

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Victor Allen Bolden

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

United States District Judge for the District of Connecticut

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.

Office of the Corporation Counsel
City of New Haven
165 Church Street, 4th Floor
New Haven, Connecticut 06510

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

1965; New York, New York

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.

1986 – 1989, Harvard Law School; J.D., 1989

1982 – 1986, Columbia College, Columbia University; A.B., 1986

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.

2009 – present
Office of the Corporation Counsel
City of New Haven
165 Church Street, 4th Floor

New Haven, Connecticut 06510
Corporation Counsel (2009 – present)
Acting Corporation Counsel (January – April 2009)

2005 – 2009
NAACP Legal Defense & Educational Fund, Inc.
40 Rector Street, 5th Floor
New York, New York 10006
General Counsel

2000 – 2005
Wiggin & Dana
One Century Tower
265 Church Street
P.O. Box 1832
New Haven, Connecticut 06508
Counsel (2004 – 2005)
Associate (2000 – 2003)

1994 – 2000
NAACP Legal Defense & Educational Fund, Inc.
40 Rector Street, 5th Floor
New York, New York 10006
Assistant Counsel

1989 – 1994
American Civil Liberties Union Foundation
125 Broad Street
New York, New York 10004
Staff Attorney (1990 – 1994)
Marvin Karpatkin Fellow (1989 – 1990)

Summer 1988
Cook County Law Office of Public Defender
69 West Washington, Suite 1600
Chicago, Illinois 60602
Summer Intern

Summer 1987
Harlem Legal Services
55 West 125th Street, #1001
New York, New York 10027
Summer Intern

Summer 1986
Double Discovery Center

Columbia College
Columbia University
Upward Bound Program
Alfred Lerner Hall, Room 306
2920 Broadway, MC 2604
New York, New York 10027
Summer Counselor

Other affiliations (uncompensated):

2013 – present
Church of the Redeemer
185 Cold Spring Street
New Haven, Connecticut 06511
Leadership Council

2011 – present
Connecticut Veterans Legal Center
114 Orange Avenue, 2nd Floor
West Haven, Connecticut 06516
Board of Directors

2010 – present
New Haven County Bar Association
171 Orange Street, Suite 2
New Haven, Connecticut 06510
Treasurer (2013 – present)
Secretary (2012 – 2013)
Assistant Treasurer (2004 – 2005, 2011 – 2012)
Assistant Secretary (2003 – 2004, 2010 – 2011)

2000 – 2010
National Coalition Against Censorship
19 Fulton Street, Suite 407
New York, New York 10038
Board Member

2007 – 2009
Poverty & Race Research Action Council
1200 18th Street, N.W., #200
Washington, D.C. 20036
Board Member

2003 – 2005
International Center of New Haven
421 Temple Street
New Haven, Connecticut 06511

Board Chair (2004 – 2005)
Board Member (2003 – 2005)

2001 – 2005
Connecticut Food Bank
150 Bradley Street
East Haven, Connecticut 06512
Board Member

1996 – 2001
National Voting Rights Institute
358 Chestnut Hill Avenue, #303
Brighton, Massachusetts 02135
Board of Advisors

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

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

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

Connecticut Law Tribune's Lawyers of Color: High Achievers (2011)

Wasserstein Fellow, Wasserstein Fellowship Public Interest Program (fellows return to Harvard Law School's campus to counsel law students interested in public interest careers) (1995 – 1996)

Marvin Karparkin Fellowship (one-year attorney position with the American Civil Liberties Union's National Legal Department) (1989 – 1990)

Irving Oberman Memorial Award (best paper on a current legal subject at Harvard Law School) (1989)

Columbia College, Columbia University, Leonard A. Pullman Memorial Prize (to senior for scholarship and service to Columbia College) (1986)

Columbia College, Columbia University, Milch Prize (to junior who has done the most to enhance the reputation of Columbia College) (1985)

Columbia College, Columbia University, John T. Lewis Scholarship (1985)

Columbia College, Columbia University, Brod Room Prize (1985)

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

Standing Committee on Amicus Curiae Briefs (2012 – present)

Section of Litigation, Division III, Professional Development and Programs (2013 – present)

Co-Director

Section of Litigation, Amicus Curiae Committee (2010 – 2012)

Co-Chair

Section of Litigation, Appellate Practice Committee (2008 – 2009)

Co-Chair

Section of Litigation, Communications Committee (2012 – present)

Section of Litigation, Content Management Committee (2009 – 2010)

Section of Litigation, Federal Practice Task Force (2002 – 2005)

Section of Litigation, Trial Practice Committee (2005 – 2008)

Co-Chair

Section of Litigation, Trial Practice Committee, Ethics Sub-Committee (2004 – 2005)

Co-Chair

Association of the Bar of the City of New York

Benchers

Connecticut Bar Association

Connecticut Judicial Branch

Civil Commission (2011 – present)

Superior Court Rules Committee, Task Force To Study Minimum Continuing Legal Education (2012 – 2013)

Connecticut Law Tribune

Editorial Board (2012 – present)

National Association of College and University Attorneys (2003)

Legal Education Committee (2003)

New Haven County Bar Association

Treasurer (2013 – present)

Executive Committee, (2002 – 2005 and 2010 – present)

Secretary (2012 – 2013)

Assistant Secretary (2011 – 2012)

Assistant Treasurer (2004 – 2005 and 2010 – 2011)
Bench-Bar Relations Committee, Chair (2002 – 2005)

New Haven Inn of Court

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 York, 1990
Connecticut, 2000

There have been no lapses in membership.

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

United States Supreme Court, 1997

United States Court of Appeals for the Second Circuit, 2005

United States Court of Appeals for the Fifth Circuit, 1998

United States Court of Appeals for the Tenth Circuit, 1994

United States Court of Appeals for the Eleventh Circuit, 1995

United States District Court for the District of Connecticut, 2001

United States District Court for the Southern District of New York, 1991

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

United States District Court for the Western District of New York, 2000

United States District Court for the Eastern District of Michigan, 1992

United States District Court for the Eastern District of Wisconsin, 1992

I did not renew my membership dues in the Second Circuit between March 21, 2010 and November 6, 2013. I also have not renewed my membership dues in the Eleventh Circuit since December 22, 2010. Otherwise, there have been no lapses.

11. **Memberships:**

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

American Civil Liberties Union Marvin Karparkin Fellowship Selection
Committee (2009 – present)

Columbia University (1988 – 1993)
Alumni Interviewer

Connecticut Food Bank (2001 – 2005)
Board Member

Connecticut Veterans Legal Center (2011 – present)
Board Member

Church of the Redeemer (1999 – present)
Leadership Council (2013 – present)
Youth Advisor (2013 – present)
Confirmation Class Teacher (2008 – present)
Sunday School Teacher (2003 – 2012)
Missions Committee member (2000 – 2005)
Associate Member (1999 – Present)

International Center of New Haven (2003 – 2005)
Board Chair (2004 – 2005)
Board Member (2003 – 2005)

National Coalition Against Censorship (2000 – 2010)
Board Member

National Education Leaders Consortium (2005)

National Voting Rights Institute (1996 – 2001)
Board of Advisors

New York City Lawyers in the Classroom (1990 – 1992)

Poverty & Race Research Action Council (2007 – 2009)
Board Member

Riverside Church (1991 – 1997)
Mission and Social Justice Commission, Member and Co-Chair
Conference on Pluralism in Religious Communities, National Planning
Committee Co-Chair

Science and Technology Exploration Program (1990 – 1991)
Mentor

Twenty-Fifth Ward Democratic Town Committee (2002 – present)

Wiggin and Dana Diversity Advisory Board (2008 – 2013)

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

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

As a member of the editorial board of the Connecticut Law Tribune, I have written the following editorials, which were adopted and published by the Board:

When Reproductive Rights Still Meant a Criminal Prosecution,
Connecticut Law Tribune, January 22, 2014. Copy supplied.

Nelson Mandela and the Power of the Law, Connecticut Law Tribune,
December 11, 2013. Copy supplied.

And We Are Not Done Yet, Connecticut Law Tribune, July 29, 2013. Copy
supplied.

The Poetic License, Connecticut Law Tribune, January 28, 2013. Copy
supplied.

Welcome to the Bar (Soon), Connecticut Law Tribune, May 20, 2013. Copy supplied.

We the People, Connecticut Law Tribune, November 26, 2012. Copy supplied.

In Remembrance of Judge Mark R. Kravitz, Connecticut Law Tribune, October 19, 2012. Copy supplied.

Why Not A Professional Development Day, Connecticut Law Tribune, June 11, 2012. Copy supplied.

Debating Jealous, Letter to the Editor, re article on Benjamin Jealous, Columbia Magazine, Fall 2013. Copy supplied.

Ricci v. DeStefano: The Case For the City, New Haven Register, May 3, 2009. Copy supplied.

Online Post, in response to *City Won't Pay Cops' Legal Bills*, New Haven Independent, February 18, 2009. Copy supplied.

The Oneness of Twoness: The Promise and Challenge of Racial Equality, Joint Center for Political and Economic Studies, Focus Magazine, May/June 2008. Copy supplied.

Changing the Deposition Testimony of a Witness, ABA Section of Litigation, Pretrial Practice & Discovery Newsletter, Spring 2005. Copy supplied.

Developments in the Second Circuit: 2002 – 2003, 36 Connecticut Law Review 1187 (2004) (co-author of article /author of constitutional and civil rights law section). Copy supplied.

Survey of Connecticut Privacy and Related Claims Against the Media, 50-State Survey Media Privacy and Related Law 2004 – 2005, Media Law Resource Center, Inc., (2004) (co-author). Copy supplied.

Survey of Connecticut Privacy and Related Claims Against the Media, 50-State Survey Media Privacy and Related Law 2003 – 2004, Media Law Resource Center, Inc., (2003) (co-author). Copy supplied.

Libel Defense Resource Center, Inc. Media Letter, Connecticut Court Issues Media-Friendly Decisions on Fair Report Privilege and Retraction Statute, (2002) (co-author). Copy supplied.

Affirmative Action in Court: The Case for Optimism, Equity & Excellence in

Education, vol. 32, no. 2, pp. 24-30 (1999) (co-author). Copy supplied.

Where Does New York City Go From Here: Chaos or Community?, 23 Fordham Urban Law Journal 1031 (1996). Copy supplied.

The Question Is Whether Court Values Equality Goals – And If So, How Much,?” Civil Liberties, Spring 1990. Copy supplied.

Judge Not That Ye Be Not Judged: A Dramatic Call for a More Enlightened Approach to Judicial Decision-Making in Race Discrimination Cases, 7 Harvard Blackletter Journal 33 (1990). Copy supplied.

Salvaging Black Males, in *Racial Reflections: Dialogues in the Direction of Liberation*, 37 UCLA L. Rev. 1037 (1989-1990). Copy supplied.

CU Badly Needs Change, Columbia Daily Spectator, April 23, 1985. Copy supplied.

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

After searching my records and the Internet, I have compiled the following list, although it is possible that I may have missed one.

Transition Report, Office of the Corporation Counsel, November 2013.

Transition memo and report available at

<http://cityofnewhaven.com/Mayor/pdfs/Without%20Contacts/Section%201%20of%20Transition%20docs.pdf> and

<http://cityofnewhaven.com/Mayor/pdfs/Corporation%20Counsel%20Attachments/Section%202%20of%20Transition%20docs.pdf>.

2013 Proposed Revision of the Charter of the City of New Haven, New Haven Charter Revision Commission, November 5, 2013. As Corporation Counsel for the City of New Haven, I approved the accuracy of the explanatory language about the proposed Charter disseminated to voters under the statute although I was not involved in drafting these proposed revisions or explanatory language. Copy supplied.

State of Connecticut Judicial Branch, Report of the Rules Committee Task Force to Study Minimum Continuing Legal Education, January 25, 2013. Copy supplied.

American Bar Association Section of Litigation *Amicus Curiae* Committee, Progress Report, June 8, 2012. Copy supplied.

New Haven County Bar Association Correspondence to State of Connecticut Judicial Branch's Rules Committee, regarding minimum continuing legal education, February 21, 2012. Copy supplied.

New Haven County Bar Association Correspondence to State of Connecticut Judicial Branch's Rules Committee, regarding minimum continuing legal education, January 11, 2012 (substantive comments reflected in November 11, 2011 report). Copy supplied.

American Bar Association Section of Litigation *Amicus Curiae* Committee, Annual Plan, 2011-2012. Copy supplied.

American Bar Association Section of Litigation *Amicus Curiae* Committee, Progress Report, December 16, 2011. Copy supplied.

New Haven County Bar Association MCLE 2011 Task Force Report to the New Haven County Bar Association's Executive Committee, November 11, 2011. Copy supplied.

