

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Christopher Droney
Christopher Fitzgerald Droney

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

United States Circuit Judge for the Second Circuit

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: United States District Court
District of Connecticut
Abraham A. Ribicoff Federal Building
450 Main Street
Hartford, Connecticut 06103

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

1954; Hartford, Connecticut

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.

1976 – 1979; University of Connecticut School of Law; J.D., 1979

1972 – 1976; College of the Holy Cross; A.B. (*magna cum laude*), 1976

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.

1997 – present
United States District Court
District of Connecticut
450 Main Street
Hartford, Connecticut 06103
United States District Judge

1993 – 1997
United States Attorney's Office
District of Connecticut
157 Church Street, 23rd Floor
New Haven, Connecticut 06510
United States Attorney

1984 – 1993
Reid & Riege, P.C.
One Financial Plaza
Hartford, Connecticut 06103
Vice President and Stockholder (1987 – 1993)
Associate Attorney (1984 – 1987)

1983 – 1989
Town of West Hartford
50 South Main Street
West Hartford, Connecticut 06107
Town Council Member (1983 – 1989)
Mayor (1985 – 1989)
Deputy Mayor (1983 – 1985)

1981 – 1984
Buckley & Santos, P.C. (now Santos & Seeley, P.C.)
51 Russ Street
Hartford, Connecticut 06106
Associate Attorney

1981
Aetna Life & Casualty (now Aetna, Inc.)
151 Farmington Avenue
Hartford, Connecticut 06156
Attorney

1979 – 1981
Day, Berry & Howard (now Day Pitney LLP)
242 Trumbull Street
Hartford, Connecticut 06103
Associate Attorney

Summer 1978

Day, Berry & Howard (now Day Pitney LLP)

242 Trumbull Street

Hartford, Connecticut 06103

Summer Associate

Summer 1977

Hartford County State's Attorney (prosecutor's office)

80 Washington Street

Hartford, Connecticut 06106

Intern - Law Student

Summer 1976

Heublein, Inc. (bottling plant)

New Park Avenue

Hartford, Connecticut 06106

Laborer

Other Affiliations (uncompensated):

1990 – 1995 (approximate)

Greater Hartford Arts Council

100 Pearl Street, 1st Floor

Hartford, Connecticut 06103

Board of Directors

1990 – 1993

St. Francis Hospital and Medical Center

114 Woodland Street

Hartford, Connecticut 06105

Secretary and Member of Board of Directors

1986 – 1992

Hartford County Bar Association

100 Pearl Street, 4th Floor

Hartford, Connecticut 06103

Board of Directors

1991

Science Museum of Connecticut

950 Trout Brook Drive

West Hartford, Connecticut 06119

Board of Directors

1985 – 1988

West Hartford/University of Hartford Scholarship Fund
210 Bloomfield Avenue
West Hartford, Connecticut 06117
Board of Directors

1985 – 1988

Great Hartford Homes, Inc.
210 Bloomfield Avenue
West Hartford, Connecticut 06117
Board of Directors

1985 – 1988 (approximate)

American Cancer Society (Connecticut Chapter)
538 Preston Street
Meriden, Connecticut 06540
Board of Directors

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 registered for selective service while in high school.

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.

College

Graduated *magna cum laude*
Jesuit honor society (Alpha Sigma Nu)
History honor society (Phi Alpha Theta)

Law School

Member and Notes and Comments Editor of Connecticut Law Review (1977 – 1979)

Community Awards

Citizen of the Year, Nutmeg District, Boy Scouts of America (1994)
Distinguished Law Enforcement Award, Hartford Police Union (1994)
Honors Award, Mushaba Force Youth Foundation (1995)
Special Recognition Award, Spanish American Merchants Association (1997)
Distinguished Graduate Award, University of Connecticut School of Law (2007)

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

Connecticut Bar Association

Member of Executive Committee of Federal Practice Section (1983 – present, ex officio)

Chairperson of Law Day (1995)

Federal Bar Council

Hartford County Bar Association

Member of Board of Directors (1986 – 1992)

Member of Continuing Legal Education Committee (1981 – 1986)

Chair of Bench/Bar Committee (1985 – 1987)

Judicial Council of the Second Circuit Committee on Bankruptcy (2010 – present)

United States Department of Justice

Member of Attorney General's Advisory Committee of U.S. Attorneys (1994 – 1996)

Chair, Civil Issues Committee, Advisory Committee of U.S. Attorneys (1994 – 1997)

United States District Court for the District of Connecticut

Chair, Security Committee (2001 – present)

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.

Connecticut, 1979.

There has been no lapse in membership.

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

Supreme Court of the United States, 1990

United States Court of Appeals for the Second Circuit, 1982

United States District Court for the District of Connecticut, 1980

Connecticut (all courts), 1979

There have been no lapses in membership.

11. Memberships:

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

Greater Hartford Arts Council

Member of Board of Directors (approx. 1990 – 1995)

Greater Hartford Homes, Inc. (affordable housing coalition with the University of Hartford)

Member of Board of Directors (1985 – 1988)

Hartford Golf Club (1989 – 1996)

New York Sports Club (2008 – present)

Science Museum of Connecticut

Member of Board of Directors (1991)

St. Francis Hospital and Medical Center

Secretary and Member of Board of Directors (1990 – 1993)

Town of West Hartford

Member, Charter Revision Commission (1982 – 1983)

Vice Chair, Finance Advisory Board (1981 – 1982)

Wampanoag Country Club (2006 – present)

West Hartford/University of Hartford Scholarship Fund

Member of Board of Directors (1985 – 1988)

West Hartford Girls Lacrosse League

Coach (1998 – 2000)

West Hartford YMCA/YWCA (approx. 1990 – 2005)

- 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.

