-3880
Counsel for Defendant Parker:	David Paul Kreizer Fisher, Byrialsen & Kreizer, LLC 291 Broadway, Suite 709 New York, NY 10007 (347) 289-5031
Counsel for Defendant Bowman:	Jeffery Simms Jeffery Simms & Associates, PC 293 Passaic Street

	Passaic, NJ 07055 (973) 471-5240
Counsel for Defendant Bailey:	Ronald J. Ricci Ricci & Fava, LLC 300 Lackawanna Avenue, Suite 5 West Paterson, NJ 07424 (973) 837-1900

4. *Rodsan v. Borough of Tenafly*, Civil Action No. 10-1923 (MAS), 2011 U.S. Dist. LEXIS 70686 (D.N.J. June 30, 2011).

The parties consented to magistrate judge jurisdiction in this matter. Plaintiffs, the Rodsans, lived in a single family home in Tenafly, New Jersey, and appealed various denials of variances and violations of Borough codes related to a detached garage used as an entertainment room and cabana for their disabled adult son. In 2009, a suit was brought in New Jersey state court, where claims against Defendants were dismissed. The Appellate Division denied the appeal, and the New Jersey Supreme Court denied certification. Eventually in 2010, an action was brought in this Court claiming constructive seizure of property without compensation and misconduct by township officials in violation of 42 U.S.C. §1983, unlawful discrimination, and violation of the Equal Protection and Due Process clauses of the Fourteenth Amendment. Defendants filed a motion for summary judgment, opposed by Plaintiffs, and Plaintiffs filed cross-motions for leave to amend the complaint, which Defendants opposed. I wrote an opinion granting summary judgment in favor of Defendants pursuant to Fed. R. Civ. P. 56(b) and denying Plaintiffs' cross-motions. The opinion set forth an in-depth analysis of New Jersey and federal law regarding res judicata/issue preclusion, and the Full Faith and Credit statute. The parties did not appeal the decision.

Counsel for Plaintiffs:	Scott B. Piekarsky Piekarsky & Associates, LLC 191 Goodwin Avenue Wycoff, NJ 07481 (201) 560-5000
Counsel for Defendants Borough of Tenafly and Mattola:	William R. McClure Picinich & McClure 201 West Passaic Street, Suite 204 Rochelle Park, NJ 07662 (201) 820-4595
Counsel for Defendants Board of Adjustment of Borough of Tenafly and Lorenzo:	Harold Ritvo One University Plaza Hackensack, NJ 07601 (201) 487-5600

5. *Crisostomo v. Exclusive Detailing, Inc.*, Civil Action No. 08-1771 (MAS), 2010 U.S. Dist. LEXIS 64022 (D.N.J. June 28, 2010).

Employees of Exclusive Detailing, Inc. brought a class action suit, claiming they were not paid mandatory overtime premium for hours worked in excess of the forty hours permitted in a work week. The employees brought their claims under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. Eleven separate Plaintiffs acting on their own behalf instituted claims based on the New Jersey Wage and Hour Law, N.J.S.A. § 34:11-56a, et seq. Upon initiation of this suit from 2008 to 2010, I conducted numerous conferences to ensure the case continued to move forward in a timely fashion. After the parties consented to magistrate judge jurisdiction, I conducted all proceedings, which included a written opinion denying Defendant's motion for summary judgment. During the final pretrial conference, I was able to assist the parties in reaching a settlement agreement, which resulted in a 60-day Order administratively terminating and closing this matter as settled on September 15, 2010.

Counsel for Plaintiffs:

Alan T. Friedman
Bagolie-Friedman, LLC
The Five Corners Building
660 Newark Avenue, Third Floor
Jersey City, NJ 07306
(201) 656-8500

R. Andrew Santillo
The Winebrake Law Firm, LLC
715 Twining Road
Bresher, PA 19025
(215) 884-2491

Counsel for Defendants:

Gregory D. Winter
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554 South Livingston Avenue
Livingston, NJ 07039
(973) 994-6660

6. *Nye v. Ingersoll Rand Co.*, Civil Action No. 08-3481 (DRD) (MAS), 2010 U.S. Dist. LEXIS 29252 (D.N.J. Mar. 24, 2010).

In 2008, Plaintiffs filed an action against Ingersoll-Rand Company ("IR") for breach of contract alleging that IR had an obligation to pay Plaintiffs approximately $40 million, pursuant to a joint venture agreement with Dresser, Inc. Plaintiffs also requested promissory estoppel relief and an award of attorneys' fees. Throughout this matter, I presided over numerous in-person status and settlement conferences to assist the parties in resolving various

complex discovery disputes, which resulted in a number of rulings. The case involved high-level, corporate transactions and the sale of corporate interests and assets. Notably, two other related matters had been consolidated into this matter, which involved different Plaintiff employees and retired employees. *See Brown v. Ingersoll Rand, Co.*, Civil Action No. 08-4260 (DRD) (MAS) and *Bond v. Ingersoll Rand Co.*, Civil Action No. 08-5371 (DRD) (MAS). I diligently managed these cases to ensure the motions filed were consistent with the Scheduling Order and that the cases proceeded in an expeditious manner. A great amount of electronic discovery, confidential and proprietary information and discovery was involved, which required judicial intervention and assistance, including an in camera inspection of hundreds of documents. This resulted in an order compelling the production of some of the discovery and finding the remaining documents to be privileged. Finally, my continued involvement and assistance brought the parties closer to settlement. This matter settled in November 2011 after trial commenced before the Honorable Dickinson R. Debevoise, U.S.D.J.