American Bar Association Section of Litigation *Amicus Curiae* Committee, Progress Report, May 2011. Copy supplied.

American Bar Association Section of Litigation *Amicus Curiae* Committee, Annual Plan, September 2010. Copy supplied.

NAACP Legal Defense & Educational Fund, Inc., *No Chance To Make It Right*, April 1, 2008. Copy supplied.

Message from the Chairs, American Bar Association Section of Litigation Trial Practice Committee, Trial Practice Journal, Winter/Spring 2007. Copy supplied.

National Education Leaders Consortium, *With All Deliberate Speed: Achievement, Citizenship and Diversity in American Education*, November 2005. Copy supplied.

NAACP Legal Defense & Educational Fund, Inc., *Closing the Gap: Moving From Rhetoric to Reality In Opening Doors to Higher Education for African American Students*, June 23, 2005. Copy supplied.

Faculty, Staff and Student Leaders, Columbia Speaks Out Against Star Wars, Columbia Daily Spectator, May 14, 1986. 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.

November 19, 2013: Report, Office of the Corporation Counsel of the City of New Haven, A Review of Race and Discipline in the New Haven Department of Fire Services. Copy supplied.

February 21, 2013: Testimony, City of New Haven Charter Revision Commission, New Haven, Connecticut. PowerPoint provided.

December 13, 2012: Testimony, State of Connecticut Judicial Branch Rules Committee Task Force to Study Minimum Continuing Legal Education meeting. Meeting minutes supplied.

December 3, 2012: Comment, State of Connecticut Judicial Branch Civil Commission meeting, regarding proposed discovery rule changes for Connecticut's Rules of Civil Procedure. Meeting minutes supplied.

November 1, 2012: Testimony, State of Connecticut Judicial Branch Rules Committee Task Force to Study Minimum Continuing Legal Education meeting. Meeting minutes supplied.

February 27, 2012: Testimony before the State of Connecticut Judicial Branch Rules Committee, regarding minimum continuing legal education. Minutes and testimony supplied.

December 4, 2009: Statement regarding promotions from 2003 Fire Department examinations before the New Haven Board of Fire Commissioners. Remarks supplied.

April 30, 1988: Testimony, Cambridge Massachusetts Human Rights Commission, regarding the Cambridge Police Department. Cambridge, Massachusetts. I have no notes, transcript or recording.

Corporation Counsel Opinions:

The Corporation Counsel of the City of New Haven and staff occasionally are asked to provide formal legal opinions on various matters. After searching my records and the Internet, I have compiled the following opinions, although it is possible that I may have missed one.

Opinion of the Corporation Counsel of the City of New Haven, regarding The State of Connecticut Freedom of Information Act, Executive Session and Subpoenas, dated February 3, 2014. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding Commercial Property Assessed Clean Energy Program (“C-PACE”) and Foreclosures, dated October 16, 2013. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the meaning of Article XI, Section 58(c) of the Charter, dated October 3, 2013. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding proposed amendment to by-laws regarding removal of executive board members of the Civilian Review Board, dated June 3, 2013. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding abandonment of public streets, dated May 31, 2013. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding Maurice Holness. H & H Residential, LLC Fair Rent Commission Case No. 1039-12, dated May 14, 2013. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the removal of Assistant Chiefs in the Police Department, dated December 21, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding Office of Legislative Services’ notices for the sale, lease or transfer of municipal property, dated December 6, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding voluntary demotions in the Fire Department, dated November 15, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding amendments to redistricting plan, dated October 22, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding motor vehicle tax credits and tax abatement rules and motor vehicle taxes, dated August 31, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding proposed tax agreement for the 360 State Street property, dated August 17, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding definition of terms “public building” and “public work,” dated May 10, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the appointment of a municipal historian, dated March 30, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the law and municipal public contracting programs, dated February 8, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding Board of Aldermen appointments and the minority party representation law, dated January 17, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding applicability of Connecticut General Statutes Section 9-167a to the Civilian Review Board, dated January 12, 2012. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding use of state highways by vendors, dated November 23, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding 423 Dixwell Avenue/CDBG Grant Assistance and a conflict of interest, dated November 7, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the municipal towing list, dated October 21, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the definition of a public official, dated August 8, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding insurance requirements for municipal towers in New Haven, dated August 8, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding school nurse assignment, dated June 6, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding non-emergency interagency agreement between the City of New Haven and the Town of Hamden, dated June 6, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding taxability of Yale University, dated June 1, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the legality of a proposed transaction, dated May 3, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding fuel surcharge by municipal towers in New Haven, dated April 29, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding bottled water in the New Haven public schools, dated March 15, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the appointments to the Board of Assessment Appeals, dated March 11, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding amendment process for city ordinances, dated January 31, 2011. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the effect of an action in Superior Court on the Fair Rent Commission's Jurisdiction in the same matter, dated December 23, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding City Charter residency requirements, dated December 20, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding tax refunds for Ryder trucks, dated October 20, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the HomeWork program, dated October 13, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding taxation of the Tennis Center property, dated October 7, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the time of service on City Boards, dated September 24, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the tax abatement rules of the New Haven Board of Aldermen, dated September 22, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding Connecticut General Statutes Section 14-290, dated July 26, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding New Haven Code of Ordinances Section 28-19, dated June 30, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding juice bars, dated May 26, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding moratorium on property tax foreclosures, dated May 11, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding proposed nominees for the 2010 Charter Revision Commission, dated April 19, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the process for appointing the Director of Public Health, dated January 11, 2010. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding a property tax exemption deadline, dated November 24, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the redistricting process for the wards of the Board of Aldermen, dated October 19, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the Charter revision process, dated October 19, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the applicability of Section 180 of the Charter of the City of New Haven to a cooperation agreement between the City of New Haven, the Housing Authority of the City of New Haven and Trinity Rowe Limited Partnership, dated October 14, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding capital budget amendments, dated September 17, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding agreement by and between the New Haven Board of Education and Southern Connecticut State University for Connecticut Collegiate Awareness and Preparation Program (CONNCAP), dated July 24, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the library endowment fund, dated June 9, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the Grand Avenue Special Service District Ordinance, dated March 24, 2009. Copy supplied.

Opinion of the Corporation Counsel of the City of New Haven, regarding the Litigation Settlement Committee, dated February 3, 2009. Copy supplied.

Corporation Counsel Appearances for Government Clients:

As Corporation Counsel of the City of New Haven, I appear before committees of the City of New Haven's Board of Alders, as well as other City of New Haven Boards, Commissions and Committees, to provide public testimony, confidential legal advice or both. After searching my records and the Internet, I have compiled the following public appearances, although it is possible that I may have missed one.

As Corporation Counsel of the City of New Haven, on a bi-weekly basis, I or someone from my staff attends meetings of the City's Litigation Settlement Committee, which must approve of the resolution of court cases above a certain monetary amount. After searching records and the Internet, I appeared at the following meetings: June 4, 2014, May 7, 2014, April 23, 2014, April 9, 2014, March 26, 2014, March 12, 2014, February 26, 2014, February 12, 2014, January 15, 2014, December 18, 2013, December 4, 2013, November 6, 2013, October 23, 2013, September 24, 2013, September 11, 2013, August 14, 2013, July 31, 2013, July 17, 2013, July 2, 2013, June 5, 2013, May 22, 2013, April 10, 2013, March 27, 2013, March 13, 2013, February 27, 2013, January 30, 2013, January 2, 2013, December 5, 2012, November 20, 2012, November 7, 2012, October 24, 2012, October 10, 2012, July 18, 2012, June 6, 2012, May 18, 2012, May 9, 2012, March 14, 2012, February 29, 2012, February 15, 2012, November 22, 2011, September 28, 2011, September 14, 2011, August 3, 2011, July 20, 2011, June 22, 2011, May 25, 2011, April 27, 2011, March 2, 2011, February 16, 2011, February 2, 2011, December 22, 2010, September 8, 2010, August 11, 2010, July 14, 2010, June 30, 2010, May 6, 2010, April 21, 2010, March 10, 2010, February 24, 2010, February 22, 2010, January 27, 2010, December 2, 2009, November 18, 2009, July 29, 2009, July 22, 2009, July 1, 2009, May 20, 2009, May 6, 2009, February 25, 2009, and January 28, 2009. Minutes available at <http://www.cityofnewhaven.com/Government/Litigation.asp>.

Appearance, Board of Fire Commissioners of the City of New Haven, regarding disciplinary matter on June 2, 2014. Meeting minutes supplied.

Appearance, Board of Fire Commissioners of the City of New Haven, regarding disciplinary matter on May 16, 2014. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding education funding on May 12, 2014. Meeting minutes supplied.

Appearance, Board of Police Commissioners of the City of New Haven, regarding pending litigation on May 7, 2014. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding department budget on March 20, 2014. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding additional funding for outside legal counsel on March 12, 2014. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding additional funding for outside legal counsel on February 12, 2014. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding increase in funding for legal services on December 11, 2013. Meeting minutes supplied.

Testimony, Joint Tax Abatement/Aldermanic Affairs Committee, Board of Alders of the City of New Haven, regarding low-income, affordable and supportive housing working group on October 17, 2013. Meeting minutes supplied.

Testimony, City of New Haven Board of Health Commissioners, regarding Connecticut's Freedom of Information Act on October 9, 2013. Meeting minutes supplied.

Testimony, City Services and Environmental Policy Committee, Board of Alders of the City of New Haven, regarding proposed agreement between the City of New Haven and the Connecticut Clean Energy Finance and Investment Authority for participation in the Commercial Property Assessed Clean Energy program on September 19, 2013. Meeting minutes supplied.

Appearance, Board of Fire Commissioners of the City of New Haven, regarding hiring matter on August 29, 2013. Meeting minutes supplied.

Appearance, Board of Fire Commissioners of the City of New Haven, regarding department disciplinary matter on June 21, 2013. Meeting minutes supplied.

Testimony, Committee on the Whole, Board of Alders of the City of New Haven, regarding proposed revisions to the Charter on June 17, 2013. I have no notes, transcript or recording.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding an increase in funding for legal services on June 12, 2013. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding an increase in funding for legal services on May 8, 2013. Meeting minutes supplied.

Testimony, Legislation Committee, Board of Alders of the City of New Haven, regarding proposed zoning ordinance amendments on April 11, 2013. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding department budget request on April 4, 2013. Meeting minutes supplied.

Testimony, Charter Revision Commission of the City of New Haven, regarding proposed revisions to the Charter on March 21, 2013. Audio recording supplied.

Testimony, Board of Ethics of the City of New Haven, regarding hire of position in the Office of Legislative Services on February 28, 2013. Draft meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding department budget request on April 3, 2012. Meeting minutes supplied.

Testimony, Committee on the Whole, Board of Alders of the City of New Haven, regarding redistricting process on March 29, 2012. Audio recording supplied

Testimony, Committee on the Whole, Board of Alders of the City of New Haven, regarding proposed stormwater authority on March 17, 2012. Audio recording supplied.

Appearance, Board of Police Commissioners of the City of New Haven, regarding department hiring on February 7, 2012. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding ordinance amendment adopting Executive Management and Confidential Employees Personnel and Procedure Manual on November 30, 2011. Meeting minutes supplied.

Testimony, City Services and Environmental Policy Committee, Board of Alders of the City of New Haven, regarding residency requirements for firefighter applicants on November 15, 2011. Meeting minutes supplied.

Testimony, Legislation Committee, Board of Alders of the City of New Haven, regarding minority business contracting programs on November 14, 2011. Meeting minutes supplied.

Testimony, Public Caucus, Board of Alders of the City of New Haven, regarding contract for copying services on November 10, 2011. I have no notes, transcript or recording.

Testimony, Legislation Committee, Board of Alders of the City of New Haven, regarding garage keepers' liability coverage on August 8, 2011. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding ordinance amendment adopting Executive Management and Confidential Employees Personnel and Procedure Manual on July 28, 2011. Meeting minutes supplied.

Testimony, Joint Legislation-Tax Abatement Committee, Board of Alders of the City of New Haven, regarding tax abatement legislation on July 14, 2011. Meeting minutes supplied.

Testimony, Public Safety Committee, Board of Alders of the City of New Haven, regarding public cameras on June 1, 2011. I have no notes, transcript or recording.

Testimony, City Services and Environmental Policy Committee, Board of Alders of the City of New Haven, regarding the closure of certain city streets on April 28, 2011. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding department budget request on March 31, 2011. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding an increase in funding for legal services on March 24, 2011. Meeting minutes supplied.