From 1989 to 1996, I was a member of the Hartford Golf Club in West Hartford. Although its bylaws prohibited discrimination, the club had no African American members at the time I joined. I was a founding member of the membership diversity committee, and we were successful in assisting African American members in joining the club. To my knowledge, none of the other organizations listed in response to Question 11a currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin.

12. Published Writings and Public Statements:

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

Don't Stop War on Gangs Just Because It's Quiet Now, Hartford Courant, Jan. 19, 1997. Copy supplied.

The Continuing Importance of Prosecuting Financial Fraud, Connecticut Law Tribune, Dec. 1, 1995 (co-authored with then-Assistant U.S. Attorney Barbara J. Jongbloed). Copy supplied.

'Straw' Buyers Evade Gun Laws to Fuel State's Gang Violence, New Haven Register, July 16, 1995. Copy supplied.

Letter to the Editor: FBI's Wiretap Capability Essential to Effective Crime-Fighting, New Haven Register, approx. mid-1990s. Copy supplied.

Safeguards on Wiretaps Aren't Imperiled, Hartford Courant, Apr. 16, 1994. Copy supplied.

Letter to the Editor: In Defense of the Prosecution, Connecticut Law Tribune, Dec. 6, 1993. Copy supplied.

Mayor Offers Explanation of Bond Referendum, West Hartford News, Oct. 20, 1988. Copy supplied.

Letter to the Editor: Mayor Disagrees with WHTA, West Hartford News, Oct. 13, 1988. Copy supplied.

Respect for West Hartford Police, Fire Departments, Hartford Courant, Dec. 29, 1983. Copy supplied.

I authored a student case note while on the law review in law school entitled *The Briefcase Caper, Standing and Due Process Exclusion*, 10 Conn. L. Rev. 210 (1977). Copy supplied.

I edited numerous student case notes while I was Notes and Comments Editor of Connecticut Law Review (1978 to 1979).

- 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.

In 2009, I served on an ad hoc committee of the Connecticut Bar Association's Federal Practice Session, which made recommendations about cell phone and electronic device use by non-attorneys in federal courtrooms. A written report was not issued, but the recommendations were delivered in remarks by Jonathan Tropp on September 29, 2009 during a meeting of the Executive Committee of the Federal Practice. Meeting minutes supplied.

In 2006 and 2007, I chaired an ad hoc committee to consider revising the District of Connecticut's local rule on the secrecy of jury deliberations. Following our committee's work, the Judges of the District Court adopted a revised local rule (Rule 83.5) in January, 2007. The revised rule sets forth the guidelines for contact with trial and grand jurors by the public, attorneys, and members of the press. A copy of the local rule is attached.

In 1994, I served on the Advisory Committee on Local Civil Rules, which issued a report on how to comply with the 1993 Federal Rules of Civil Procedure. I have been unable to obtain a copy of the report, but press coverage is supplied.

From 1982 to 1983, I served on the West Hartford Charter Revision Committee, which issued a report on potential changes. I have been unable to obtain a copy of the report, but press coverage is supplied.

Between 1983 and 1989, while Deputy Mayor and Mayor of West Hartford, I contributed to a number of policy decisions and recommendations. Press coverage regarding some of these decisions and recommendations is supplied in response to Question 12e.

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

On June 25, 1997, I testified before the United States Senate Committee on the Judiciary, in connection with my nomination to be a United States District Judge for the District of Connecticut. Transcript supplied.

On January 13, 1995, I testified in my capacity as U.S. Attorney before the Connecticut General Assembly Joint Committee on the Judiciary regarding violent incidents at abortion clinics. Transcript supplied.

In 1994, I wrote a letter, as U.S. Attorney, to Connecticut's three U.S. bankruptcy judges and U.S. Trustee's Office about a new system to detect and investigate

bankruptcy fraud. I have been unable to obtain a copy of the letter but press coverage is supplied.

On March 11, 1987, I testified before the Connecticut General Assembly's Planning & Development Committee about annexing part of Croyden Drive. I have been unable to obtain a copy of my testimony, but press coverage is supplied.

In July 1986, I wrote a letter to Hartford Mayor Thirman L. Milner about purchasing property on Farmington Avenue for West Hartford. I have been unable to obtain a copy of the letter but press coverage is supplied.

As a member of the West Hartford Town Council and as Mayor of West Hartford (1983 – 1989), I made statements concerning local issues at Town Council meetings. The minutes and transcripts of those meetings are voluminous, and they are maintained at the Town Clerk's office in hard copy format only.

- 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 list below represents my best efforts, through searches of my records and Internet databases, to identify speeches and talks that I have delivered. There may, however, be additional speeches or talks that I have been unable to identify or recall.

February 23, 2011 and March 31, 2009: I participated in classes at Yale Law School as part of its prosecutors' externship program. Notes for each class are supplied.

December 9, 2010: I was a panelist for a Hartford County Bar Association seminar on experts in the federal courts. Notes supplied.

November 17, 2010: I was a panelist on a construction law program for the Connecticut Bar Association. I spoke on issues in such cases in the federal courts. Notes supplied.

November 15, 2010: I was a guest lecturer at a University of Connecticut Law School Criminal Procedure course on federal trial practice. Notes supplied.