Counsel for Plaintiffs Nye and Bond:	Eugene R. Egdorf Lanier Law Firm 6810 FM 1960 West Houston, TX 77069 (713) 659-5200
Counsel for Consolidated Plaintiff Bond:	Kevin Wicka Brown & Tarantino, LLC 1500 Rand Building Buffalo, NY 14203 (716) 849-6500
Counsel for Consolidated Plaintiff Brown:	Ryan Higgins Rusty Hardin, PC Five Houston Center 1401 McKinney, Suite 2250 Houston, TX 77010 (713) 652-9000
Counsel for Defendant Ingersoll-Rand Company:	Anthony Bartell McCarter & English Four Gateway Center 100 Mulberry Street Post Office Box 652 Newark, NJ 7101 (973) 622-4444

7. *Hoffmann-La Roche Consolidated Cases* (SRC) (MAS); *Hoffmann-La Roche v. Apotex*, 07-4417 (consolidated with 08-3065, 08-4053 and 10-6241 for all purposes); *Hoffmann-La Roche v. Dr. Reddy's Labs*, 07-4516 (consolidated with 08-3607, 08-4055 and 10-5623 for all purposes); *Hoffmann-La Roche v. Cobalt Pharm., Inc.*, 07-4539 (consolidated with 07-4540, 08-4054 and 10-6206 for all purposes), 2010 U.S. Dist. LEXIS 79114 (D.N.J. Aug. 4, 2010); *Hoffmann-La Roche v. Orchid Chem. & Pharm., Ltd.*, 07-4582 (consolidated with 08-4051 and 10-4050 for all purposes); and *Hoffmann-La Roche v. Genpharm*, 07-4661 (consolidated with 08-4052 and 11-579 for all purposes).

This matter involves several Hatch-Waxman actions for patent infringement. Briefly, Roche owns patents directed to methods of treating osteoporosis with a salt of ibandronic acid, the active ingredient in Roche's osteoporosis drug Boniva. Defendants are generic pharmaceutical manufacturers who have filed Abbreviated New Drug Applications seeking FDA approval to engage in the manufacture and sale of generic versions of Boniva prior to the expiration of the Roche patents. Plaintiff alleges that all Defendants infringed U.S. Patents Nos. 7,410,957 and 7,718,634. Plaintiff also alleges that Defendants Apotex, Cobalt and Orchid infringed U.S. Patent No. 4,927,814. All of the cases are informally consolidated for pre-trial purposes and I preside over the pre-trial proceedings. I have decided over 100 motions in the cases and have issued comprehensive orders. In addition, I have conducted numerous consolidated conferences to address discovery issues and disputes that impacted all of the matters and separate individual conferences to address matters specific to the individual cases. These matters are pending.

Counsel for Plaintiff:	Sheila F. McShane Gibbons, PC One Gateway Center Newark, NJ 07102 (973) 596-4637
Counsel for Defendant Apotex:	Steven Gerber Gonzalez Saggio & Harlan, LLP 155 Willowbrook Boulevard, Suite 300 Wayne, NJ 07470 (973) 256-9000
Counsel for Defendant Dr. Reddy's:	Stuart D. Sender Budd Larner, PC 150 John F. Kennedy Parkway Short Hills, NJ 07078 (973) 379-4800
Counsel for Defendant Cobalt:	James E. Cecchi Melissa Flax Carella Byrne Cecchi Olstein

	Brody & Agnello, PC 5 Becker Farm Road Roseland, NJ 07068 (973) 994-1700
Counsel for Defendant Orchid:	Charles Quinn Graham, Curtin PA 4 Headquarters Plaza Morristown, NJ 07962 (973) 292-1700
Counsel for Defendant Genpharm:	Arnold B. Calmann Saiber LLC One Gateway Center, Tenth Floor Newark, NJ 07102 (973) 622-3333

8. *Jewett v. IDT*, Civil Action No. 04-1454 (SRC) (MAS). Order supplied.

Plaintiff, a former executive of IDT, filed suit for alleged wrongful termination against IDT, a telecommunications company. The Plaintiff brought suit under the New Jersey Anti-Racketeering Statute, the New Jersey Conscientious Employee Protection Act, the New Jersey Law Against Discrimination and various other causes of action. The case was extremely contentious and received press coverage based on Jewett's claims that IDT fired him for opposing bribes to foreign officials. When I took over case management responsibility for this matter, there were several motions pending and fact discovery was still in an early stage. I conducted numerous status conferences in this matter and ruled on several applications pertaining to discovery issues, including a comprehensive protective order motion, which established limits to the broad-reaching discovery requested in the case. I conducted a settlement conference in this matter as well as a final pretrial conference. The case did not proceed to trial and counsel ultimately filed a stipulation of dismissal in this matter.

Counsel for Plaintiff:	William P. Perniciaro 84 New Dorp Plaza Staten Island, NY 10306 (718) 667-5000
Counsel for Defendants:	J. Michael Riordan McElroy, Deutsch, Mulvaney & Carpenter, LLC 1300 Mount Kemble Avenue Morristown, NJ 07962 (973) 993-8100

Donald A. Robinson
Robinson, Wettre & Miller, LLC
One Newark Center
Newark, NJ 07102
(856) 690-5400

9. *I-Med Pharma, Inc. v. Biomatrix, Inc.*, Civil Action No. 03-3677 (DRD) (MAS), 2008 U.S. Dist. LEXIS 45339 (D.N.J. June 9, 2008).

This case involves a complex litigation that arose from distribution contracts and the business relationship between the parties. Plaintiff made claims for breach of contract, breach of fiduciary duty, fraud, and negligence as Defendant allegedly did not fulfill its licensing agreement. While the fraud claims were dismissed, several claims remain pending. I have taken the lead in conducting numerous in-person settlement and telephone status conferences in order to expedite the adjudication of all matters in this case.

Counsel for Plaintiff:

Gary Maitland
Kriesberg & Maitland, LLP
116 John Street, Suite 1120
New York, NY 10038
(212) 629-4970

Counsel for Defendant:

Thane D. Scott
Bingham McCutchen, LLP
One Federal Street
Boston, MA 02110
(617) 951-8040

10. *Pontani v. Amerihealth Ins. Co.*, 08-4580 (FSH) (MAS).