Testimony, Legislation Committee, Board of Alders of the City of New Haven, regarding an ordinance amendment increasing the size of the Board of Assessment Appeals on March 14, 2011. Meeting minutes supplied.

Testimony, Commission on Disabilities of the City of New Haven, regarding recent changes in the Office of Disability Services on March 14, 2011. Meeting minutes supplied.

Testimony, Tax Abatement Committee, Board of Alders of the City of New Haven, regarding Board of Assessment Appeals on September 14, 2010. Meeting minutes supplied.

Testimony, Joint Finance-Legislation Committee, Board of Alders of the City of New Haven, regarding a proposed living wage ordinance on August 31, 2010. Meeting minutes supplied.

Testimony, Tax Abatement Committee, Board of Alders of the City of New

Haven, regarding an elderly tax freeze and other tax matters on July 26, 2010. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding First Amendment issues related to a proposed ordinance amendment on June 23, 2010. Meeting minutes supplied.

Appearance, Civil Service Board of the City of New Haven, regarding civil service rules and pending litigation and administrative agency matters on June 23, 2010. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding municipal towing on June 3, 2010. Meeting minutes supplied.

Testimony, Tax Abatement Committee, Board of Alders of the City of New Haven, regarding Ryder Truck rental and other tax issues on May 11, 2010. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding an ordinance amendment establishing a property tax stabilization trust fund on May 5, 2010. Meeting minutes supplied.

Testimony, Aldermanic Affairs Committee, Board of Alders of the City of New Haven, regarding the appointment process for a local redevelopment agency on April 27, 2010. Meeting minutes supplied.

Testimony, Tax Abatement Committee, Board of Alders of the City of New Haven, regarding tax foreclosures on April 26, 2010. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding department budget request on March 24, 2010. Meeting minutes supplied.

Appearance, Civil Service Board of the City of New Haven, regarding civil service rules and candidate eligibility for pending civil service test on March 22, 2010. Meeting minutes supplied.

Testimony, Tax Abatement Committee, Board of Alders of the City of New Haven, regarding a tax abatement agreement on March 9, 2010. Meeting minutes supplied.

Testimony, Aldermanic Affairs Committee, Board of Alders of the City of New Haven, regarding the appointment process for a local redevelopment agency on February 22, 2010. Meeting minutes supplied.

Testimony, Legislation Committee, Board of Alders of the City of New Haven,

regarding a zoning ordinance amendment related to the proposed new Yale School of Management building on February 11, 2010. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding an increase in funding for legal services on December 3, 2009. Meeting minutes supplied.

Appearance, Civil Service Board of the City of New Haven, regarding certification of civil service eligibility lists from the *Ricci* litigation on November 30, 2009. Meeting minutes supplied.

Testimony, Legislation Committee, Board of Alders of the City of New Haven, regarding code of ordinance amendment related to the disqualification of contractors on November 9, 2009. Meeting minutes supplied.

Appearance, Civil Service Board of the City of New Haven, regarding pending litigation matters on September 29, 2009. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding an increase in funding for legal services on August 12, 2009. Meeting minutes supplied.

Testimony, Legislation Committee, Board of Alders of the City of New Haven, regarding an ordinance amendment related to anti-blight and property maintenance on August 10, 2009. Meeting minutes supplied.

Appearance, Civil Service Board of the City of New Haven, regarding certification of civil service eligibility test on July 14, 2009. Meeting minutes supplied.

Testimony, Public Safety Committee, Board of Alders of the City of New Haven, regarding an alarm ordinance on July 8, 2009. Audio recording supplied.

Testimony, City Services and Environmental Policy Committee, Board of Alders of the City of New Haven, regarding personnel reductions on May 21, 2009. Meeting minutes supplied.

Testimony, Civil Service Board of the City of New Haven, regarding pending litigation matter on March 31, 2009. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven, regarding Tweed-New Haven Airport on March 11, 2009. Meeting minutes supplied.

Testimony, Finance Committee, Board of Alders of the City of New Haven,

regarding an increase in funding for legal services on January 26, 2009. Meeting minutes supplied.

Corporation Counsel Correspondence:

Correspondence, Alder Michael Stratton, re the City of New Haven budgetary process, March 31, 2014. Copy supplied.

Correspondence, Brian Soucek, re proposed amendments to the City of New Haven park ordinances, November 19, 2013. Copy supplied.

Correspondence/legislative submission, re proposed amendments to the City of New Haven park ordinances, November 4, 2013. Copy supplied.

Correspondence, Herbert Shepardson, Esq., regarding ballot litigation, November 1, 2012. Copy supplied.

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

The following list reflects my best effort to identify the public speeches, talks and remarks that I have delivered. In compiling this list, I have reviewed my own files and undertaken Internet research. There may be, however, speeches, talks or remarks that I have been unable to locate or do not recall having made. On occasion, I have spoken at events for which I did not retain any record.

January 17, 2014: Panelist, *Amicus Curiae* Briefs program, American Bar Association, Section of Litigation, Winter Leadership Meeting, San Diego, California. PowerPoint supplied.

November 7, 2013: Panelist, Gospel of Freedom event, Woodbury Library, Woodbury, Connecticut. Remarks supplied.

October 26, 2013: Opening remarks, Connecticut Black Expo, Floyd Little Athletic Center, New Haven, Connecticut. Remarks supplied.

July 10, 2013: Presenter, LAW Camp for Teens, Hon. Angela Robinson and the New Haven County Bar Association, Quinnipiac University School of Law, Hamden, Connecticut. I discussed how to develop a legal argument. I do not

have notes, transcript or recording. The address for the New Haven County Bar Association is 171 Orange Street, Suite 2, New Haven, Connecticut 06506.

May 21, 2013: Presenter, Torch of Liberty Award Dinner, Greater New Haven Chapter of the Anti-Defamation League, Woodbridge, Connecticut. Remarks and press coverage supplied.

April 26, 2013: Panelist, "Winning Bench Trials" program, American Bar Association, Section of Litigation, Annual Meeting, Chicago, Illinois. Notes and PowerPoint supplied.

March 9, 2013: Opening remarks, "A Tuskegee Airman Speaks" event, New Haven Free Public Library, New Haven, Connecticut. Remarks supplied.

March 1, 2013: Speaker, "Night of Hope" event, Filipino American Legal Defense & Educational Fund, New York, New York. Remarks supplied and video available at <https://www.youtube.com/watch?v=fwT9tVgF7o>.

August 2012: Guest Speaker, "Fruits of a Legacy," First Church of God In Christ, 22nd Annual Friends and Family Day, Center Moriches, New York. Remarks supplied.

2012: Guest Lecturer, Ethics and the Commitment to Public Service, Yale Law School, New Haven, Connecticut. Outline supplied.

April 17, 2012: Guest Lecturer, "Ricci, Race and the Contested Space of the Workplace: An Insider's Perspective on Landmark Title VII Litigation," Columbia Law School, New York, New York. Outline supplied.

November 2011: Opening remarks, Veteran's Day Commemoration Ceremony, New Haven County Bar Association, New Haven, Connecticut. Remarks supplied.

May 1, 2011: Guest Speaker, "Repairing the Breach," Old Colony Sunday event, First Church of Christ in New Haven, New Haven, Connecticut. Remarks supplied.

March 4, 2011: Panelist, "Governing the Police and Policing Reentry," Fourteenth Annual Liman Public Interest Symposium Panel, Yale Law School, New Haven, Connecticut. Remarks and press coverage supplied.

February 25, 2011: Opening remarks, event honoring the life of W.E.B. DuBois. Greater New Haven Branch of the NAACP, New Haven, Connecticut. Outline supplied.

February 2011: Panelist, "Talented Tenth: Independent or Indebted,?" 16th

Annual Black Solidarity Conference at Yale: The Modern Renaissance: Educational and Economic Empowerment, New Haven, Connecticut. Remarks supplied.

October 31, 2010: Speaker, Church testimonial, Church of the Redeemer, New Haven, Connecticut. Remarks supplied.

October 31, 2010. Discussion leader, Confirmation Class, Church of the Redeemer, New Haven, Connecticut. Remarks supplied.

September 25, 2010: Introduction of Keynote Speaker, Commemoration of Connecticut Freedom Trail marker at former home of late Judge Constance Baker Motley, Amistad Committee, New Haven, Connecticut. Remarks supplied.

Spring 2010: Panelist, housing discrimination panel, Connecticut Fair Housing Center Annual Conference, Cromwell, Connecticut. Remarks supplied.

Spring 2010: Speaker, First Grade Class, Edgewood School, New Haven, Connecticut. Remarks supplied.

April 30, 2010: Panelist, "Acknowledging Race in a "Post-Racial Era" conference, Benjamin N. Cardozo School of Law, Yeshiva University, New York, New York. Outline supplied.

April 29, 2010: Panelist, "State of Diversity Initiatives & 'Reverse Discrimination' (Post-*Ricci*)," National Employment Law Council, Las Vegas, Nevada. I discussed the impact of the *Ricci v. DeStefano* decision on diversity initiatives. I have no notes, transcript or recording. An address for the sponsoring organization could not be located.

April 22, 2010: Panelist, "How to Win Your Case: Developing a Compelling Trial Theme" program, American Bar Association, Section of Litigation Annual Meeting, New York, New York. I have no notes, transcript or recording. The address for the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

March 4, 2010: Speaker, University of New Haven program, West Haven, Connecticut. I do not recall what I discussed. I have no notes, transcript or recording. The address of the University of New Haven is 300 Boston Post Road, West Haven, Connecticut 06516.

February 20, 2010: Speaker, Black History Month program, George W. Crawford Bar Association, Dixwell Congregational Church, New Haven, Connecticut. Copy of speech supplied.

January 8, 2010: Panelist, program on *Ricci* decision, American Association of

Law Schools Annual Meeting, New Orleans, Louisiana. Outline supplied.

October 30, 2009: Panelist, Lincoln on Professionalism Symposium, Connecticut Bar Association/New Haven County Bar Association, New Haven, Connecticut. Notes supplied.

October 23, 2009: Panelist, "Litigation Strategies and Successful Legal Theories" program, American Bar Association Children's Rights Litigation Committee Summit, "Raising Our Hands: Creating A National Strategy for Children's Right to Education and Counsel," Chicago, Illinois. Outline supplied.

October 2009: Remarks, Retirement Event for Oscar Fambro, NAACP Legal Defense and Educational Fund, Inc., New York, New York. Remarks supplied.

October 2009: Panelist, employment discrimination program at Civil Rights Training Institute, NAACP Legal Defense and Educational Fund, Inc., Airlie Conference Center, Warrenton, Virginia. Notes supplied.

September 17, 2009: Speaker, "Title VII/Civil Rights: The New Haven Firefighters," Greater New Haven Branch of the NAACP meeting, New Haven, Connecticut. I discussed the Supreme Court's decision in *Ricci v. DeStefano*. I have no notes, transcript, or recording. The address for the Greater New Haven Branch of the NAACP is 545 Whalley Avenue, New Haven, Connecticut 06511.

August 18, 2009: Panelist, "Discrimination Claims After *Ricci v. DeStefano*," Young Lawyers Section of the Connecticut Bar Association program, Quinnipiac University School of Law, Hamden, Connecticut. I discussed the Supreme Court's decision in *Ricci v. DeStefano*. Video recording is available at: Part 1: <https://www.youtube.com/watch?v=qBKAw8g8Qw8>; Part 2: <https://www.youtube.com/watch?v=pFc-Cano1QE>; Part 3: <https://www.youtube.com/watch?v=pqqmttsigg>.

August 1, 2009: Panelist, "Government Litigators: How Far Must We Go To Seek Justice," American Bar Association Annual Meeting, Criminal Justice Section, Chicago, Illinois. I discussed the obligation of government lawyers to "seek justice." I have no notes, transcript or recording. The address for the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

July 30, 2009: Panelist, "Becoming Louis Brandeis: How to Get Trial Experience," American Bar Association Annual Meeting, Chicago, Illinois. I discussed ways to obtain trial experience. I have no notes, transcript or recording. The address for the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

June 26, 2009: Remarks, Retirement Event for G. Michael Bagley, NAACP Legal Defense and Educational Fund, Inc., New York, New York. Remarks supplied.

May 1, 2009: Panelist, “The Tough Case is Not Over: Waiver and Preservation on Appeal” program, American Bar Association, Section of Litigation Annual Meeting, Atlanta, Georgia. Written materials and notes supplied.

April 25, 2009: Speaker, “The Fourteenth Amendment and the Promise of Equal Protection,” Colloquium on the Constitution, Amherst College, Amherst, Massachusetts. Notes supplied.

2009: Guest Lecturer, Career Paths in the Law, University of New Haven, West Haven, Connecticut. Outline supplied.