November 7, 2010; December 7, 2009; December 4, 2006; and October 18, 2004: I was a guest lecturer at a trial practice class at the University of Connecticut School of Law. Notes for the 2010 and 2009 lectures are supplied. Although I do not have my notes for the 2006 and 2004 lectures, they were similar in content to those supplied for 2010 and 2009.

October 8, 2010: I led a panel discussion at the Connecticut Bar Association Federal Practice Section biennial bench-bar conference on the relationship between U.S. Attorneys' Offices and the Department of Justice. Notes supplied.

August 27, 2010, and August 27, 2001: I addressed the entering class of first-year law students at the University of Connecticut School of Law. Remarks for both speeches are supplied.

September 24, 2009: I addressed a group of students at the University of Connecticut School of Law as a participant in their "Litigation Week" panel. Notes supplied.

June 8, 2009: At the Connecticut Bar Association annual meeting, I was a panelist on the use of expert witnesses in the federal court. Notes supplied.

December 17, 2008: I addressed the Young Lawyers' Section of the Connecticut Bar Association on "Federal Practice and Procedure." Notes supplied.

October 3, 2007: I received the Distinguished Graduate Award of the University of Connecticut School of Law Alumni Association at its annual meeting. Remarks supplied.

June 29, 2007: I addressed the new class of Connecticut State Police concerning the qualities of law enforcement witnesses. Notes supplied.

October 26, 2006: I served as a judge for the Alva P. Loisel Moot Court Competition's final round at the University of Connecticut School of Law. I have no notes, transcript or recording. The address of the university is 65 Elizabeth Street, Hartford, Connecticut 06105.

September 18, 2006: I addressed the Young Lawyers Section of the Federal Practice Section of the Connecticut Bar Association concerning "Tips from the Bench." Notes supplied.

October 14, 2005, May 5, 2001 and May 21, 1999: I gave presentations to the Federal Practice Committee of the Hartford County Bar Association on effective federal court techniques. Notes for the 2005 and 2001 sessions are supplied. I have no notes for the 1999 session, but the content was similar to that in the 2001 and 2005 sessions.

October 15, 2004: I was a panel member discussing "The 60 to 90 Days Before the Trial" at the Litigating Employment Cases: Views from the Bench program. The program was sponsored by Georgetown and Fordham University's Schools of Law. I have no notes, transcript or recording. The address of Georgetown is 600 New Jersey Avenue NE, Washington, DC 20001.

October 5, 2004: I addressed the annual meeting of the University of Connecticut School of Law Alumni Association. I introduced John Durham, the recipient of its Distinguished Service Award. Remarks supplied.

February 17 – 26, 2001: I moderated a panel on DNA evidence at the annual retreat for the Federal Bar Council. I have no notes, transcript or recording. The address of the FBC is 123 Main Street, Suite L100, White Plains, New York 10601.

October 19 – 22, 2000: I was a panelist at a CLE on employment law sponsored by Georgetown University Law Center. I have no notes, transcript or recording. The address of Georgetown is 600 New Jersey Avenue NE, Washington, DC 20001.

November 21, 1999 and November 17, 1999: On November 21, I addressed a seniors' community organization in West Hartford known as the "Old Guard" concerning my work as the United States Attorney for Connecticut, especially our efforts in controlling gang violence. On November 17, I gave a similar presentation to the Exchange Club of West Hartford. Notes supplied.

Since becoming a District Judge in 1997, I have presided over approximately ten to twelve naturalization ceremonies each year. A copy of the speech I deliver at those ceremonies is supplied.

June 3, 1997: I co-presented Weed and Seed Program volunteers with awards for their work. My co-presenter was Hartford Police Chief Joseph Croughwell. I have no notes, transcript or recording. The Weed and Seed Program is overseen by the U.S. Department of Justice, which is located at 950 Pennsylvania Avenue NW, Washington, DC 20530.

May 21, 1997: I spoke at a ceremony to honor fallen law enforcement officers. Remarks supplied.

May 19, 1997: I spoke about anti-gang efforts during the Connecticut Exchange Club's awards ceremony. Notes supplied.

April 16, 1997: I spoke before a group of Hartford lawyers and judges about the U.S. Attorney's Office and its anti-gang efforts. Notes supplied.

February 27, 1997: I spoke before the Connecticut Bar Association about the Weed and Seed program. Remarks supplied.

December 18, 1996: I gave remarks to the Hartford Police during a training session on the use of cameras at crime scenes. I have no notes, transcript, or recording, but press coverage is supplied. The address of the Hartford Police is 550 Main Street, Hartford, Connecticut 06103.

December 5, 1996: I addressed a group of fifth-grade students at J. Milton Elementary School about gangs and drugs. I have no notes, transcript, or recording, but press coverage is supplied. The address of the school is 331 Copse Road, Madison, Connecticut 06443.

December 2, 1996: I gave remarks at the Chief State's Attorney's Crime Summit on cooperation between law enforcement agencies. I have no notes, transcript, or recording, but press coverage is supplied. The address of the Chief State's Attorney is 300 Corporate Place, Rocky Hill, Connecticut 06067.

November 15, 1996: I gave remarks at a conference held by the Connecticut Police and Urban Youth Task Force about barriers between police and students. I have no notes, transcript, or recording, but press coverage is supplied. The task force is overseen by the U.S. Attorney's Office for the District of Connecticut, which is located at 450 Main Street, #328, Hartford, Connecticut 06103.