This is a class action litigation on behalf of individuals covered by AmeriHealth HMO where the company set limitations on payments and denied or reduced coverage for treatment of certain eating disorders. I ruled on several discovery disputes in this case. In addition, I conducted several in-person status and settlement conferences in order to facilitate resolution of the matter. One issue in dispute was whether the ERISA's fee-shifting provisions should govern the calculation of attorney's fees. Counsel ultimately reached a settlement. On December 14, 2011, the District Court entered a final order and judgment approving the settlement.

Counsel for Plaintiff Pontani:

Bruce Heller Nagel
Nagel Rice, LLP
103 Eisenhower Parkway, Suite 201
Roseland, NJ 07068
(973) 618-0400

Counsel for Defendant Magellan:	Tracy A. Roman Crowell & Moring, LLP 1001 Pennsylvania Avenue, NW Washington, D.C. 20004 (202) 624-2500
Counsel for Defendant Amerihealth Insurance Company of New Jersey:	James L. Griffith, Jr. Akin, Gump, Strauss, Hauer & Feld, LLP One Commerce Square 2005 Market Street, Suite 2200 Philadelphia, PA 19103 (215) 965-1200

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.

1. *Contel Global Mkt. v. Cotera, et al.*, 01-238 (SRC) (MAS), 2010 U.S. Dist. LEXIS 71482 (D.N.J. July 15, 2010), *adopted*, 2010 U.S. Dist. LEXIS 104335 (D.N.J. Sept. 30, 2010).

Counsel for Plaintiff:	Thomas A. Della Croce Sills Cummis & Gross, PC One Riverfront Plaza Newark, NJ 07102 (973) 643-7000
Counsel for Defendant:	Tracy Siebold Ballard Spahr, LLP 210 Lake Drive East, Suite 200 Cherry Hill, NJ 08002 (856) 873-5528

2. *Jewett v. IDT*, 04-1454 (SRC) (MAS). Opinion supplied in response to 13(c).

Counsel for Plaintiff:	William P. Perniciaro 84 New Dorp Plaza Staten Island, NY 10306 (718) 667-5000
Counsel for Defendants:	J. Michael Riordan McElroy, Deutsch, Mulvaney & Carpenter, LLC 1300 Mount Kemble Avenue

Post Office Box 2075
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3. *Crisostomo v. Exclusive Detailing, Inc.*, 08-1771 (MAS), 2010 U.S. Dist. LEXIS 64022 (D.N.J. June 28, 2010).

Counsel for Plaintiff:

Alan T. Friedman
Bagolie-Friedman, LLC
The Five Corners Building
660 Newark Avenue, Third Floor
Jersey City, NJ 07306
(201) 656-8500

R. Andrew Santillo
The Winebrake Law Firm, LLC
715 Twining Road
Bresher, PA 19025
(215) 884-2491

Counsel for Defendant:

Gregory D. Winter
Winter & Winkler, Esqs.
554 South Livingston Avenue
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(973) 994-6660

4. *Hahn v. OnBoard, LLC, et al.*, 09-3639 (MAS), 2011 U.S. Dist. LEXIS 16633 (D.N.J. Feb. 18, 2011).

Counsel for Plaintiff:

Melinda Beth Maidens
Jeffer, Hopkinson & Vogel, Esqs.
1600 Route 208 North
Post Office Box 507
Hawthorne, NJ 07507
(973) 423-0100

Counsel for Defendants:

Arthur D. Russell
661 Franklin Avenue
Nutley, NJ 07110
(973) 661-4545

5. *Crenshaw v. Computex Info. Serv.*, 10-1493 (MAS), 2011 U.S. Dist. LEXIS 46309 (D.N.J. Apr. 29, 2011).

Counsel for Plaintiff:	Joseph K. Jones Law Offices of Joseph K. Jones, LLC 375 Passaic Avenue, Suite 100 Fairfield, NJ 07004 (973) 227-5900
Counsel for Defendant Computex:	Cindy D. Salvo The Salvo Law Firm, PC 165 Passaic Avenue, Suite 310 Fairfield, NJ 07004 (973) 233-4080
Counsel for Defendant Levy, Ehrlich & Petriello, PC:	John J. Petriello Levy, Ehrlich & Petriello, PC 60 Park Place, Suite 1016 Newark, NJ 07102 (973) 643-0040

6. *Marketvision/Gateway Research, Inc., et al. v. Priority Payroll, LLC, et al.*, 10-1537 (SRC) (MAS), 2011 U.S. Dist. LEXIS 46767 (D.N.J. Apr. 29, 2011).

Counsel for Plaintiff:	Frank Peretore Fredda Katcoff Peretore & Peretore, PC 191 Woodport Road Sparta, NJ 07871 (973) 729-8991
Counsel for Defendants:	Lawrence Zachary Kotler Carlin & Ward, PC 25A Vreeland Road Post Office Box 751 Florham Park, NJ 07932 (973) 377-3350

7. *Rodsan, et al. v. Borough of Tenafly, et al.*, 10-1923 (MAS), 2011 U.S. Dist. LEXIS 70686 (D.N.J. June 30, 2011).

Counsel for Plaintiff:	Scott B. Piekarsky Piekarsky & Associates, LLC 191 Goodwin Avenue Wycoff, NJ 07481 (201) 560-5000

Counsel for Defendant Borough of Tenafly:	William R. McClure Picinich & McClure 201 West Passaic Street, Suite 204 Rochelle Park, NJ 07662 (201) 820-4595
Counsel for Defendant Board of Adjustment of Borough of Tenafly:	Harold Ritvo One University Plaza Hackensack, NJ 07601 (201) 487-5600

8. *Critelli v. Culture Club of New York City*, 05-5877 (SRC) (MAS), 2010 U.S. Dist. LEXIS 135304 (D.N.J. Dec. 7, 2010), *adopted*, 2010 U.S. Dist. LEXIS 135408 (D.N.J. Dec. 22, 2010).