January 30-31, 2009: Participant, “Litigation Strategies in the Roberts Court Era,” University of California at Irvine Law School, Equal Justice Society. I discussed the issues in the *Ricci v. DeStefano* case. I have no notes, transcript or recording. The address for the Equal Justice Society is 1999 Harrison Street, Suite 810, Oakland, California 94612.

August 9, 2008: Panelist, “Fourteenth Amendment on Trial” program, American Bar Association Annual Meeting, New York, New York. Written materials and press coverage supplied.

June 13, 2008: Panelist, “Rights Without Remedies,” American Constitution Society National Convention, Washington, D.C. I do not recall the substance of my remarks. I have no notes, transcript or recording. The address for the American Constitution Society for Law and Policy is 1333 H Street, N.W., 11th Floor, Washington, D.C. 20005.

April 18, 2008: Panelist, “The Litigator’s Toolbox: Using the Lessons of Aristotle to Present Outstanding Oral Arguments to Trial Courts and Administrative Agencies,” American Bar Association Section of Litigation Annual Meeting, Washington, D.C. I have no notes, transcript or recording. The address for the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

March 18, 2008: Panelist, “*District of Columbia v. Heller*: The Advocates Speak,” American Constitution Society for Law and Policy, O’Melveny & Myers, LLP, Washington, D.C. I have no notes, transcript or recording. The address for the American Constitution Society for Law and Policy, 1333 H Street, N.W., 11th Floor, Washington, D.C. 20005.

November 9-10, 2007: Participant, “Litigation in the Era of the Roberts Court,” Duke Litigation Strategies Conference, Equal Justice Society and Duke University School of Law’s Program in Public Law, Durham, North Carolina. I do not recall the topics I discussed. I have no notes, transcript or recording. The

address for the Equal Justice Society is 1999 Harrison Street, Suite 800, Oakland, California 94612.

October 16, 2007: Panelist, "Affirmative Action Debate," Fordham Law School chapter of American Constitution Society for Law and Policy and Fordham Law School chapter of the Federalist Society. I have no notes, transcript or recording. The address for the Fordham Law School is 33 West 60th Street, New York, New York 10023.

September 10, 2007: Panelist, discussion of Supreme Court rulings in *Parents Involved in Community Schools v. Seattle Sch. Dist. No. 1* and *Meredith v. Jefferson County Bd. of Educ.*, American Jewish Committee, New York, New York. Outline supplied.

Spring 2007: Presenter, workshops on "The Legal History of Affirmative Action" and "the Sustainability of Racial Justice Organizations," Brazilian Human Rights Lawyer Workshops, Rio de Janeiro and Recife, Brazil. Notes supplied.

January 17, 2007: Keynote Speaker, Martin Luther King, Jr. Celebration, Yale NAACP, New Haven, Connecticut. Remarks and press coverage supplied.

2006: Keynote Speaker, "The Civil Rights Movement: Where Do We Go From Here?" University of New Haven, Keynote Address; West Haven, Connecticut. I discussed the direction of civil rights advocacy in the 21st century. I have no notes, transcript or recording. The address for the University of New Haven is 300 Boston Post Road, West Haven, Connecticut 06516.

March 11, 2006: Speaker, Judge Constance Baker Motley Tribute, Greater New Haven Branch of the NAACP, New Haven, Connecticut. I discussed the life and legal career of Judge Constance Baker Motley. I have no notes, transcript or recording. The address for the Greater New Haven Branch of the NAACP is 545 Whalley Avenue, New Haven, Connecticut 06511.

January 16, 2006: Keynote Speaker, 25th Annual Martin Luther King, Jr. Breakfast Celebration, NAACP Portland Branch, Portland, Maine. Remarks and press coverage supplied.

August 8, 2004: Speaker, "Taking the Oath: Practical and Ethical Considerations in Witness Preparation," American Bar Association Annual Meeting, Atlanta, Georgia. I discussed ethical issues to consider in the preparation of witnesses. I have no notes, transcript or recording. The address for the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

May 10, 2004: Presenter, "Admissions in the Post-Gratz-Grutter World," Ten Schools Admission Organization Annual Meeting, The Hotchkiss School, Lakeville, Connecticut. I discussed the impact of U.S. Supreme Court rulings on

race and higher education admissions on secondary school admissions. I have no notes, transcript or recording. The address for Wiggin and Dana is One Century Tower, 265 Church Street, New Haven, Connecticut 06508.

October 17, 2003: Presenter, "Affirmative Action in Higher Education After Grutter and Gratz," Connecticut Conference of Independent Colleges, St. Joseph's College, West Hartford, Connecticut. I discussed the impact of U.S. Supreme Court rulings on race and higher education admissions. I have no notes, transcript or recording. The address for Wiggin and Dana is One Century Tower, 265 Church Street, New Haven, Connecticut 06508.

September 19, 2003: Presenter, 2003 Connecticut Association of Affirmative Action Officers Meeting, Hartford, Connecticut. I provided an update on affirmative action. I have no notes, transcript or recording. The address for Wiggin and Dana is One Century Tower, 265 Church Street, New Haven, Connecticut 06508.

July 29, 2003: Panelist, Race and Gender Bias Continuing Legal Education Panel, City of Philadelphia Law Department, Philadelphia, Pennsylvania. I provided an analysis of the Supreme Court rulings in *Grutter v. Bollinger* and *Gratz v. Bollinger*, including the likely impact on ruling on affirmative action in minority contracting. I have no notes, transcript or recording. The address of the City of Philadelphia Law Department is the City Solicitor's Office, One Parkway, 1515 Arch Street, 14th to 17th Floors, Philadelphia, Pennsylvania 19102.

April 24, 2003: Presenter, Central Connecticut State University's Diversity Week, Central Connecticut State University, New Britain, Connecticut. I discussed the U.S. Supreme Court cases, *Grutter v. Bollinger* and *Gratz v. Bollinger*. I have no notes, transcript or recording. The address for Wiggin and Dana is One Century Tower, 265 Church Street, New Haven, Connecticut 06508.

March 21, 2002: Panelist, Affirmative Action in Faculty Hiring, National Association of College and University Attorneys (NACUA) Conference; New Orleans, Louisiana. I discussed the state of the law on the use of race and gender in faculty hiring. I have no notes, transcript or recording. The address of the National Association of College and University Attorneys is One DuPont Circle, Suite 620, Washington, D.C. 20036.

March 12, 2002: Speaker, Wiggin and Dana Affirmative Action in College and University Admissions Seminar; New Haven, Connecticut. I conducted a seminar on the state of the law on the use of race as a factor in college and university admissions for several New England colleges and universities. I have no notes, transcript or recording. The address for Wiggin and Dana is One Century Tower, 265 Church Street, New Haven, Connecticut 06508.

November 14, 2001: Moot Court Judge, 25th Annual Charles W. Froessel Moot Court, New York Law School; New York, New York. I have no notes, transcript or recording. The address of the New York Law School is 185 West Broadway, New York, New York 10013.

May 9, 2001: Speaker, Forum on Inclusive and Open Redistricting Process, The Communities of Interest for Fair Redistricting Group, Hartford, Connecticut. I discussed the redistricting process. I have no notes, transcript or recording. I could not locate the address for the sponsoring organization.

2001: Speaker, "5 Questions (About Diversity in Admissions) Every Medical School May Need to Answer" program, Associated Medical Schools of New York, Minority Affairs Advisory Board Conference, New York, New York. I conducted a seminar on the legal challenges for medical schools interested in ensuring a diverse student body. I have no notes, transcript or recording. The address for the Associated Medical Schools of New York is 1270 Avenue of the Americas, Suite 606, New York, New York 10020.

1999: Speaker, Constitutional Language and Educational Rights event, Black Lawyers Association of South Africa, Johannesburg, South Africa. I conducted a workshop on how state court decisions in the United States may provide insight as to how South Africa's constitutional provisions related to education will be interpreted. I have no notes, transcript or recording. The address for the Black Lawyers Association of South Africa is Legal Education Centre, 33 Hoofd Street, Forum 1 Level 5, Braampark Braamfontein Gauteng 2017 South Africa.

1999: Speaker, National Association of Medical Minority Educator's Northeast Regional Conference; Philadelphia, Pennsylvania. I conducted a workshop on equal educational opportunity in higher education. I have no notes, transcript or recording. The address for the National Association of Medical Minority Educators, Inc. is 1500 Sunday Drive, Suite 102, Raleigh, North Carolina 27607.

1999: Speaker, Black History Month Program, Digital Democracy Project, Hunter College, New York, New York. I conducted a workshop on the history and current status of civil rights issues. I have no notes, transcript or recording. The address for Hunter College is 695 Park Avenue, New York, New York 10065.

December 1998: Keynote Speaker, Brazilian Black Lawyers Conference, Rio DeJaniero, Brazil. I delivered the keynote address on using the law to address issues of racism and poverty in Brazil, by using legal challenges in the United States as a model. I have no notes, transcript or recording. The address of the sponsoring organization could not be located.

1998: Panelist, Voting Rights and Minority Communities, Asian American Law Students Association Northeast Conference, New York, New York. I participated

in a panel discussion on the impact of the Voting Rights Act on minority communities. I have no notes, transcript or recording. The address of the sponsoring organization could not be located.

1997: Panelist, program on the *Hopwood v. Texas* decision, Teachers' College, Columbia University, New York, New York. I participated in a panel discussion on the impact of *Hopwood v. Texas* on the college and university admissions process. I have no notes, transcript or recording. The address for Teacher College, Columbia University is 525 West 120th Street, New York, New York 10027

1997: Speaker, program on minority contracting, North Carolina Minority Business Association Conference; Wilmington, North Carolina. I conducted a workshop on the changing legal landscape of contracting for women and minority-owned businesses. I have no notes, transcript or recording. The address for the sponsoring organization could not be located.

January 20, 1997: Panelist, "Race and Redistricting: Drawing the Lines," New Jersey State Bar Association Individual Rights Section. I discussed the impact of recent U.S. Supreme Court decisions on the redistricting process and the voting strength of racial minorities. I have no notes, transcript or recording. The address for the New Jersey State Bar Association is 1 Constitution Square, New Brunswick, New Jersey 08901.

1996: Speaker, program on mortgage lending discrimination, Alabama New South Coalition Conference; Selma, Alabama. I conducted a workshop on mortgage lending policies and practices and discrimination. I have no notes, transcript or recording. The address for the Alabama New South Coalition Inc. is 838 South Court Street, Montgomery Alabama 36104.

1996: Panelist, Education Writers Association Conference; Tampa, Florida. I participated in a panel discussion on equal educational opportunity in elementary and secondary school education. I have no notes, transcript or recording. The address for the Education Writers Association is 3516 Connecticut Avenue, N.W., Washington, D.C. 20006.

1994: National Fair Housing Alliance Conference; Washington, D.C. I participated in a panel discussion on homeowner insurance practices and discrimination. I have no notes, transcript, or recording. The address for the National Fair Housing Alliance is 1101 Vermont Avenue, NW, Suite 710, Washington, D.C. 20005.

April 5, 1994: Panelist, "Equity in Public School Funding: A Mandate Requiring Innovative and Aggressive Remedies," Vermont Law School; South Royalton, Vermont. I spoke about public school equity issues. I have no notes, transcript or

recording. The address for the Vermont Law School is 164 Chelsea Street, South Royalton, Vermont 05068.

1992: Columbia College, Columbia University; New York, New York. I participated in a forum on affirmative action. I have no notes, transcript or recording. The address for Columbia College, Columbia University is 208 Hamilton Hall, 1130 Amsterdam Avenue, New York, New York 1027.

1991: Panelist, "The Gulf War -Constitutional & International Issues: At Home and Abroad" forum, New York Law School, New York, New York. I have no notes, transcript, or recording. The address for New York Law School is 185 West Broadway, New York, New York 10013.

- 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 my capacity as Corporation Counsel for the City of New Haven, I frequently give interviews to local radio, television and print media relating to litigation and other matters in which the city is involved. In my prior capacity as General Counsel for the NAACP Legal Defense & Educational Fund, Inc., I also frequently spoke with the press. I also have spoken to the press on other occasions. I have supplied a list that represents what I believe to be a complete list of interviews to the best of my recollection after reviewing my files and the Internet, as well as copies of those articles. A number of articles or quotations have been reprinted in multiple outlets and under different titles. There may be, however, media appearances that I have been unable to locate or do not recall having made.

New Haven Firefighter Loses His Job After Felony Conviction, New Haven Register, June 3, 2014. Copy supplied.

Proposed Ordinance Change Supports New Haven Construction Workers, New Haven Register, June 2, 2014. Copy supplied.

New Haven Police Sergeant Fighting Suspension Over Alleged Racially and Sexually Charged Comment, New Haven Register, May 2, 2014. Copy supplied.