October 1996: I spoke at a forum entitled, "Security and Freedom in the Age of Information," which was sponsored by the ACLU of Fairfield County. I have no notes, transcript or recording, but press coverage is supplied. The ACLU meets at the Ferguson Library, 96 Broad Street, Stamford, Connecticut 06904.

August 27, 1996: I spoke to a group of Fairfield law enforcement officials about promoting security awareness in the community. I have no notes, transcript or recording, but press coverage is supplied.

July 8, 1996: I spoke at a White House event about a national campaign on gun-tracing. I have no notes, transcript or recording, but press coverage is supplied.

May 13, 1996: I gave remarks at the White House about Connecticut's efforts to reduce gang violence during an event attended by President Clinton and Attorney General Reno. Transcript supplied.

December 22, 1995: I gave award acceptance remarks at the Hartford Police Union awards banquet. I have no notes, transcript, or recording, but press coverage is supplied. The address of the Hartford Police is 550 Main Street, Hartford, Connecticut 06103.

March 3, 1995: I gave remarks at a graduation ceremony for new Hartford police officers. I have no notes, transcript, or recording, but press coverage is supplied. The address of the Hartford Police is 550 Main Street, Hartford, Connecticut 06103.

February 27, 1995: I was a guest speaker at the Valley United Way Annual Government Breakfast. I spoke about law enforcement efforts to reduce violent crime. I have no notes, transcript, or recording, but press coverage is supplied. The address of the Valley United Way is 3 Corporate Drive, Suite 501, Shelton, Connecticut 06401.

February 15, 1995: I addressed resident safety concerns at a community meeting organized by Hartford Areas Rally Together. I have no notes, transcript, or recording, but press coverage is supplied. The address of HART is 385 Washington Street, Hartford, Connecticut 06106.

January 25, 1995: I spoke to the Hartford County Bar Association about changes in federal and state criminal laws. Notes supplied.

January 11, 1995: I participated in a community meeting on police corruption and welfare fraud that was organized by Hartford Areas Rally Together. I have no notes, transcript, or recording, but press coverage is supplied. The address of HART is 385 Washington Street, Hartford, Connecticut 06106.

January 4, 1995: I addressed a rally concerning the shootings at Massachusetts abortion clinics. I have no notes, transcript, or recording, but press coverage is supplied.

1995 and 1996: I chaired monthly community meetings at Stowe Village housing project about crime and crime prevention efforts. Remarks from a May 11, 1995 appearance and press coverage about these meetings are supplied.

December 12, 1994: I gave a speech to state leaders about my priorities as U.S. Attorney and other crime issues. Remarks supplied.

September 12, 1994: I gave remarks to the Association of Corporate Counsel about changes in the U.S. Attorney's Office and the U.S. Department of Justice that affected corporations and in-house counsel. Notes supplied.

April 6, 1994: I sat on a panel during a Frog Hollow neighborhood meeting organized by Hartford Areas Rally Together. I have no notes, transcript, or recording, but press coverage is supplied. The address of HART is 385 Washington Street, Hartford, Connecticut 06106.

December 1, 1993: I presented five New Haven police agencies with funds and equipment from the Federal Asset Forfeiture Program. I have no notes, transcript,

or recording, but press coverage is supplied. The address of the New Haven Police is 1 Union Avenue, New Haven, Connecticut 06519.

November 4, 1987: I gave an election night victory speech after my re-election to the Town Council. I have no notes, transcript, or recording, but press coverage is supplied.

December 16, 1985: I participated in a live call-in program for WHC-TV on "Issues for '86." I have no notes, transcript, or recording, but press coverage is supplied. The address of WHC-TV is 50 South Main Street, West Hartford, Connecticut 06107.

December 1985: I spoke to a class of second-grade students at Braeburn Elementary about being the Mayor of West Hartford. I have no notes, transcript, or recording, but press coverage is supplied. The address of the school is 45 Braeburn Road, West Hartford, Connecticut 06107.

November 19, 1985: I was sworn-in as Mayor of West Hartford. I have no notes, transcript, or recording, but press coverage is supplied. The address of the Town Council is 50 South Main Street, West Hartford, Connecticut 06107.

July 23, 1985: I spoke during the West Hartford Democrats' nominating convention. I have no notes, transcript, or recording, but press coverage is supplied.

September 24, 1984: I spoke at a rally in support of building a new municipal center. I have no notes, transcript, or recording, but press coverage is supplied. The event was held at the Town Hall, which is located at 50 South Main Street, West Hartford, Connecticut 06107.

October 1983: I participated in a "Meet the Candidates" event at Conard High School. I have no notes, transcript, or recording, but press coverage is supplied. The event was sponsored by the West Hartford League of Women Voters and the Neighborhood Advisory Council. The address of the League is P.O. Box 270191, West Hartford, Connecticut 06127.

On two occasions I presided over mock trials as part of training sessions for new federal prosecutors at The National Advocacy Center. One occasion was January 29 to February 1, 2001, but I have been unable to identify the date of the second event. I have no notes, transcripts, or recordings from these sessions. The address of the National Advocacy Center is 1620 Pendleton Street, Columbia, South Carolina 29201.

I presided over mock trials during the annual competition of the Thomas Swan Barristers' Union of the Yale Law School. I have no notes, transcripts, or

recordings from these sessions. The address of Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

From 1986 to 1993, I lectured on evidence, trials and appellate practices for the National Business Institute and the Connecticut Society of Certified Public Accountants. I have been unable to recall specific instances, and I have no notes, transcripts or recordings.