Counsel for Plaintiff:	Toni Ann Marcolini Toni Ann R. Marcolini, Esq. 843 Rahway Avenue, Suite 105 Woodbridge, NJ 07095 (732) 750-4411
Counsel for Defendant:	Christopher John White White & McSpedon, PC 875 Avenue of the Americas, Suite 800 New York, NY 10001 (212) 564-6633

9. *Digital Technology Licensing, LLC v. Sprint Nextel Corp.*, 07-5432 (SRC) (MAS), 2008 U.S. Dist. LEXIS 69344 (D.N.J. Aug. 27, 2008).

Counsel for Plaintiff:	Stephen F. Roth Lerner, David, Littenberg, Krumholz & Mentlik, LLP 600 South Avenue West Westfield, NJ 07090 (908) 654-5000
Counsel for Defendant:	Liza M. Walsh Connell Foley, LLP 85 Livingston Avenue Roseland, NJ 07068 (973) 535-0500

10. *Berman v. Ballet Makers, Inc.*, 08-1032 (FSH) (MAS), 2009 U.S. Dist. LEXIS 30675 (D.N.J. Apr. 7, 2009).

Counsel for Plaintiff:	Joseph A. Venti 458 Columbia Avenue Post Office Box 234 Cliffside Park, NJ 07010 (201) 945-8565
Counsel for Defendant:	Vincent N. Avallone Kirkpatrick & Lockhart Preston Gates Ellis One Newark Center, Tenth Floor Newark, NJ 07102

e. Provide a list of all cases in which certiorari was requested or granted.

To the best of my knowledge, certiorari has not been requested in any of my cases.

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.

To date, none of my Reports and Recommendations has ever been rejected by a district judge.

1. *Clark v. Prudential Life Ins. Co.*, 08-6197 (DRD) (MAS).

On May 13, 2011, the Honorable Dickinson R. Debevoise, U.S.D.J., affirmed my ruling regarding several discovery issues, but reversed the confidentiality designations of 15 documents that were submitted for an in camera inspection, noting that while perhaps Rule 26(c) confidentiality protection was once merited, because years had passed since the documents were first created and the policy in question had been off the market for quite some time, the underlying basis for any such protection no longer existed. Opinion supplied; the District Court's opinion is found at *Clark v. Prudential Life Insurance Company*, No. 08-6197, 2011 U.S. Dist. LEXIS 51486 (D.N.J. May 13, 2011).

2. *Nye v. Ingersoll Rand Co.*, No. 08-3481 (DRD) (MAS).

On January 25, 2011, the Honorable Dickinson R. Debevoise, U.S.D.J., affirmed my ruling regarding several discovery disputes, except that the District Court permitted two depositions to proceed, which I had denied. Notably, however, the

District Court limited the depositions to one hour each and required that they be conducted telephonically with the sole purpose of assessing whether the deponents could verify the authenticity of certain documents and whether they gave any legal advice to one of the named Plaintiffs. All other discovery rulings were affirmed. Opinion supplied. The District Court's opinion is found at *Nye v. Ingersoll Rand Co.*, No. 08-3481, 2011 U.S. Dist. LEXIS 7383 (D.N.J. Jan. 25, 2011).

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.

As a magistrate judge, I issue orders on non-dispositive matters and in dispositive matters for which I have magistrate jurisdiction. I also issue reports and recommendations for dispositive matters referred to me. My non-dispositive orders include basic scheduling orders, requests to extend time to respond to various pleadings, motions to amend, motions to quash subpoenas and motions for sanctions. The orders, reports and recommendations I issue are filed with the court's electronic filing system. While very few orders are published, most of my substantive decisions are published electronically on Westlaw and Lexis Nexis.

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.

None.

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.

I have not sat by designation on a federal court of appeals.

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 follow the federal recusal statutes and the Code of Conduct for United States Judges. I also maintain a standing recusal list with the Clerk's Office. If a case is assigned to me involving a lawyer on the recusal list, it is automatically reassigned to another judge.

There has been one instance in which I was asked to recuse beyond my standing recusal list. In *Higgins v. Ebay*, Civil Action No. 09-5341 (KSH), the pro se Plaintiff filed an application for my recusal. I recused myself from the matter after the same pro se Plaintiff also filed a civil complaint against Judge Chesler and me. *See Higgins v. Chesler*, Civil Action No. 10-5969 (JRS).

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

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

I have not held public office other than judicial office. I have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed office.

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

On Election Day in 2002, I assisted with legal issues pertaining to voter irregularities in Newark, Essex County, New Jersey, for the mayoral candidate Cory Booker. I provided legal advice when questions were raised regarding voters who were allegedly denied the opportunity to vote. Since 2002, I have not engaged in any political activity.

16. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

From 1994 to 1995, I clerked for the Honorable James H. Coleman, Jr., Supreme Court of New Jersey (Retired).

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.

1995 – 2003
Skadden, Arps, Slate, Meagher & Flom LLP
One Newark Center
Newark, New Jersey 07102
Litigation Associate

2003 – 2007
Office of the Attorney General of New Jersey
Department of Law & Public Safety
Richard J. Hughes Justice Complex
25 West Market Street
Trenton, New Jersey 08625
Counsel to the Attorney General (2007)
Assistant Attorney General in-charge of Consumer Protection (2003 – 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.

Since assuming the position of United States Magistrate Judge in 2007, I have conducted numerous settlement conferences and successfully settled a substantial number of significant cases. However, I did not serve as a mediator or arbitrator while in private practice.

b. Describe:

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

I began practicing law in 1995 as an Associate at Skadden, Arps, Slate, Meagher & Flom. My practice was primarily general litigation, but I did a large amount of labor and employment work. I also developed an expertise in mass tort law and products liability litigation. Over the course

of the eight years, I became adept at managing complex commercial litigation.