City Fires Leaders of Budding Union, New Haven Independent, February 25, 2014. Copy supplied.

New Haven Republican Candidate Alleges 'Election Skullduggery' In Race To Fill Harp's Senate Seat, New Haven Register, February 12, 2014. Copy supplied.

Ralliers Rally for Rallying, New Haven Independent, February 11, 2014. Copy supplied.

Candidate Cries Foul At Clerk's Office, New Haven Independent, February 5, 2014. Copy supplied.

New Haven Man Jailed in Murder He Didn't Commit Seeks \$20M, New Haven Register, February 2, 2014. Copy supplied.

Bolden Cans 3 Lawyers, New Haven Independent, January 29, 2014. Copy supplied.

New Haven Aims To Put Brakes on Green Rules Changes, New Haven Register, January 28, 2014. Copy supplied.

Police Chase Case Ends in \$727,000 Settlement, Connecticut Law Tribune, January 24, 2014. Copy supplied.

Long-Ago Land Deal Tangles "The Cage," New Haven Independent, January 8, 2014. Copy supplied.

Harp Resigns New Haven Senate Seat, Holder-Winfield Only One to Express Interest To Date, New Haven Register, January 7, 2014. Copy supplied.

Union Chief Oks James' Job – For 3 Months, New Haven Independent, January 7, 2014. Copy supplied.

Dispute Over 360 State St's New Haven Tax Bill Settled, New Haven Register, December 24, 2013. Copy supplied.

New Haven Green Events Requiring Police May Cost Organizers, New Haven Register, December 24, 2013. Copy supplied.

City, 360 State Compromise on Taxes, New Haven Independent, December 24, 2013. Copy supplied.

Prof Blasts 'Murky' Proposed Rules for Green, New Haven Independent, November 21, 2013. Copy supplied.

City Probe Finds No Discipline Discrimination, New Haven Independent, November 20, 2013. Copy supplied.

New Haven Corporation Counsel: No Evidence of Racial Disparities In Fire Department Discipline, New Haven Register, November 19, 2013. Copy supplied.

Next "Occupy" May Be Easier To Evict, New Haven Independent, November 12, 2013. Copy supplied.

New Haven Mayoral Candidates Agree Something Has To Change To Increase Safety, New Haven Register, November 3, 2013. Copy supplied.

Lawsuit Filed Over iPhone Filming Arrest, Meriden Record-Journal, September 20, 2013. Copy supplied.

Conn. Lawsuit Filed Over iPhone Camera Arrest, Associated Press, September 19, 2013. Copy supplied.

Civil Rights Lawsuit Filed In Police-Filming Case, Hartford Courant, September 19, 2013. Copy supplied.

Man Files Civil Rights Suit Over New Haven Arrest For Filming, New Haven Register, September 18, 2013. Copy supplied.

Vindicated Cop-Photographer Sues City, New Haven Independent, September 18, 2013. Copy supplied.

New Haven Fire Department Special Master Says Position No Longer Needed, New Haven Register, September 12, 2013. Copy supplied.

Pilot Seeks To Clear Name In Suit Against New Haven Cop, New Haven Register, September 5, 2013. Copy supplied.

Where's The Fire Marshal?, New Haven Independent, September 3, 2013. Copy supplied.

New Haven Fire Union President Plans To Challenge Promotions, New Haven Register, August 29, 2013. Copy supplied.

Exonerated Cop Hits \$235,135 Jackpot, New Haven Independent, August 29, 2013. Copy supplied.

New Haven Absentee Ballots Mailed, Despite Dispute Over Aldermen Slots, New Haven Register, August 26, 2013. Copy supplied.

Toni Harp, Michael Smart Team Up On Primary Ballot, Triggering Protest From Their Competitors, New Haven Register, July 26, 2013. Copy supplied.

State Clears Harp In Petition Drive, New Haven Independent, July 26, 2013. Copy supplied.

Ex-City Official Returns To Lobby City, New Haven Independent, July 12, 2013. Copy supplied.

Former Tax Assessor Sues City, New Haven Independent, July 2, 2013. Copy supplied.

Alleged Racial Disparities In Discipline Probed in New Haven Fire Department, New Haven Register, June 29, 2013. Copy supplied.

Racism? Or Sour Grapes?, New Haven Independent, June 24, 2013. Copy supplied.

6 Vie To Buy Failed Housing Co-op, New Haven Independent, June 11, 2013. Copy supplied.

Police Brutality Suits: New Haven, Hamden, West Haven, East Haven Face Most Complaints In Greater New Haven, New Haven Register, April 27, 2013. Copy supplied.

Aldermen Change Ward Map, Yale Daily News, April 19, 2013. Available at pp. 1, 6 of <http://issuu.com/yaledailynews/docs/issuu0419/1>.

Dead Man's Brother Sues City, New Haven Independent, April 11, 2013. Copy supplied.

Judge Tosses Lawsuit Against James Hillhouse High School, New Haven Register, April 9, 2013. Copy supplied.

Estate Of Woman Killed By U-Haul Truck At 2011 Yale-Harvard Game Tailgate Files Wrongful Death Lawsuit, New Haven Register, April 6, 2013. Copy supplied.

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I have not served as a judge.

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

i. Of these, approximately what percent were:

jury trials:	____%
bench trials:	____% [total 100%]
civil proceedings:	____%
criminal proceedings:	____% [total 100%]

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

come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not served as a judge.

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

15. Public Office, Political Activities and Affiliations:

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

On January 15, 2009, I was appointed Acting Corporation Counsel for the City of New Haven by then-New Haven Mayor John DeStefano, Jr. In April 2009, I was appointed by Mayor DeStefano to fulfill the remainder of the two-year term as Corporation Counsel. Mayor DeStefano reappointed me to a two-year term in January 2010 and to another two-year term in January 2012. In January 2014, I was appointed to a two-year term as Corporation Counsel for the City of New Haven by current New Haven Mayor Toni Harp.

- 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.

Since 2002, I have served as a member of the Twenty-Fifth Ward Democratic Town Committee of the City of New Haven, although I was largely inactive from 2002 to 2009, and I have not participated in any election-day activities since the 2011 election. The Committee hosts town hall meetings with updates on local issues, endorses candidates for the Board of Alders from the Twenty-Fifth Ward of the City of New Haven in contested primaries, and provides support on

Election Day to the Democratic candidate. During my time on the Committee, there have only been two Democratic primaries for the position of Alder for the Twenty-Fifth Ward. In 2003, the Committee endorsed Ina Silverman in her primary race against Anthony Wallace and supported her during her general election later that year. The Committee supported her again in 2005 and 2007, when she was the uncontested Democratic candidate. In 2009, Alder Silverman chose not to run for re-election, and the Committee supported Gregory Dildine, who was the uncontested Democratic candidate. In 2011, the Committee endorsed Michael Slattery in the primary election, but subsequently supported Adam Marchand in the general election after he won the primary. The Committee supported him again in 2013, when he was the uncontested Democratic candidate. I have included any election activity in which I have personally participated below.

In 2011 and 2009, I volunteered for Mayor DeStefano's reelection campaigns. I handed out campaign literature and made reminder calls to voters. In 2011, I also volunteered in Michael Slattery's campaign for the Board of Alders to represent the Twenty-Fifth Ward. I introduced him to voters and assisted at the primary election by handing out campaign literature at the polls and making reminder calls to voters. In 2009, I volunteered for Katrina Jones' campaign for the Board of Alders to represent the Twenty-First Ward by handing out campaign literature on Election Day. In 1991, I was a volunteer lawyer for the campaign of Peter Williams for City Council in Brooklyn, New York. I helped the campaign ensure compliance with election laws and assisted with a ballot challenge of an opposing candidate.

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

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

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

I have not served as a clerk for a judge.

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

I have not practiced law alone.

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

1989 – 1994

American Civil Liberties Union Foundation

125 Broad Street
New York, New York 10004
Staff Attorney (1990 – 1994)
Karpatkin Fellow (1989 – 1990)

1994 – 2000
NAACP Legal Defense & Educational Fund, Inc.
40 Rector Street, 5th Floor
New York, New York 10006
Assistant Counsel

2000 – 2005
Wiggin and Dana
One Century Tower
265 Church Street
P.O. Box 1832
New Haven, Connecticut 06508
Counsel (2004 – 2005)
Associate (2000 – 2003)

2005 – 2009
NAACP Legal Defense & Educational Fund, Inc.
40 Rector Street, 5th Floor
New York, New York 10006
General Counsel

2009 – present
Office of the Corporation Counsel
City of New Haven
165 Church Street
New Haven, Connecticut 06510
Corporation Counsel (April 2009 – present)
Acting Corporation Counsel (January 2009 – April 2009)

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

I have not served as a mediator or arbitrator in alternative dispute proceedings.

b. Describe:

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

From 1989 to 1994, as a Karpatkin Fellow and then a staff attorney at the ACLU, I worked on a wide variety of federal and state constitutional and statutory issues on both the trial and appellate level with considerable work on education and housing issues, as well as a case involving the rights of the mentally ill. My activities included legal research and writing, conducting fact investigations, written discovery and depositions, drafting motions and briefs and preparing and presenting both lay and expert testimony at trial, as well as writing an *amicus curiae* brief at the appellate level.

From 1994 to 2000, as an Assistant Counsel at the NAACP Legal Defense & Educational Fund, Inc., I continued working on federal constitutional and statutory issues at the trial and appellate level. My trial practice included bench trials and a jury trial, as well as discovery and motion practice. My appellate activities included arguments before the United States Court of Appeals for the Tenth Circuit and the Louisiana Supreme Court, as well as party and *amicus curiae* submissions to the United States Supreme Court.

From 2000 to 2005, during my time at Wiggin and Dana, my law practice included a variety of commercial litigation matters, such as products liability, medical malpractice and defense of employment actions, as well as First Amendment and libel issues. My trial practice included arguing and obtaining summary judgment in libel matters and defending news reporters subpoenaed to testify in court, as well as assisting with an injunction action brought against an employer. My appellate practice included working on briefs for the Connecticut Supreme Court and the United States Supreme Court, as well as arguing before the United States Court of Appeals for the Eleventh Circuit.

From 2005 to 2009, as the NAACP Legal Defense & Educational Fund, Inc.'s General Counsel, I served as an in-house counsel on operational matters, provided strategic advice and guidance on a number of both trial and appellate matters, and was responsible for the day-to-day operations of the organization's offices around the country. I also served as counsel of record on an *amicus curiae* brief to the United States Supreme Court.

Since 2009, as New Haven's Corporation Counsel, I have served as the chief legal adviser to a municipality with a general operating budget of about a half-billion dollars and nearly 4,500 employees. I am the direct supervisor of about two dozen staff members and oversee a legal docket of over a thousand cases in the United States District Court of Connecticut, the State of Connecticut's Superior Court and Connecticut's administrative agencies. I primarily consult on the cases in the docket, although I also become more actively involved in litigation with the greatest exposure for the City of New Haven and, in such cases, have

participated directly in court proceedings, even arguing cases. I have argued dispositive motions before the United States District Court of Connecticut and an appeal before the United States Court of Appeals for the Second Circuit. I also have worked closely with counsel on matters before the United States Supreme Court involving the City of New Haven. I also have been involved with *amicus curiae* submissions on behalf of the City of New Haven in conjunction with other municipalities.

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

From 1990 to 1994, while at the ACLU, I represented patients in a state mental health facility, parents and students in education matters, and homeowners in a housing discrimination lawsuit.

From 1994 to 2000, while at the NAACP Legal Defense & Educational Fund, Inc., I represented an employee in an employment discrimination case, voters in voting rights matters, homeowners and would-be homeowners in housing discrimination matters and parents and students in education matters at both the primary and secondary education level, mainly school desegregation cases and students at the college and university level in cases involving access to higher education.

From 2000 to 2005, while in the private practice of law, I represented employers in employment discrimination matters, hospitals in medical malpractice actions and in governmental investigations, newspapers and media companies in libel actions as well as defending against subpoenas to compel testimony from journalists, corporations in defense of products liability lawsuits and other actions.

From 2005 to 2009, as in-house counsel for the NAACP Legal Defense & Educational Fund, Inc., I tended to the institutional legal needs of a non-profit organization. I also advised on pending civil rights matters, particularly education-related cases involving students.

From 2009 to the present, as the chief lawyer for a municipality, I represent public officials, the Mayor of the City of New Haven, the Board of Aldermen and other such officials and municipal employees, including but not limited to members of the New Haven Department of Police Services, the New Haven Board of Education, the New Haven Department of Fire Services, and the New Haven Department of Public Works, against a variety of claims.

- 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.