From 1983 to 1989, I served on the Town Council of West Hartford, as Deputy Mayor from 1983 to 1985 and as Mayor from 1985 to 1989. In these capacities, I gave numerous speeches, but I have been unable to recall or identify specific events, and I have no notes, transcripts, or recordings.

- 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.

As a United States District Judge I have generally not given interviews. The list below represents my best efforts, though searches of my records and Internet databases, to identify interviews I have given. There may, however, be articles that I have been unable to identify or recall.

Douglas S. Malan, *False Alarm Begs Real Safety Questions*, Connecticut Law Tribune, Oct. 25, 2010. Copy supplied.

Christian Nolan, *Federal Judges Face Increase in Threats*, Connecticut Law Tribune, Jan. 11, 2010. Copy supplied.

Bob Sudyk, *Jamrog's Cutting Out*, Hartford Courant, May 25, 2008. Copy supplied.

Focus on Judge Christopher F. Droney, Federal Bar Council News, Apr. 2005. Copy supplied.

Rachel Gottlieb, *Taking the Controls*, Hartford Courant, Dec. 1, 2003. Copy supplied.

Kellie A. Wagner, *New U.S. Attorney Not Rushing to Judgment*, Connecticut Law Tribune, Nov. 25, 2002. Copy supplied.

Dave Altimari, *Man Will Plead Guilty to Using Net to Entice Girl*, New Haven Register, Jan. 27, 1998. Copy supplied.

Mark Pazniokas, *Ex-Prosecutor Sworn In*, Hartford Courant, Nov. 4, 1997. Copy supplied.

Noelle Crombe, *Asbestos Remover at Groton Complex Sentenced to Prison for Illegal Dumping*, The Day, Sept. 12, 1997. Copy available at <http://news.google.com/newspapers?id=xJRGAAAAIIBAJ&sjid=SfgMAAAAIIBAJ&pg=4462.2127369&dq=chris+droney&hl=en>.

The Blotter, New Haven Register, Sept. 11, 1997. Copy supplied.

Staff, *Lawyer Pleads Guilty to Income Tax Fraud*, Hartford Courant, Sept. 11, 1997. Copy supplied.

Dave Altimari, *Man Pleads to Wire Fraud in Gambling*, New Haven Register, Sept. 10, 1997. Copy supplied.

Paul Frisman, *Reeling in Suspension*, Connecticut Law Tribune, Sept. 8, 1997. Copy supplied.

In Brief, New Haven Register, Sept. 6, 1997. Copy supplied.

The Blotter, New Haven Register, Sept. 4, 1997. Copy supplied.

Staff, *Man Pleads Guilty to Bank Robberies*, Hartford Courant, Aug. 29, 1997. Copy supplied.

Maxine Bernstein, *12 Arrests Cripple Drug Operation, Officials Say*, Hartford Courant, Aug. 28, 1997. Copy supplied.

Staff, *Man, 35, Indicted on Income Tax Charges*, Hartford Courant, Aug. 20, 1997. Copy supplied.

In Brief, New Haven Register, Aug. 16, 1997. Copy supplied.

Staff, *Fine to Help State Buy Canaan Wetland*, Hartford Courant, Aug. 13, 1997. Copy supplied.

Matthew W. Hebbard, *3 Area Sites Will Share Funds from Iroquois Penalties*, New Haven Register, Aug. 13, 1997. Copy supplied.

David M. Herszenhorn, *Environmental Projects to Share in Fines Paid by Pipeline Company*, New York Times, Aug. 13, 1997. Copy supplied.

Man Sentenced for Firebombing, Boston Globe, Aug. 3, 1997. Copy supplied.

Matthew McAllester, *News Bytes/Internet Sex Trap*, Newsday, July 27, 1997. Copy supplied.

Ann DeMatteo, *Company, President Indicted in Oil Spill*, New Haven Register, July 25, 1997. Copy supplied.

Mark Pazniokas, *Trial in State to Test Law on Net, Sex and Minors*, Hartford Courant, July 24, 1997. Copy supplied.

Dave Altimari, *State Girl, 13, Enticed by 'Vallleyguy' on Web*, New Haven Register, July 24, 1997. Copy supplied.

Man Admits Stealing \$400,000 from Employer, Hartford Courant, July 23, 1997. Copy supplied.

Alaine Griffin, *Raid Nets 29 Suspect [sic] in City Drug Crackdown*, New Haven Register, July 22, 1997. Copy supplied.

City Man Indicted in Killing at Park, Hartford Courant, July 18, 1997. Copy supplied.

The Blotter, New Haven Register, July 15, 1997. Copy supplied.

Dave Altimari, *27 Latin Kings Indicted Again*, New Haven Register, July 11, 1997. Copy supplied.

Chiropractor Gets Prison in Billing Case, Hartford Courant, July 10, 1997. Copy supplied.

Press release, *United States and Connecticut Move to Shield Stratford Homeowners from Lawsuits Brought by Raymark*, U.S. Department of Justice, July 8, 1997.

Nine Arrested on Federal Drug Charges, Hartford Courant, July 4, 1997. Copy supplied.

The Blotter, New Haven Register, July 4, 1997. Copy supplied.

In Brief, New Haven Register, June 29, 1997. Copy supplied.

Ex-Guard Pleads Guilty to Sex Crime, Hartford Courant, June 28, 1997. Copy supplied.

Mark Pazniokas, *Cartel Used Firm's Products, Official Says*, Hartford Courant, June 25, 1997. Copy supplied.