In 2003, I went to work in the public sector as the Assistant Attorney General in-charge of Consumer Protection with the Department of Law and Public Safety for the State of New Jersey. In this capacity, I was charged with managing five practice groups: Consumer Fraud Prosecution, Insurance Fraud Prosecution (civil), Securities Fraud Prosecution, Professional Boards Prosecution, and Debt Recovery. I supervised approximately 80 Deputy Attorneys General within the practice groups and indirectly supervised any of the remaining 520 lawyers in the Division of Law. I also managed and retained outside counsel in the litigation of 12 major class action lawsuits in federal courts throughout the nation.

In 2005, I was promoted to the Attorney General's front office. There, I became a top advisor to the Attorney General on sensitive legal issues relating to ethics, appointments, and other matters requiring personal involvement by the Attorney General. I managed the day to day issues within the Department of Law and Public Safety, and advised and strategized with attorneys, directors, commissioners, and other government officials on significant litigation matters. I served as a key liaison between the Attorney General and the directors of the various divisions within the Department. These divisions included: Law, Consumer Affairs, Civil Rights, Criminal Justice, Gaming Enforcement, Alcoholic Beverage Control, Highway Traffic Safety, Elections, New Jersey State Police, and the Juvenile Justice and Racing Commissions. In February 2007, I was officially named Counsel to the Attorney General of New Jersey.

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

While at Skadden my clients were generally large corporations. I primarily performed defense work. At the Attorney General's Office, my role was protection of consumer interests within the State of New Jersey. I represented the public interest and specific individuals taken advantage of by scrupulous businesses. I handled all affirmative litigation and served as the State's civil fraud prosecutor.

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.

Prior to my appointment to the position of Magistrate Judge, virtually all of my practice was in civil litigation. While at Skadden Arps from 1995 to 2003, my

practice varied between New Jersey state courts and federal court. During my time at the Attorney General's Office, my practice was mostly state court litigation. Over the years, I have also handled a few minor state court criminal matters and cases before administrative agencies. I would estimate that during my time in private practice, I appeared in court no less than twice per month.

i. Indicate the percentage of your practice in:

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

ii. Indicate the percentage of your practice in:

1.	civil proceedings:	98%
2.	criminal proceedings:	2%

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.

All of my cases were prepared as if they were going to trial; however, the cases settled and none resulted in a trial on the merits.

i. What percentage of these trials were:

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

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

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

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

a. the date of representation;

b. the name of the court and the name of the judge or judges before whom the case was litigated; and

c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. Post Hurricane Katrina Gas Price Gouging Cases: *Harvey v. Amerada Hess Corp., et al.*, Superior Court of New Jersey, Law Division, Mercer County, Docket No. MER-L-2520-05; *Farber v. Motiva Enter., LLC, et al.*, Superior Court of New Jersey, Law Division, Mercer County, Docket No. MER-L-2521-05; *In re BP Products of N. Am., Inc.* (do not recall docket number).

On behalf of the State of New Jersey, I filed individual Complaints against several defendants arising from the statewide inspections of service stations and allegations of price gouging in the wake of Hurricane Katrina. The Complaints alleged that the Defendants violated the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., the Regulations Governing General Advertising Practices, N.J.A.C. 13:45A-9.1 et seq., the Motor Fuels Act, N.J.S.A. 56:6-1 et seq., and the Motor Fuels Regulations, N.J.A.C. 18:19-1.1 et seq., by: (1) changing the retail price of motor fuel more than once within a 24-hour period; (2) failing to maintain requisite books and records; (3) failing to provide the State investigators with access to books and records; and/or (4) displaying on outside signage retail prices for motor fuels that did not reflect the actual price charged to consumers. I crafted the legal theories, reviewed and revised the complaint, and represented the State at all of the settlement conferences. I ultimately settled all of the individual matters, with Hess making a payment of $372,391, Motiva making a payment of $371,000 and BP making a payment of $315,000.

Counsel for Hess Corp. Defendants:	Brian J. Molloy, Esq. Matthias D. Dileo, Esq. Wilentz, Goldman & Spitzer, PA 90 Woodbridge Center Drive Woodbridge, NJ 07095 (732) 855-6083
Counsel for Motiva Enter., LLC Defendants:	Frank C. Testa, Esq. Morgan, Lewis & Bockius, LLP 502 Carnegie Center Princeton, NJ 08540 (609) 919-6600
Counsel for BP Products of N. Am. Inc. Defendant:	Edward J. Fanning, Jr., Esq. McCarter & English, LLP 100 Mulberry Street Newark, NJ 07102 (973) 622-4444

2. *Harvey v. Blockbuster, Inc.*, Superior Court of New Jersey, Chancery Division, Mercer County, Docket No. MER-C-24-05.

On February 18, 2005, I filed, on behalf of the State of New Jersey, a Complaint against Blockbuster, Inc., alleging violations of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., and the Regulations Governing General Advertising Practices, N.J.A.C. 13:45A-9.1 et seq., arising from Blockbuster's "No more late fees" ad campaign. The allegations included: (1) providing consumers with misleading information concerning the nature of its "No more late fees" policy; and (2) failing to disclose in advertisements and through store personnel the material terms of the "No more late fees" policy. On March 18, 2005, Blockbuster filed a motion to remove the case to federal court on the ground of diversity jurisdiction. I filed a motion to remand the action to state court. On August 8, 2001, the Honorable Mary L. Cooper, U.S.D.J. issued a Memorandum Opinion and Order remanding the action to state court. I settled the matter on December 23, 2005. This action was settled, among other things, with Blockbuster making a payment of $50,000.