During the years I practiced at the ACLU and the NAACP Legal Defense and Educational Fund, Inc., I engaged in significant discovery work, and I appeared in court occasionally to address scheduling matters, argue motions or in preparation for or during a trial. I appeared in court more regularly at Wiggin and Dana, particularly because I could be called on a moment's notice to appear on behalf of a reporter who had been subpoenaed. Since 2009, as the City of New Haven's Corporation Counsel, my role has been to oversee all of the civil litigation involving the City of New Haven. Although I typically do not appear in court, I do still appear on occasion.

- i. Indicate the percentage of your practice in:
 - 1. federal courts: 65%
 - 2. state courts of record: 25%
 - 3. other courts: 0%
 - 4. administrative agencies: 10%
- 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.

I have participated in five trials to verdict, judgment or final decision. I was chief counsel in one of the five cases and served as co-counsel in the other matters with significant trial responsibility including the presentation of testimony.

- i. What percentage of these trials were:
 - 1. jury: 20%
 - 2. non-jury: 80%
- 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.

Throughout the course of my career, I have represented parties both directly and as *amicus curiae* before the U.S. Supreme Court and also have assisted in the preparation of briefs without attribution. After searching my records and electronic databases, I have identified and am providing copies of the submissions in all of these Supreme Court matters:

City of New Haven v. Briscoe, 654 F.3d 200 (2011), *cert. denied*, ___ U.S. ___, 132 S. Ct. 2741 (2012) (petition for a writ of certiorari, 2012 WL 549257; reply brief, 2012 WL 1550591).

Township of Mount Holly v. Mt. Holly Gardens Citizens in Action, Inc., 658 F.3d 375 (3d Cir. 2011), *cert. granted*, ___ U.S. ___, 133 S. Ct. 2824, *cert. dismissed* ___ U.S. ___, 134 S. Ct. 636 (2013) (*amicus curiae* brief on behalf of governments of San Francisco, Atlanta, Flint, New Haven, Philadelphia, Toledo, King County, Washington and City of Seattle Office of Civil Rights in support of respondents Mt. Holly Gardens Citizens in Action, Inc., 2013 WL 5820525).

State of Arizona v. United States, 567 U.S. ___, 132 S. Ct. 2492 (2012) (*amicus curiae* brief on behalf of various cities, counties, the United States Conference of Mayors and the National League of Cities in support of respondents, 2012 U.S. S. Ct. Briefs LEXIS 1239).

Ricci v. DeStefano, 557 U.S. 557 (2009) (brief for respondents, 2009 WL 740763).

Michigan Civil Rights Initiative Committee v. Coalition to Defend Affirmative Action, 501 F.3d 775, *cert. denied*, 555 U.S. 937 (2008) (brief in opposition to petition for certiorari, 2008 WL 2415468).

Michigan Civil Rights Initiative Committee v. Coalition to Defend Affirmative Action, No. 06A678 (2007) (motion for leave to file brief and brief of *amicus curiae* the Cantrell plaintiffs in support of petitioners, copy supplied).

District of Columbia v. Heller, 554 U.S. 570 (2008) (*amicus curiae* brief on behalf of the NAACP Legal Defense & Educational Fund, Inc. in support of petitioner, 2008 WL 157192).

Parents Involved in Community Schools v. Seattle School District No. 1, and *Meredith v. Jefferson County Board of Education*, 551 U.S. 701 (2006) (*amicus curiae* brief on behalf of the NAACP Legal Defense & Educational Fund, Inc. in support of respondents, 2006 WL 2927075).

Grutter v. Bollinger and *Gratz v. Bollinger*, 539 U.S. 306 (2003) and 539 U.S. 244 (2003) (*amicus curiae* brief on behalf of the cities of Philadelphia, Pennsylvania and Cleveland, Ohio as well as the National Conference of Black Mayors on behalf of respondents, 2003 WL 399093).

Manning v. Hillsborough County School Board, 244 F.3d 927, *cert. denied*, 534 U.S. 824 (2001) (petition for a writ of certiorari, 2001 WL 34125257; reply brief, 2001 WL 34125258).

Hunt v. Cromartie, 526 U.S. 541 (1999) (brief of appellant-intervenors, 1998 WL 792304; reply brief of appellant-intervenors, 1998 WL 906323)

State of Texas v. United States, 523 U.S. 296 (1998) (*amici curiae* brief on behalf of American Civil Liberties Union and the NAACP Legal Defense & Educational Fund, Inc. in support of appellee, 1997 WL 770554).

Romer v. Evans, 517 U.S. 620 (1995) (*amici curiae* brief on behalf of the NAACP Legal Defense & Educational Fund, Inc., the Mexican American Legal Defense and Educational Fund, and the Women's Legal Defense Fund in support of respondents, 1995 WL 17008435).

Illinois v. Perkins, 496 U.S. 292 (1990) (*amicus curiae* brief on behalf of the American Civil Liberties Union and the ACLU of Illinois in support of respondent, 1989 WL 1127124).

Alabama v. White, 496 U.S. 325 (1990) (*amicus curiae* brief on behalf of the American Civil Liberties Union, the ACLU of Alabama and the National Association of Criminal Defense Lawyers in support of respondent, 1989 WL 1127457).

Finally, since 2012, I have served on the American Bar Association's ("ABA") Standing Committee on Amicus Curiae Briefs. This work, however, is not part of my practice, as the briefs considered by this Committee are drafted by outside counsel and Committee members' names are not listed on the briefs. Members of this Committee review and edit Supreme Court briefs filed by the ABA to assure that they are consistent with ABA policy.

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. *MEPT Chapel Street LLC v. City of New Haven*
HHB-CV-12-6018449-S, Conn. Super., December 26, 2013
(judgment by stipulation before trial commenced)
HHB-CV-11-601457-S, Conn. Super. , Dec. 30, 2013
(withdrawal of action)
MEPT Chapel Street QALICB LLC v. City of New Haven
HHB-CV-12-6018450-S, Conn. Super., Dec. 26, 2013
(judgment by stipulation before trial commenced)
HHB-CV-11-6014156-S, Conn. Super., Dec. 30, 2013
(withdrawal of action)

These four combined cases involved a major legal challenge to the City of New Haven's property tax assessment system. The underlying property had been built as part of a large economic development project in New Haven and resulted in the building of high-quality residential housing as well as an upscale food market in the city's downtown. As part of the inducement to build, the developers received substantial tax abatements. The developers and subsequent property owners also believed that the real estate's property tax exposure had been capped at levels disclosed by City officials upon receiving approval from the City's legislative body to enter the deal and allegedly had based investment decisions based on these tax projections. The City's tax assessor valued the property using the cost methodology – basing the project's value based on the cost to build – resulting in a tax number more than three times what the developers and property owners expected. This litigation ensued. I actively participated in the evaluation of the legal claims and settlement discussions. Ultimately, this matter settled with the help of a private mediator, a former federal judge, who had served on the United States District Court of Connecticut.

Date of representation:	2011 to 2013
Court:	Connecticut Superior Court, New Britain
Judge(s):	Honorable Arnold W. Aronson (Superior Court) Honorable Eliot Prescott (Superior Court) Honorable Alan Nevas (former U.S. District Court judge/mediator)
Co-counsel:	James Perito Michael Leone Gerald Giamo Halloran and Sage 195 Church Street, 15th Floor New Haven, CT 06509 (203) 672-5432

Steven Ecker
Cowdery, Ecker & Murphy
280 Trumbull Street
Hartford, Connecticut 06103
(860) 278-5555

Opposing counsel: Gregory Servodidio
Pullman & Comley, LLC
90 State House Square
Hartford, Connecticut 06103
(860) 424-4332

Mark Robinson
Siobhan Mee
Bingham
One Federal Street
Boston, Massachusetts 02110
(617) 951-8000

2. *Mitchell v. City of New Haven*, 854 F.Supp.2d 238 (D.Conn. 2012)

Protestors associated with the Occupy Wall Street movement set up tents on a portion of downtown New Haven, known as the New Haven Green, to dramatize issues of poverty. After the protestors were asked to leave, they sued the City of New Haven, city officials and the Proprietors of the Green, who have the legal right to manage this public space, alleging a First Amendment right to stay there. The United States District Court for the District of Connecticut upheld the City of New Haven's right to evict the protestors for failing to comply with reasonable regulations, a decision affirmed by the United States Court of Appeals for the Second Circuit. While I relied on outside counsel for the day-to-day litigation, I directed the City's legal efforts in the case both before and after the preliminary injunction hearing in the matter.

Date of representation: 2012

Court: United States District Court for the District of Connecticut
United States Court of Appeals for the Second Circuit

Judges: Honorable Mark R. Kravitz (deceased)
(heard preliminary injunction hearing)
Honorable Janet C. Hall (U.S. District Court)
(presided over temporary restraining order hearing)

Co-counsel: City of New Haven	John Horvack Fatima Lahnin Carmody Torrance 195 Church Street New Haven, Connecticut 06509 (203) 777-5501
Co-counsel: Proprietors of the Green	Al Pavlis Anthony Miodonka Finn Dixon 177 Broad Street Stamford, Connecticut 06901 (203) 325-5000
Opposing counsel:	Norman Pattis Law Offices of Norman A. Pattis, LLC 649 Amity Road Bethany, Connecticut 06524 (203) 393-3017

3. *Ricci v. DeStefano*, 557 U.S. 557 (2009)

The case involved a challenge under Title VII of the Civil Rights Act of 1964's disparate treatment provision, the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution and other federal and state law provisions to the failure of the City of New Haven to certify and promote consistent with the results of promotional examinations for the ranks of lieutenant and captain in the New Haven Department of Fire Services. The district court granted summary judgment in the City of New Haven's favor and the Second Circuit affirmed this ruling. The United States Supreme Court granted certiorari, reviewed the case and ruled against the City of New Haven, holding that the City of New Haven's disparate impact defense did not have "a strong basis in evidence" and therefore, could not shield it from liability under Title VII's disparate treatment provisions.

I became Corporation Counsel for the City of New Haven shortly after the grant of certiorari and worked with outside counsel in the case's preparation before the Supreme Court of the United States. After the Supreme Court's adverse decision and upon remand to the district court, I ensured that the court's orders were complied with and that those who should have been promoted, based on the results of the respective examinations, were promoted. I also worked with outside counsel to limit the scope of the City's liability to Title VII alone and then sought the resolution of the monetary aspects of the case through offers of judgment under Rule 68 of the Federal Rules of Civil Procedure, which were accepted by the plaintiffs and ended seven years of legal proceedings.

Date of Representation: 2009 to 2011

Courts: United States Supreme Court
U.S. Court of Appeals for the Second Circuit
U.S. District Court for the District of Connecticut

District Court Judge: Hon. Janet Bond Arterton

Co-counsel: Richard Roberts
Stacey Pitcher
Nuzzo and Roberts
One Town Center
Cheshire, Connecticut 06410
(203) 250-2000

Christopher J. Meade
United States Department of Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220
(202) 622-6105

Anne K. Small
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549
(202) 551-5100

Lawrence D. Rosenberg
John Gore
Jones Day
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
(202) 879-7622

Steven Ecker
Cowdery, Ecker & Murphy
280 Trumbull Street
Hartford, Connecticut 06103
(860) 278-5555

Jed Rubinfeld
Yale Law School
P.O. Box 208215
New Haven, Connecticut 06520
(203) 432-7631

Opposing counsel: Karen Lee Torre
Law Offices of Norman A. Pattis, LLC,
649 Amity Road
Bethany, Connecticut 06524
(203) 415-2999

Gregory Coleman (deceased)

4. *Briscoe v. City of New Haven*, No. 3109-CV-1642 (CSH), 2010 WL 2794212 (D.Conn. July 12, 2010), *rev'd* 654 F.3d 200 (2d Cir. 2011), 2013 WL 4780097 (D.Conn. Sept. 9, 2013)

Following the United States Supreme Court's ruling in the *Ricci v. DeStefano* case, an African-American firefighter, Mr. Briscoe, filed suit against the City of New Haven, claiming that the promotional exam for lieutenant discriminated against him on the basis of race, citing Title VII of the Civil Rights Act of 1964's disparate impact provision. Based on the Supreme Court's ruling in *Ricci*, I argued the City of New Haven's motion to dismiss the case, which was granted.

Briscoe appealed this decision to the United States Court of Appeals for the Second Circuit ("Second Circuit"), and I argued the appeal before the Second Circuit on the City's behalf. The Second Circuit reversed the district court's decision. As a result, the Briscoe case was remanded back to the district court for further proceedings, with the Second Circuit expressing no view as to whether the case should be dismissed on other grounds. After the case was remanded back to the district court, the City of New Haven presented other grounds for dismissing the case. I argued the matter before the district court again and the district court dismissed the case a second time. While Briscoe's appeal before the Second Circuit was pending, the case settled.