Man Admits Fraud with Food Stamps, Hartford Courant, June 25, 1997. Copy supplied.

Steven Fromm, *Death, the Federal Way*, Connecticut Law Tribune, June 16, 1997. Copy supplied.

The Blotter, New Haven Register, June 14, 1997. Copy supplied.

Staff, *Man Gets One Year for Embezzling Funds*, Hartford Courant, June 13, 1997. Copy supplied.

Mark Pazniokas, *Santopietro Loses Freedom, Gets 3 Years*, Hartford Courant, May 31, 1997. Copy supplied.

Staff, *Two Plead Guilty to Drug Charges*, Hartford Courant, May 30, 1997. Copy supplied.

The Blotter, New Haven Register, May 29, 1997. Copy supplied.

Joseph Rocha, *Crime in Hartford Falls to 10-Year Low*, Hartford Courant, May 27, 1997. Copy supplied.

Stan DeCoster, *Medicare Overbilling Settled*, The Day, May 22, 1997. Copy available at <http://news.google.com/newspapers?id=4JNGAAAAIBAJ&sjid=DfgMAAAAIBAJ&pg=4755,4609051&dq=chris+droney&hl=en>.

Staff, *Gang Member Pleads Guilty*, Hartford Courant, May 14, 1997. Copy supplied.

Staff, *Federal Grand Jury Indicts Psychiatrist*, Hartford Courant, May 14, 1997. Copy supplied.

Christian Miller, *Psychiatrist Charged with Insurance Scam*, New Haven Register, May 14, 1997. Copy supplied.

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Frances Grandy, *GOP Objects to Town Hall Office for Ex-Mayor*, Hartford Courant, Dec. 12, 1985. Copy supplied.

Dave Drury, *West Hartford Counsel Decides to Leave Post*, Hartford Courant, Dec. 6, 1985. Copy supplied.

Dave Drury, *West Hartford Asked to Pay Probate Court Postage Costs*, Hartford Courant, Dec. 5, 1985. Copy supplied.

Dave Drury, *Droney Style Suits West Hartford Voters*, Hartford Courant, Nov. 28, 1985. Copy supplied.

Dave Drury, *Droney, Sullivan Bound for Mayoral Showdown*, Hartford Courant, Nov. 7, 1985. Copy supplied.

Advertisement from the Committee to Re-Elect Christopher F. Droney, *Re-Elect Chris Droney, Democrat for Council*, printed in the Hartford Courant, Nov. 3, 1985. Copy supplied.

Dave Drury, *Finance Reports Tallied as Local Campaigns Near End*, Hartford Courant, Nov. 1, 1985. Copy supplied.

Frances Grandy, *Leadership Appears Key Issues in West Hartford Contest*, Hartford Courant, Oct. 31, 1985. Copy supplied.

Elizabeth Bartus, *State Action Sought on Newington Road*, West Hartford News, Oct. 24, 1985. Copy supplied

Donna Larcen, *Pornography; Governments Grapple with Complexity*, Hartford Courant, Oct. 20, 1985. Copy supplied.

Dave Leshner, *W. Hartford Council Squelches Mini-Bonds*, Hartford Courant, Aug. 22, 1985. Copy supplied.

Mark Jahne, *Feldman Names Finance Director*, West Hartford News, Aug. 16, 1985. Copy supplied.

Dave Leshner, *West Hartford May Pick Finance Director Soon*, Hartford Courant, Aug. 13, 1985. Copy supplied.

Dave Leshner, *Poll Finds Support for Mini-Bonds*, Hartford Courant, July 13, 1985. Copy supplied.

Karl Schoenberger, *\$300,000 Approved for Telephone System*, Hartford Courant, June 12, 1985. Copy supplied.

Karl Schoenberger, *West Hartford Studies New Approach to Financing*, Hartford Courant, June 11, 1985. Copy supplied.

Karl Schoenberger, *Town Hopes to Tap Loyalty*, Hartford Courant, June 6, 1985. Copy supplied.

Karl Schoenberger, *Finance Director Dismissed*, Hartford Courant, May 30, 1985. Copy supplied.

Patricia Weiss, *Undercurrents*, Hartford Courant, May 5, 1985. Copy supplied.

Karl Schoenberger, *Special District Plan Defeated in West Hartford*, Hartford Courant, Apr. 11, 1985. Copy supplied.

Karl Schoenberger, *U of H Offers Services for Tax Break*, Hartford Courant, Apr. 6, 1985. Copy supplied.

Brant Houston, *School Budget Proposed*, Hartford Courant, Mar. 1, 1985. Copy supplied.

Karl Schoenberger, *Auditor Pans West Hartford Bookkeeping Methods*, Hartford Courant, Jan. 17, 1985. Copy supplied.

Mark Cheatham, *Effort to Honor Coach Continues After Board Rejects Plan*, Hartford Courant, Jan. 9, 1985. Copy supplied.

Dave Leshner, *West Hartford to Ask Residents if They Would Buy 'Minibonds'*, Hartford Courant, Jan. 4, 1985. Copy supplied.

Official Says City to Get Clean Audit, Hartford Courant, Jan. 4, 1985. Copy supplied.

Mark Cheatham, *West Hartford Officials Resist State Education Mandates*, Hartford Courant, Dec. 21, 1984. Copy supplied.

Dave Leshner, *Minister Challenges Authority of Town*, Hartford Courant, Nov. 30, 1984. Copy supplied.