Counsel for Defendant:

Alfred C. DeCotiis, Esq.
DeCotiis, Fitzpatrick, Cole and Wisler, LLP
500 Frank W. Burr Boulevard
Teaneck, NJ 07666
(201) 928-1100

3. Dangerous Dietary Supplements Litigation: *Harvey v. Cytodyne Tech.*, Superior Court of New Jersey, Chancery Division, Monmouth County, Docket No. MON-C-205-03; *Harvey v. Goen Tech.*, Superior Court of New Jersey, Chancery Division, Monmouth County, Docket No. MRS-C-183-03; and *Farber v. NVE Pharms., Inc., et al.*, Superior Court of New Jersey, Chancery Division, Somerset County, Docket No. SOM-C-39-04.

In July 2003, October 2003 and August 2004, respectively, I filed, on behalf of the State of New Jersey, Complaints against Cytodyne Technologies, Goen Technologies and NVE Pharmaceuticals, Inc. Cytodyne Technologies was the manufacturer of ephedra-based Xenadrine RFA-1 and ephedra-free Xenadrine EFX, among others. Goen Technologies manufactured ephedra-based TrimSpa and NVE Pharmaceuticals manufactured dietary supplements. The State's allegations included that the Defendants violated the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., in the production, sales, marketing, and advertising of these dietary supplements by making claims as to the efficacy of the supplements without scientific basis as well as failing to disclose potentially dangerous side effects. I crafted the legal theories, reviewed and revised the complaints and represented the State at the settlement conferences in all of the matters. In the *Cytodyne Technologies* matter, Defendant Nutraquest filed for bankruptcy protection. I settled the case for $940,000 (cash payment of $750,000 and $190,000 in an unsecured claim against Nutraquest in bankruptcy).

Following Bankruptcy Court approval, the settlement document was signed by the Honorable Alexander D. Lehrer, J.S.C. and filed with the Superior Court on June 30, 2005. In the *Goen Technologies* matter, on August 5, 2005 the parties executed and filed a Consent Order with the Court wherein Defendants agreed to a $750,000 payment. In the *NVE Pharmaceuticals* case, I settled the matter on June 5, 2006 for $260,000. NVE subsequently filed for Chapter 11 bankruptcy protection. On August 9, 2006, the Bankruptcy Court approved the State's settlement with NVE.

Counsel for Cytodyne Defendant:	Brian J. Molloy, Esq. Matthias D. Dileo, Esq. Wilentz, Goldman & Spitzer, PA 90 Woodbridge Center Drive Woodbridge, NJ 07095 (732) 636-8000
Counsel for Goen Technologies Defendant:	Donald Beshada, Esq. Drinker, Biddle & Reath, LLP 500 Campus Drive Florham Park, NJ 07932 (973) 549-7000
Counsel for NVE Defendants:	Robert P. Donovan, Esq. McElroy, Deutsch, Mulvaney & Carpenter, LLP Gateway Three Newark, NJ 07102 (973) 622-7711

4. *Harvey v. Nissan N. Am., Inc.*, Superior Court of New Jersey, Chancery Division, Somerset County, Docket No. SOM-C-12016-04.

On March 8, 2004, I filed, on behalf of the State of New Jersey, a Complaint against Nissan North America, Inc. arising from the theft of its High Intensity Discharge bi-level xenon projector headlights from 2002 and 2003 Nissan Maximas between December 2002 and November 2003. The State alleged that Nissan knew that the Xenon Headlamps were being targeted by thieves and developed an anti-theft kit, but failed to advise consumers of the availability of such anti-theft device. This action was dismissed by the trial court, from which the State appealed. I crafted the legal theories, reviewed and revised the complaint, and represented the State at all of the settlement conferences. I ultimately settled the matter on January 17, 2005, for a $325,000 payment as well as dismissal of the pending appeal. Thereafter, the New Jersey Division of Consumer Affairs identified 234 consumers who were entitled to restitution, in the aggregate amount of $110,034.

Counsel for Defendant:

Edwin M. Baum, Esq.
Proskauer Rose, LLP
1585 Broadway
New York, NY 10036
(212) 969-3000

Peter M. Burke, Esq.
Lindabury, McCormick, Estabrook & Cooper, PC
53 Cardinal Drive
Westfield, NJ 07091
(908) 233-6800

5. *Harvey v. Sears, Roebuck & Co.*, Superior Court of New Jersey, Chancery Division, Hudson County, Docket No. HUD-C-144-02.

On or about October 10, 2002, I filed, on behalf of the State of New Jersey, a Complaint against Sears, Roebuck and Co., alleging violations of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., in connection with its sale of wheel alignments at its auto centers throughout New Jersey. Among other things, the Complaint alleged that Sears charged consumers for the more expensive four-wheel alignments on vehicles that did not allow for rear-wheel alignments. This action was heavily litigated. I handled and helped resolve several discovery disputes. I prepared witnesses for trial, including our primary expert. I also handled the mediation before the Honorable Stephen Orlofsky, former U.S.D.J. The matter was resolved on March 5, 2004. As part of the settlement, Sears agreed to pay $500,000 to be applied to Division of Consumer Affairs' initiatives, $124,440 in consumer restitution as well as the State's out-of-pocket costs.

Counsel for Defendant:

Edward J. Fanning, Jr., Esq.
McCarter & English
100 Mulberry Street
Newark, NJ 07102
(973) 622-4444

Andrew S. Tulumello, Esq.
Gibson Dunn & Crutcher, LLP
1050 Connecticut Avenue, NW
Washington, D.C. 20036
(202) 955-8500

6. *Harvey v. Sleepy's, Inc., et al.*, Superior Court of New Jersey, Chancery Division, Bergen County, Docket No. BER-C-68-04.