Date of Representation: 2009 to 2014

Courts: United States District Court of Connecticut
United States Court of Appeals for the Second Circuit
United States Supreme Court

Judge(s): Honorable Charles Haight (U.S. District Court of Connecticut)

Honorable Dennis Jacobs, former Chief Judge
(Second Circuit)
Honorable Ralph Winter (Second Circuit)
Honorable Jose Cabranes (Second Circuit)

Co-counsel: Richard Roberts

Stacey Pitcher
Nuzzo and Roberts
One Town Center
Cheshire, Connecticut 06410
(203) 250-2000

Lawrence D. Rosenberg
John Gore
Jones Day
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
(202) 879-7622

Opposing counsel: David Rosen
David Rosen & Associates
400 Orange Street
New Haven, Connecticut 06511
(203) 787-3513

Counsel for:
defendant-intervenors Karen Lee Torre
Law Offices of Norman A. Pattis, LLC,
649 Amity Road
Bethany, Connecticut 06524
(203) 415-2999

5. *Durkin v. Intervac, Inc.*, 258 Conn. 454, 576 A.2d 518 (2001)

When two Australian military Black Hawk helicopters collided in midair and crashed during a training exercise, some of those injured in the collision and the estates of those who died in the crash filed suit in Connecticut, alleging that night vision goggles had caused the accident and that the defendants, various corporations, had failed to design, manufacture and test the night vision goggles and related equipment. Defendants moved to dismiss the case, arguing that Connecticut was an inconvenient forum in which to try the case and that the proper forum was Australia. The trial court denied the motion. The Connecticut Supreme Court reversed the trial court decision and recognized that Australia was the proper forum, given that key witnesses and evidence remained in Australia.

Along with co-counsel from Wiggin and Dana, I worked on the appeal of the trial court's denial of the motion, developing the arguments for the appeal on behalf of all of the defendants.

Date of representation: 2000 to 2001

Court: Connecticut Supreme Court

Justices: Honorable William Sullivan, Chief Justice
Honorable David Borden, Associate Justice
Honorable Fleming Norcott, Associate Justice
Honorable Joette Katz, Associate Justice
Honorable Richard Palmer, Associate Justice
Honorable Christine Vertefeuille, Associate Justice
Honorable Peter Zarella, Associate Justice

Co-counsel: Hon. Mark Kravitz (deceased)
(formerly of Wiggin and Dana)

Jeffrey Babbin
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One Century Tower
265 Church Street
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Clendennen and Shea
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Loughlin Fitzgerald
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Counsel for Intervac, Inc.

Charles S. Tusa
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(860) 525-5065
Counsel for Raytheon Optical Systems, Inc.

Christopher Lynch
(formerly of Halloran and Sage)
LeClair Ryan
One Financial Plaza
755 Main Street, Suite 2000
Hartford, Connecticut 06103
(860) 656-1935
Counsel for Gentex Corporation

Counsel for plaintiffs: Vincent M. Musto (retired)

Joel T. Faxon
(formerly of Koskoff, Koskoff and Bieder, P.C.)
Stratton Faxon
59 Elm Street, Suite 3
New Haven, Connecticut 06510
(203) 624-9500

6. *Manning v. Hillsborough County Sch. Bd.*, 24 F.Supp.2d 1277 (M.D. Fla. 1998), *rev'd* 244 F.3d 927 (11th Cir.), *cert. denied*, 534 U.S. 824 (2001)

In a school desegregation case involving one of the largest school districts in the country, Hillsborough County, Florida, I served as lead counsel for plaintiffs in federal district court proceedings to determine whether court supervision over this school system should end. Following considerable discovery and seven days of substantial lay and expert testimony, a magistrate judge recommended termination of court supervision. After subsequent filings before the district court judge, this recommendation was rejected and court supervision was maintained.

The Hillsborough County School Board appealed this decision to the United States Court of Appeals for the Eleventh Circuit. The Eleventh Circuit reversed the district court's decision and ordered the end of federal court supervision. The Supreme Court denied certiorari. I was counsel of record on the brief in the Eleventh Circuit and argued the matter there, as well as drafting the petition for certiorari to the Supreme Court.

Date of Representation: 1995 to 2001

Courts: United States District Court of the Middle District of Florida
United States Court of Appeals for the Eleventh Circuit
United States Supreme Court

Judge(s): Honorable Elizabeth Kovachevich (U.S. District Court of the Middle District of Florida)
Honorable Elizabeth Jenkins (U.S. District Court of the Middle District of Florida)
Honorable Emmett Ripley Cox (Eleventh Circuit)
Honorable Susan H. Black (Eleventh Circuit)
Honorable Peter T. Fay (Eleventh Circuit)

Co-counsel: Warren Hope Dawson
Dawson Law Office
1467 Tampa Park Plaza
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(813) 221-1800

Jacqueline A. Berrien
(formerly of the NAACP Legal Defense & Educational Fund, Inc.)
U.S. Equal Employment Opportunity Commission
131 M Street, NE
Washington, D.C. 20507
(202) 663-4900

Marianne Engelman Lado
(formerly of the NAACP Legal Defense & Educational Fund, Inc.)
Northeast Office
Earthjustice
48 Wall Street, 19th Floor
New York, New York 10005
(212) 845-7376

Hon. Jesse Furman
(formerly of Wiggin and Dana)
U.S. District Court
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square

New York, New York 10007
(212) 805-0282

Opposing counsel: W. Crosby Few (now deceased)

Thomas M. Gonzalez
Thompson, Sizemore & Gonzalez
One Tampa City Center
201 North Franklin Street, Suite 1600
Tampa, Florida 33602
(813) 273-0050

7. *Perschall v. State of Louisiana*, 96-322 (La. 7/1/97), 697 So.2d 240 (1997)

To remedy the violation of the Voting Rights Act of 1965 found in *Chisom v. Roemer*, involving the election process for Louisiana's Supreme Court, legislators in Louisiana adopted Act 512 that temporarily created a position for an eighth justice on the Louisiana Supreme Court. Act 512 subsequently became codified in a consent judgment in that case before the United States District Court of the Eastern District of Louisiana. Mr. Perschall filed a lawsuit claiming that Act 512 violated the Louisiana Constitution, specifically Article V, Section of the Louisiana Constitution, providing for a Louisiana Supreme Court with a chief justice and six associate justices.

Although filed in state court, the State of Louisiana removed the matter to the United States District Court of the Eastern District of Louisiana. Relying on the abstention doctrine, the federal district court remanded the case back to state court for resolution of the issue of whether Act 512 had been violated. The Louisiana Supreme Court decided to exercise its supervisory jurisdiction, granted certiorari to hear the case and ordered the lower state courts bypassed.

The Louisiana Supreme Court held that Act 512 violated the Louisiana Constitution, but also held that this ruling could have no effect on the consent judgment put in place by the federal court. When the matter returned to the United States District Court of the Eastern District of Louisiana, the federal district court held that, despite the Louisiana Supreme Court's ruling finding Act 512 unconstitutional, Perschall was not entitled to any additional relief. Perschall appealed this ruling to the United States Court of Appeals for the Fifth Circuit. After the submission of briefs, the Fifth Circuit issued a per curiam opinion upholding the District Court's mootness ruling and ending the case.

I represented the *Chisom* plaintiffs, who had intervened in the *Perschall* case, and argued the matter before the Louisiana Supreme Court. Subsequently, I represented the *Chisom* intervenors before the Eastern District of Louisiana and the Fifth Circuit.

Date of Representation: 1995 to 1999

Court: Louisiana Supreme Court
United States District Court for the Eastern District of Louisiana
United States Court of Appeals for the Fifth Circuit

Judges: Honorable Catherine Kimball (La. Supreme Court)
Honorable Charles A. Marvin. (Court of Appeals, Second Circuit sitting by designation)
Honorable Freddie Pitcher, Jr., (Court of Appeals, First Circuit sitting by designation)
Honorable Harry Lemmon (La. Supreme Court)
Honorable Jeffrey Victory (La. Supreme Court)
Honorable Chet Traylor (La. Supreme Court)
Honorable Jeanette Theriot Knoll (La. Supreme Court)

Honorable Charles Schwartz, Jr. (U.S. District Court)

Honorable Carolyn Dineen King (Fifth Circuit)
Honorable Rhesa Hawkins Barksdale (Fifth Circuit)
Honorable Carl Stewart (Fifth Circuit)

Co-counsel: William P. Quigley
Gillis P. Long Poverty Center
Loyola Law School
7214 St. Charles Avenue, P.O. Box 902
New Orleans, Louisiana 70118
(504) 861-5762

Ronald Wilson
Scheuerman & Jones, LLC
One Shell Square
41st Floor
701 Poydras Street
New Orleans, Louisiana 70139
(504) 525-4361

Jacqueline A. Berrien
(formerly of the NAACP Legal Defense & Educational Fund, Inc.)
U.S. Equal Employment Opportunity Commission
131 M Street, NE

Washington, D.C. 20507
(202) 663-4900

Counsel for the State: Tyron Picard
The Picard Group
1200 Camellia Boulevard
Suite #101
Lafayette, Louisiana 70508
(337) 989-0071

Peter Butler, Jr.
Breazeale, Sachse & Wilson
One American Place
301 Main Street, 23rd Floor
P.O. Box 3197
Baton Rouge, Louisiana 70821
(225) 387-4000

Mark E. Stipe
600 Jefferson Street, #1200
Lafayette, Louisiana 70501
(985) 262-9000

Opposing counsel: Clement Perschall, Jr. (deceased)
(representing himself)

8. *Price v. Gadsden Corp.*, No. 93-CV-1784 (N.D. Ala. filed Aug. 30, 1993)

Working with co-counsel, I represented an African-American couple in a case involving a claim of racial discrimination in lending. The couple had been denied a loan to build a home. The case involved claims under the federal Fair Housing Act and the Equal Credit Opportunity Act against both the lending institution that directly denied the loan and the secondary lender, who would have purchased the loan, if it had been made. At this federal jury trial, I presented both lay and expert testimony. I also argued procedural motions, including a motion regarding the improper striking of the lone African-American juror, which was granted. The jury ruled in favor of the defendants. While the matter was pending on appeal, it settled.

Date of representation: 1995

Court: United States District Court for the Northern
District of Alabama

Judge: Honorable Robert Probst

Co-counsel: Leslie Proll
NAACP Legal Defense & Educational Fund, Inc.
1444 I Street, N.W.
Washington, D.C. 20005
(202) 682-1300

Judith Browne Danis
(formerly of the NAACP Legal Defense &
Educational Fund, Inc.)
Advancement Project
1220 L Street, N.W.
Suite 850
Washington, D.C. 20005
(202) 728-9557

Opposing counsel: Curtis Wright (deceased)
Counsel for the Gadsden Corporation

Carlton King
Thomas A. Croft
King & Croft, LLP
127 Peachtree Street, N.E.
Suite 707
Atlanta, Georgia 30303
(404) 577-8400
Counsel for the First National Bank of Gainesville

9. *Brown v. Board of Education of Topeka, Shawnee County, Kan.* 978 F.2d 585, (10th Cir. 1992), *rehearing denied* (Jan. 28, 1993), *cert. denied*, 509 U.S. 903 (1993) (no reported decision on district court remedial trial)

After a ruling from the United States Court of Appeals for the Tenth Circuit holding that further desegregation relief was required in the Topeka, Kansas schools, there was a trial on remedy before the United States District Court of Kansas. I, along with co-counsel, represented the plaintiff schoolchildren and parents. During the course of the remedial trial, I prepared and presented expert testimony on the proposed plan for the plaintiffs. The remedy ultimately implemented resulted in the school district being declared unitary in 1999, ending federal court supervision.

Date of representation: 1993 to 1994

Court: United States District Court for the District of
Kansas

Judge: Honorable Richard Rogers

Co-counsel: Christopher A. Hansen (retired)

Richard E. Jones
Jones & Jones
1503 S.E. Quincy Street
Topeka, Kansas 66612
(785) 215-9018

Counsel for defendant: Honorable Dan Biles
(formerly of Gates, Biles & Shields, P.A.)
Kansas Supreme Court
301 SW 10th Avenue
Topeka, Kansas 66612
(785) 296-2256

Honorable Gary Sebelius
(formerly of Wright, Henson, Somers,
Sebelius, Clark & Baker)
Magistrate Judge
U.S. District Court of Kansas
444 S.E. Quincy, Suite 475
Topeka, Kansas 66683
(785) 338-5480

10. *Ihler v. Chisolm*, No. ADV88-383 (filed May 16, 1988 in the District Court of the First Judicial District, Lewis and Clark County)

In 1988, twelve patients at the Montana State Hospital at Warm Springs filed a class action in state court, seeking damages and injunctive relief for civil rights violations related to the conditions in the hospital, primarily under 42 U.S.C. Section 1983. The court bifurcated the damages and the injunctive portions of the case. In May 1991, the judge held a three-week bench trial for the portion of the case seeking injunctive relief. During the trial, the court heard 35 witnesses and admitted over 100 exhibits. Working with co-counsel on behalf of the plaintiffs, I conducted the examination of two of the patient witnesses and also prepared the expert witness for plaintiffs on the hospital's seclusion and restraint practices. One of the critical issues in the case was whether patients at the facility were secluded and restrained excessively and improperly. The court ruled, *inter alia*, that the state facility was deficient in its use of seclusion and restraint and generally maintained patients in a more restrictive environment than necessary and ordered the hospital to correct the deficiencies. After the ruling on injunctive relief, the damages portion of the case settled.