Dave Leshner, *Plan Could Cut Cost of West Hartford Complex*, Hartford Courant, Nov. 6, 1984. Copy supplied.

Dave Leshner, *Council Members Say Brady Weak on Planning*, Hartford Courant, Sept. 27, 1984. Copy supplied.

West Hartford to Decide Uses for \$134,500 Anonymous Gift, Hartford Courant, Sept. 22, 1984. Copy supplied.

Dave Leshner, *W. Hartford Budget Committee Wants Finance Program Kept*, Hartford Courant, June 2, 1984. Copy supplied.

Tao Woolfe, *West Hartford Acts to Save More History*, Hartford Courant, May 25, 1984. Copy supplied.

New Auditing Firm Recommended, Hartford Courant, May 17, 1984. Copy supplied.

Committee Opposes Veto of Pact, Hartford Courant, Apr. 3, 1984. Copy supplied.

April 1984: I participated in "T.V. Pursuit," a WHC-TV trivia competition. I have been unable to obtain a recording, but press coverage is supplied.

Dave Leshner, *Chamber Offers Town 3 Point Plan*, Hartford Courant, Mar. 1, 1984. Copy supplied.

Council to Try 'Office Hours' Again, Hartford Courant, Feb. 10, 1984. Copy supplied.

Dave Leshner, *Scoler's Gains Permission for Move to Bishops Corner*, Hartford Courant, Jan. 25, 1984. Copy supplied.

Dave Leshner, *New Council Committee to Oversee Development*, Hartford Courant, Dec. 29, 1983. Copy supplied.

Council Leaders Agree to Changes, Hartford Courant, Dec. 6, 1983. Copy supplied.

Dave Leshner, *W. Hartford May Face 20% Tax Increase*, Hartford Courant, Nov. 30, 1983. Copy supplied.

Patricia Seremet, *While Connecticut Barristers Have a Ball, Poets and Friends Recall Wallace Stevens*, Hartford Courant, Nov. 21, 1983. Copy supplied.

Dave Leshner, *Sullivan Set as Mayor in W. Hartford*, Hartford Courant, Nov. 15, 1983. Copy supplied.

Dave Leshner, *Democrats Credit Campaigning for West Hartford Success*, Hartford Courant, Nov. 10, 1983. Copy supplied.

Dave Leshner and Tao Woolfe, *W. Hartford Democrats Win Control of Council for First Time in 10 Years*, Hartford Courant, Nov. 9, 1983. Copy supplied.

November 8, 1983: I was interviewed on West Hartford Community TV about budget issues. I have been unable to obtain a recording.

Dave Leshner, *West Hartford Candidates Admit Campaign Issues Lacking*, Hartford Courant, Oct. 20, 1983. Copy supplied.

Marjorie Howard and Constance Neyer, *Crimes Overshadow Election Campaign*, Hartford Courant, Sept. 28, 1983. Copy supplied.

From 1983 to 1989, I served on the Town Council of West Hartford, as Deputy Mayor from 1983 to 1985 and as Mayor from 1985 to 1989. In these capacities, I gave numerous interviews and I have listed above those I was able to identify. However, there are most likely others that I have been unable to recall or identify.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

On September 22, 1997, after confirmation by the United States Senate, I was appointed by President Clinton to serve as a United States District Judge for the District of Connecticut.

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

I have presided over approximately 60 trials. I have presided over approximately 40 civil trials and 20 criminal trials. All together, I have presided over approximately 3,209 civil cases and 399 criminal cases.

1. Of these, approximately what percent were:

jury trials:	75%
bench trials:	25%
civil proceedings:	75%
criminal proceedings:	25%

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

See attached list of opinions.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

1. United States v. Paris, Case No. 3-06-cr-64

Defendant Paris was the leader of a sex trafficking ring operating out of the Hartford area. The other nine defendants pled guilty and received various sentences up to 156 months imprisonment. Paris proceeded to trial and was convicted on seventeen counts, including sex trafficking of minors and by force, fraud and coercion. He received a sentence of thirty years imprisonment. See 2007 WL 3124724 (D. Conn. Oct. 24, 2007), aff'd, sub. nom United States v. Martinez, 621 F.3d 101 (2d Cir. 2010).

For the Government: James G. Genco, Assistant U.S. Attorney (retired), 25 Vermillion Drive, Avon, CT 06001, Tel.: (860) 678-7109; Andrew J. Kline, Civil Rights Division, U.S. Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, DC 20530, Tel.: (202) 307-2897.

For Defendant Paris: Jeremiah F. Donovan, 123 Elm Street, Old Saybrook, CT 06475, Tel.: (860) 388-3750.

2. Bridgeport & Port Jefferson Steamboat Co. v. Bridgeport Port Auth., Case No. 3-03-cv-599

The operator of the ferry service between Bridgeport, Connecticut, and Port Jefferson, New York, filed this action challenging a passenger wharfage fee imposed by the Bridgeport Port Authority as violating the Commerce Clause of the U.S. Constitution. Following a bench trial, I issued a decision determining that the wharfage fee was unconstitutional. 566 F. Supp. 2d 81 (D. Conn. 2008), aff'd, 567 F.3d 79 (2d Cir. 2009), cert. denied, 130 S. Ct. 1075 (2010).

For Plaintiff Ferry Company: Martin Domb, Akerman Senterfitt, 335 Madison Avenue, Suite 2600, New York, NY 10017, Tel.: (212) 880-3800; Stewart I. Edelstein, Cohen & Wolf, P.C., 1115 Broad Street, Bridgeport, CT 06604, Tel.: (203) 368-0211.