In late February 2004, I filed, on behalf of the State of New Jersey, a Complaint against Sleepy's, Inc., alleging violations of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., the Regulations Governing General Advertising Practices, N.J.A.C. 13:45A-9.1 et seq., and Delivery of Household Furniture and Furnishings Regulations, N.J.A.C. 13:45A-5.1 et seq., in connection with its advertisement and sale of mattresses, box springs, and other bedding supplies. The allegations included: (1) delivering defective and/or damaged merchandise; (2) failing to deliver merchandise on the contracted for delivery date and failing to notify consumers of its inability to deliver the merchandise; (3) misleading consumers as to the exchange policy and/or their right to receive a refund; and (4) promising, then failing, to send an inspector to consumers' homes to inspect damaged and/or defective merchandise. I settled the matter on December 23, 2004. This action was settled, among other things, with Sleepy's making a payment of $660,000.

Counsel for Defendant:

Christine Amalfe, Esq.
Gibbons, PC
One Gateway Center
Newark, NJ 07102
(973) 596-4500

7. *In re Utica Boilers*, Superior Court of New Jersey, Asbestos Litigation, Middlesex County. (Numerous docket numbers grouped by various categories of Plaintiffs, including electricians, pipefitters, etc.)

In approximately 2002-2003, I defended Utica Boiler Company in well over one hundred cases involving claims of asbestos exposure. A special master handled case management duties for numerous matters for Judge Ann G. McCormick. I took hundreds of depositions, and made countless court appearances on discovery disputes and various motions. In addition, I drafted many summary judgment motions and settled all matters not disposed of by motion.

Counsel for Plaintiffs:

Patrick J. Bartels, Esq.
Keefe Bartels, LLC
170 Monmouth Street
Red Bank, NJ 07701
(732) 224-9400

Angelo Cifaldi, Esq.
Wilentz, Goldman & Spitzer, PA
90 Woodbridge Center Drive

Woodbridge, NJ 07095
(732) 855-6096

8. *Corbett v. University of Medicine and Dentistry of New Jersey*, Superior Court of New Jersey, Law Division, Essex County. (Do not recall docket number.)

In approximately 2000-2001, I represented the University of Medicine and Dentistry of New Jersey in a complex employment litigation case alleging gender, race and religious based discrimination claims. I drafted the answer, handled extensive paper discovery, prepared witnesses for depositions, sought out and retained experts, and drafted dispositive motions. This case ultimately settled.

Counsel for Plaintiff:

Patricia Breuninger
Breuninger & Fellman
1829 Front Street
Scotch Plains, NJ 07076
(908) 490-9900

9. *Oppenheim v. American Biogenetic Sciences, Inc.*, United States District Court for the District of New Jersey, 02-282 (GEB).

In 2002, I represented American Biogenetic Sciences, Inc. ("ABS") in a breach of contract matter concerning the Plaintiff's claim for a finder's fee commission as a result of a third party investment made in ABS. I interviewed the client and drafted and filed a dispositive motion to dismiss or, in the alternative, to transfer the case. I appeared as second chair before Judge Garrett E. Brown, Jr., on the dispositive motion. The motion was successful and the case was transferred to the Eastern District of New York. I also actively participated in litigating the matter in the Eastern District of New York.

Counsel for Plaintiff:

David E. Shaver, Esq.
Broege, Neumann, Fisher & Shaver, Esqs.
25 Abe Voorhees Drive
Manasquan, NJ 08736
(732) 223-8484

10. *Deborah Dean v. French International Movers*, Superior Court of New Jersey, Law Division, Hunterdon County. (Do not recall docket number.)

In approximately 1996-1997, I represented Plaintiff in a matter against French International Movers, located in Phillipsburg, New Jersey. Defendant originally submitted the lowest bid to move Plaintiff's personal and business possessions from New Jersey to France. After the goods were loaded and shipped, Defendant then advised Plaintiff of a significant change in the bid, resulting in substantial inequity and harm to the Plaintiff. I filed the complaint, conducted depositions

and prepared the case for trial. The case settled on the first day of trial. I do not recall the name of opposing counsel.

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.)

    Prior to becoming a judge, I spent my legal career as a litigator and the cases described above were representative of my practice.

    My former legal activities include participation in the New Jersey State Bar Association. I served as a Director in the Minorities in the Profession Section for approximately four years. In addition, I previously served as a moot court coach for Seton Hall University School of Law for six years, actively preparing teams for and attending the Minnesota National Civil Rights Moot Court Competition.

    As a current federal magistrate judge, I have developed a comprehensive internship program. The program provides a structured, supervised introduction to the federal court system and prepares law students for judicial clerkships and legal practice. Former interns who later served as law clerks related that the internship program helped them to quickly acclimate to the demands of judicial clerkships. I am dedicated to the professional development of law students so that they will make positive contributions to the legal profession.

    I have not performed any lobbying activities on behalf of any clients or organizations.

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.

    Summers of 2001 – Present: I teach a Contracts Course for the Pre-Legal Program at Seton Hall University School of Law. The Pre-Legal Program is designed for students who have excelled in their undergraduate studies and are interested, but not yet admitted, into law school. The Contracts Course provides an overview of basic contract formation principles (capacity, offer, acceptance and consideration) and a number of contract defenses. Copy of syllabus provided.

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

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

None.

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

    To the extent that I receive the appropriate approval, I plan to continue to teach Contracts for the Pre-Legal Program at Seton Hall University School of Law.

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.

       If confirmed, my current recusal list would remain in place and I would regularly review and update the list with the Clerk's Office, if necessary. I will also continue to review the parties and attorneys listed in the matters that are assigned to me to ensure that there are no conflicts of interest.

    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 be guided by the federal recusal statutes and the Code of Conduct for United States Judges in order to resolve any potential conflict of interest. I would recuse myself in matters in which I have a sufficiently close social connection with counsel or the parties. If necessary, I will seek guidance from the Committee on Codes of Conduct of the Judicial Conference of the United States.