Co-counsel: Leonard Rubenstein
(formerly of the Judge David L. Bazelon Center for Mental Health Law)
Johns Hopkins Center for Public Health and Human Rights
615 N. Wolfe Street
E7148
Baltimore, Maryland
(443) 287-8749

Ira Burnim
Judge David L. Bazelon Center for Mental Health Law
1101 15th Street, N.W., Suite 1212
Washington, D.C. 20005
(202) 467-5730

Allen P. Smith
(formerly of State Mental Disabilities Board of Visitors)
(no current contact information available)

Mary Gallagher
(formerly of State Mental Disabilities Board of Visitors)
Mary Gallagher Law Office
P.O. Box 1797
Missoula, Montana 59806
(406) 728-9215

Opposing counsel: P. Keith Keller (retired)
(formerly of Keller, Reynolds, Drake, Johnson & Gillespie, P.C.)

Kimberly Kradolfer (retired)
(formerly of State of Montana Agency Legal Services Bureau)

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.)

In addition to matters that have progressed to trial or have been handled at the appellate level, my legal career has been rather diverse. In my current position, as the chief lawyer for a municipality, the size of the city's legal docket necessitates the resolution of a large

number of cases, several hundred over the last five and a half years. This role also requires rendering legal advice on the scope and meaning of statutes and regulations and the review and approval of commercial transactions.

I understand that Congressional records may indicate incorrectly my registration as a lobbyist for the NAACP Legal Defense & Educational Fund, Inc. ("LDF"). Neither I nor LDF has uncovered any records registering me as a lobbyist, and I do not recall participating in any lobbying activities. On July 25, 2008, I filed a lobbying report to remove myself and others from the list of the organization's lobbyists, to correct any erroneous record of registration.

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.

From 1992 to 2000, I taught a course entitled, Race and Poverty Law: Constitutional Dimensions, at New York Law School. The course reviewed how the text of the U.S. Constitution and Supreme Court rulings interpreting it address issues of race and class. After a diligent search, I have not been able to locate the syllabus or syllabi used for this course.

Also, since 2012, I have been working with Yale Law School students, who are part of a clinic taught by Professor Heather Gerken, on matters related to the City of San Francisco and the City of New Haven. I meet weekly with the students and provide them direction on New Haven-related legal matters. There is no syllabus.

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

None.

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

If confirmed, I have no plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items

exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see Financial Disclosure Report.

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

Please see 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.

At the present time, any case involving the government of the City of New Haven would present a potential, if not actual, conflict of interest for me, given my tenure as New Haven's Corporation Counsel. At the present time, I do not believe it appropriate for me to hear any cases involving the City of New Haven as a party.

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

If confirmed, I will scrupulously avoid any conflict or appearance of a conflict of interest consistent with 28 U.S.C. Section 455 and the Code of Conduct for United States Judges. In making these determinations, I intend to seek guidance from and the wisdom of other members of the judiciary, to the extent appropriate and possible.

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.

My legal career has been dedicated to public service. I have worked for two national civil rights organizations and served as a government attorney. In private practice, I continued to demonstrate an interest in and commitment to serving others. At the law firm of Wiggin and Dana, my work on the Supreme Court *amicus curiae* brief filed in the *Grutter v. Bollinger* and *Gratz v. Bollinger* cases was *pro bono*. I continued to work *pro bono* on the *Manning v. Hillsborough County School Board* case, including arguing before the Eleventh Circuit and filing a petition for certiorari with the U.S. Supreme Court, while there. Finally, I have served on the board of directors for organizations,

such as the Connecticut Food Bank and the International Center of New Haven (now the International Association).

Currently, I continue to contribute time to non-profit organizations, having recently joined the board of directors of the Connecticut Veterans Legal Center. In addition, my service on the ABA Standing Committee for *Amicus Curiae* Briefs involves regularly reviewing and editing briefs Supreme Court of the United States filed by the ABA's to ensure that they are consistent with ABA policy.

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.

On January 3, 2014, I submitted an application to an advisory panel convened by Senators Richard Blumenthal and Christopher Murphy. On January 18, 2014, the advisory panel interviewed me in Hartford, Connecticut. On February 7, 2014, I interviewed with Senators Blumenthal and Murphy in Hartford, Connecticut. Since March 19, 2014, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On May 20, 2014, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On June 16, 2014, the President submitted my nomination to the Senate.

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

No.

FINANCIAL DISCLOSURE REPORT NOMINATION FILING

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

1. Person Reporting (last name, first, middle initial) Bolden, Victor A.	2. Court or Organization United States District Court for the District of Connecticut	3. Date of Report 06/16/2014
4. Title (Article III judges indicate active or senior status; magistrate judges indicate full- or part-time) U.S. District Judge	5a. Report Type (check appropriate type) ☒ Nomination Date 06/16/2014 ☐ Initial ☐ Annual ☐ Final 5b. ☐ Amended Report	6. Reporting Period 01/01/2013 to 05/29/2014
7. Chambers or Office Address 165 Church Street, 4th Floor New Haven, Connecticut 06510		
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.		

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

☐ NONE (No reportable positions.)

<u>POSITION</u>	<u>NAME OF ORGANIZATION/ENTITY</u>
1. Board member	Connecticut Veteran's Legal Center
2. Treasurer	New Haven County Bar Association
3.	
4.	
5.	

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

☐ NONE (No reportable agreements.)

<u>DATE</u>	<u>PARTIES AND TERMS</u>
1. 2005	NAACP Legal Defense and Educational Fund, Inc. Defined Benefit Pension Plan
2.	
3.	

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

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III. NON-INVESTMENT INCOME. *(Reporting individual and spouse; see pp. 17-24 of filing instructions.)***A. Filer's Non-Investment Income**☐NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>INCOME</u> (yours, not spouse's)
1. 2012	City of New Haven - salary	\$144,003.00
2. 2013	City of New Haven - salary	\$147,325.00
3. 2014	City of New Haven - salary	\$66,100.64
4.		

B. Spouse's Non-Investment Income - *If you were married during any portion of the reporting year, complete this section.**(Dollar amount not required except for honoraria.)*☒NONE *(No reportable non-investment income.)*

<u>DATE</u>	<u>SOURCE AND TYPE</u>
1.	
2.	
3.	
4.	

IV. REIMBURSEMENTS -- *transportation, lodging, food, entertainment.**(Includes those to spouse and dependent children; see pp. 25-27 of filing instructions.)*☐NONE *(No reportable reimbursements.)*

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

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Bolden, Victor A.

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

<u>SOURCE</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1. Exempt		
2.		
3.		
4.		
5.		

VI. LIABILITIES. *(Includes those of spouse and dependent children; see pp. 32-33 of filing instructions.)*☒ NONE *(No reportable liabilities.)*

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

FINANCIAL DISCLOSURE REPORT

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Name of Person Reporting

Bolden, Victor A.

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

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

A. Description of Assets (including trust assets)		B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
Place "(X)" after each asset exempt from prior disclosure		(1) Amount Code 1 (A-H)	(2) Type (e.g., div., rent, or int.)	(1) Value Code 2 (J-P)	(2) Value Method Code 3 (Q-W)	(1) Type (e.g., buy, sell, redemption)	(2) Date mm/dd/yy	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
1.	BlackRock LifePath 2040 Portfolio	A	Dividend	K	T					
2.	Fidelity Diversified International Fund	A	Dividend	K	T					
3.	Fidelity Low-Priced Stock Fund	B	Int./Div.	K	T					
4.	Fidelity Spartan 500 Index Fund	A	Int./Div.	K	T					
5.	Fidelity Spartan 500 U.S. Bond Index Fund	A	Int./Div.	J	T					
6.	Hartford Small Company Fund	A	Dividend	K	T					
7.	MassMutual General Declared Rate Account	A	Interest	J	T					
8.	MFS Research International Fund	A	Dividend	J	T					
9.	PIMCO Total Return Fund	A	Dividend	J	T					
10.	RidgeWorth Mid-Cap Value Equity Fund	B	Dividend	K	T					
11.	T. Rowe Price Growth Stock Fund	A	Dividend	K	T					
12.	T. Rowe Price International Stock Fund	A	Dividend	K	T					
13.	T. Rowe Price Mid-Cap Value Fund	C	Dividend	M	T					
14.	T. Rowe Price New America Growth Fund	D	Dividend	L	T					
15.	T. Rowe Price New Era Fund	C	Dividend	L	T					
16.	T. Rowe Price New Horizons Fund	D	Dividend	M	T					
17.	T. Rowe Price Small-Cap Value Fund	B	Dividend	K	T					

1. Income Gain Codes:
(See Columns B1 and D4)

A = \$1,000 or less
F = \$50,001 - \$100,000
J = \$15,000 or less
N = \$250,001 - \$500,000
P3 = \$25,000,001 - \$50,000,000

B = \$1,001 - \$2,500
G = \$100,001 - \$1,000,000
K = \$15,001 - \$50,000
O = \$500,001 - \$1,000,000

R = Cost (Real Estate Only)
V = 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
S = 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 = Cash Market

E = \$15,001 - \$50,000

3. Value Method Codes
(See Column C2)

Q = Appraisal
U = Book Value

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

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

A. Description of Assets (including trust assets) Place "(X)" after each asset exempt from prior disclosure	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4)	(5)
	Amount Code 1 (A-H)	Type (e.g., div., rent, or int.)	Value Code 2 (J-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, redemption)	Date mm/dd/yy	Value Code 2 (J-P)	Gain Code 1 (A-H)	Identity of buyer/seller (if private transaction)
18. Vanguard 500 Index Fund	A	Dividend	K	T					
19. J. P. Morgan Chase Accounts	A	Interest	J	T					

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

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

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IX. CERTIFICATION.

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

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

Signature: s/ Victor A. Bolden

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

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

FINANCIAL STATEMENT

NET WORTH

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

ASSETS				LIABILITIES			
Cash on hand and in banks			900	Notes payable to banks-secured (auto)		16	218
U.S. Government securities				Notes payable to banks-unsecured			
Listed securities – see schedule		643	182	Notes payable to relatives			
Unlisted securities				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due		9	983
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid income and interest			
Doubtful				Real estate mortgages payable			
Real estate owned				Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts-itemize:			
Autos and other personal property		17	348				
Cash value-life insurance							
Other assets itemize:							
NAACP LDF pension plan		52	700				
				Total liabilities		26	201
				Net Worth		687	929
Total Assets		714	130	Total liabilities and net worth		714	130
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule)	No		
On leases or contracts				Are you defendant in any suits or legal actions?	No		
Legal Claims				Have you ever taken bankruptcy?	No		
Provision for Federal Income Tax							
Other special debt							

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities

BlackRock LifePath 2040 Portfolio	\$ 23,300
Fidelity Diversified International Fund	19,882
Fidelity Low-Priced Stock Fund	26,923
Fidelity Spartan 500 Index Fund	23,113
Fidelity Spartan U.S. Bond Index Fund	13,394
Hartford Small Company Fund	21,128
MassMutual General Declared Rate Account	7,661
MFS Research International Fund	13,789
PIMCO Total Return Fund	11,713
RidgeWorth Mid-Cap Value Equity Fund	16,866
T. Rowe Price Growth Stock Fund	26,913
T. Rowe Price International Stock Fund	29,996
T. Rowe Price Mid-Cap Value	102,022
T. Rowe Price New America Growth Fund	60,467
T. Rowe Price New Era Fund	52,453
T. Rowe Price New Horizons Fund	107,392
T. Rowe Price Small-Cap Value Fund	43,059
Vanguard 500 Index Fund	43,111
Total Listed Securities	\$ 643,182

AFFIDAVIT

I, Victor Allen Bolden, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

June 16, 2014

(DATE)

Victor Allen Bolden

(NAME)

Patricia A. Lane

(NOTARY)

Term Exp. 12/31/15