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 a United States Magistrate Judge, I am not permitted to represent clients – pro bono or otherwise. I was also not permitted to represent clients while I served at the Attorney General's Office. However, I have participated throughout the years in programs aimed at inspiring young people to get the most out of their academic education. Many of the speaking engagements listed earlier were for this very purpose, as I regularly spoke at elementary and middle schools, focusing on strengthening educational foundations. In addition, my fraternal memberships in Alpha Phi Alpha and Sigma Pi Phi allow me to participate in community service activities consistent with Canon 2. Alpha Phi Alpha's Mentoring And Leadership Equals Success Program provides monthly mentoring to disadvantaged youth and is focused on strengthening educational foundations and exposure to positive male role models. I also participate in the selection and awarding of annual scholarships through the Sphinx Scholarship Fund and Mu Boule Foundation. I worked on a number of pro bono assignments while employed at Skadden, Arps. Such work included: drafting amicus appellate briefs on behalf of public, non-profit entities; accepting designations from state and federal courts to represent indigent defendants; serving as guardian ad litem in state court termination of parental rights proceedings; drafting and filing 501(c)(3) documents for a Newark-based entity; and representing a charter school Board of Education in an emergent proceeding to resolve an issue regarding the Directors' authority. I was a recipient of Skadden's 2002 Pro Bono Service Award.

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.

Senator Frank Lautenberg empanelled a selection committee comprised of attorneys in New Jersey and members of his staff to assist him with his recommendation to the President. In September 2009, I interviewed with members of the committee. Thereafter, in October 2009, I interviewed with Senator Lautenberg at his New Jersey office. That round of interviews resulted in two of my colleagues on the magistrate judges' bench being elevated. On June 24, 2011, I interviewed again with Senator Lautenberg. On August 5, 2011, I

interviewed with Senator Robert Menendez and his Chief Counsel. Subsequently, Senators Lautenberg and Menendez advised me that they had recommended me to the President.

Since September 30, 2011, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On October 26, 2011, I interviewed with officials from the White House Counsel's Office and Department of Justice in Washington, DC. On January 23, 2012, the President submitted my nomination to the Senate.

b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No.

AO 10
Rev. 1/2011

FINANCIAL DISCLOSURE REPORT
NOMINATION FILING

Report Required by the Ethics in Government Act of 1978, 5 U.S.C. app. §§ 101-111

1. Person Reporting (last name, first, middle initial)	2. Court or Organization	3. Date of Report
Shipp, Michael A.	U.S. District Court - NJ	1/23/2012
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time)	**5a. Report Type (check appropriate type)**	**6. Reporting Period**
District Judge	☑ Nomination, Date 1/23/2012 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	01/01/2011 to 12/31/2011
7. Chambers or Office Address	**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.**	
Federal Bldg. & Courthouse 50 Walnut Street, Room 2042 Newark, NJ 07102	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.)*

	POSITION	NAME OF ORGANIZATION/ENTITY
1.		
2.		
3.		
4.		
5.		

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

☑ NONE *(No reportable agreements.)*

	DATE	PARTIES AND TERMS
1.		
2.		
3.		

Name of Person Reporting	Date of Report
Shipp, Michael A.	1/23/2012

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

A. Filer's Non-Investment Income

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

	DATE	SOURCE AND TYPE	INCOME (yours, not spouse's)
1	2011	Seton Hall University School of Law - Summer Institute for Pre-Legal Studies - Teaching	$6,500.00
2			
3			
4			

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

(Dollar amount not required except for honoraria.)

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

	DATE	SOURCE AND TYPE
1		
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.)*

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

Name of Person Reporting	Date of Report
Shipp, Michael A.	1/23/2012

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

☐ NONE *(No reportable gifts.)*

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

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

☑ NONE *(No reportable liabilities.)*

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

Name of Person Reporting	Date of Report
Shipp, Michael A.	1/23/2012

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

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

A. Description of Assets (including trust assets). Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period: (1) Amount Code 1 (A-H)	B. (2) Type (e.g., div., rent, or int.)	C. Gross value at end of reporting period: (1) Value Code 2 (J-P)	C. (2) Value Method Code 3 (Q-W)	D. Transactions during reporting period: (1) Type (e.g., buy, sell, redemption)	D. (2) Date mm/dd/yy	D. (3) Value Code 2 (J-P)	D. (4) Gain Code 1 (A-H)	D. (5) Identity of buyer/seller (if private transaction)
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									

1 Income Gain Codes: (See Columns B1 and D4)
2 Value Codes (See Columns C1 and D3)
3 Value Method Codes (See Column C2)

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
Q Appraisal
S Book Value

B = $1,001 - $2,500
G = $100,001 - $1,000,000
K = $15,001 - $50,000
O = $500,001 - $1,000,000
R Cost (Real Estate Only)
X Other

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
V Assessment
W Estimated

D = $5,001 - $15,000
H2 = More than $5,000,000
M = $100,001 - $250,000
P2 = $5,000,001 - $25,000,000
T Cost Basis

E = $15,001 - $50,000

Name of Person Reporting	Date of Report
Shipp, Michael A.	1/23/2012

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

Name of Person Reporting	Date of Report
Shipp, Michael A.	5/23/2011

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 MAShipp

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)

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		10	000	Notes payable to banks-secured (auto)		32	145
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities				Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due		6	000
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable – personal residence		287	156
Real estate owned – personal residence		325	000	Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		100	000				
Cash value-life insurance							
Other assets itemize:							
Thrift Savings Plan		32	857				
				Total liabilities		325	301
				Net Worth		142	556
Total Assets		467	857	Total liabilities and net worth		467	857
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							

AFFIDAVIT

I, Michael A. Shipp, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

1/25/12
(DATE)

M A Shipp
(NAME)

Kimberly Darling
(NOTARY)

KIMBERLY DARLING
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 5, 2013