For Defendant Port Authority: Timothy F. Noelker, Thompson Coburn, LLP, One U.S. Bank Plaza, St. Louis, MO 63101, Tel.: (314) 552-6091.

3. Fenn v. Yale Univ., Case No. 3-96-cv-1647

The plaintiff, a chemistry professor at Yale University, brought this action for ownership of a medical diagnostic invention that he patented. Yale counterclaimed that it should own the patent because Fenn committed fraud in failing to disclose to Yale the invention while he was on its faculty. Dr. Fenn subsequently received the Nobel Prize in Chemistry for the invention. Following a bench trial, I ruled in favor of Yale and awarded the patent to it. 2005 WL 327138 (D. Conn. Feb. 8, 2005) (Memorandum of Decision), aff'd, 184 F. App'x 21 (2d Cir. 2006); 393 F. Supp. 2d 133 (D. Conn. 2004) (ruling on counterclaims); 283 F. Supp. 2d 615 (D. Conn. 2003) (Memorandum of Decision), aff'd, 184 F. App'x 21 (2d Cir. 2006).

For Plaintiff Dr. Fenn: Hubert J. Santos, Santos & Seeley, P.C., 51 Russ Street, Hartford, CT 06106, Tel.: (860) 249-6548.

For Defendant Yale University: Jonathan M. Freiman, Wiggin & Dana, One Century Tower, 265 Church Street, New Haven, CT 06508, Tel.: (203) 498-4584.

4. United States v. Ferguson, Case No. 3-06-cr-137

This was a criminal prosecution against five senior insurance company executives for fraud in connection with the issuance of various SEC filings. All the defendants were convicted at trial, and were sentenced to various periods of incarceration. Those convictions are presently on appeal before the Second Circuit. The following are the various rulings I made in this case:

2008 WL 5137320 (D. Conn. Dec. 5, 2008) (ruling on motion for reconsideration)
584 F. Supp. 2d 447 (D. Conn. 2008) (ruling on sentencing issues)
553 F. Supp. 2d 145 (D. Conn. 2008) (ruling on post-trial motions)
545 F. Supp. 2d 238 (D. Conn. 2008) (ruling on motion in limine)
2008 WL 113662 (D. Conn. Jan. 5, 2008) (ruling on motions in limine)
2008 WL 113660 (D. Conn. Jan. 5, 2008) (ruling on indictment)
2008 WL 104078 (D. Conn. Jan. 4, 2008) (ruling on Brady and Giglio issues)
2008 WL 113663 (D. Conn. Jan. 2, 2008) (ruling on motions to quash)
2007 WL 4591635 (D. Conn. Dec. 28, 2007) (ruling on motions in limine)
2007 WL 4577303 (D. Conn. Dec. 26, 2007) (ruling on motions to quash and compel)
2007 WL 4556625 (D. Conn. Dec. 20, 2007) (ruling on motions in limine)
2007 WL 4539646 (D. Conn. Dec. 14, 2007) (ruling on motion in limine)
2007 WL 4240782 (D. Conn. Oct. 30, 2007) (ruling on motions in limine)
2007 WL 2815068 (D. Conn. Sept. 26, 2007) (ruling on motions to compel and quash)
2007 WL 1793796 (D. Conn. June 19, 2007) (ruling on motion concerning peremptory challenges)
478 F. Supp. 2d 220 (D. Conn. 2007) (ruling on pretrial motions)

For the Government: Eric J. Glover, Assistant U.S. Attorney, 157 Church Street, New Haven, CT 06510, Tel.: (203) 821-3700; Raymond E. Patricco, Assistant U.S. Attorney, 2100 Jamieson Avenue, Alexandria, VA 22314, Tel.: (703) 299-3876.

For Defendant Ferguson: Michael F. Horowitz, Cadwalader, Wickersham & Taft, LLP, 700 Sixth Street, N.W., Washington, D.C. 20001, Tel.: (202) 862-2407.

For Defendant Graham: Alan M. Vinegrad, Covington & Burling LLP, 620 Eighth Avenue, New York, NY 10018; Tel.: (212) 841-1022.

For Defendant Milton: Frederick P. Hafetz, Tracy E. Sivitz, Hafetz, Necheles & Rocco, 500 Fifth Avenue, New York, NY 10110, Tel.: (212) 997-7595.

For Defendant Monrad: Reid H. Weingarten, Steptoe & Johnson, LLP, 1330 Connecticut Avenue, N.W., Washington, DC 20036, Tel.: (202) 429-6238.

For Defendant Garand: Anthony Pacheco, Proskauer Rose LLP, 2049 Century Park East, Los Angeles, CA 90067, Tel.: (310) 284-5647.

5. Detroit Inst. of Fine Arts v. Rose, Case No. 3-99-cv-21

This was a dispute over the ownership of the famous Howdy Doody puppet between a museum and the heirs of the puppeteer. I decided summary judgment in favor of the museum, and the parties did not appeal my decision. 127 F. Supp. 2d 117 (D. Conn. 2001) (ruling on motions for summary judgment).

For Plaintiff Detroit Institute of Fine Arts: Stuart D. Rosen, Bingham McCutcheon LLP, One State Street, Hartford, CT 06103, Tel.: (860) 240-2997.

For Defendants heirs of the puppeteer: Frank N. Eppinger, O'Brien, Stuart, Eppinger & Collier, 9 Mason's Island Road, Mystic, CT 06355, Tel. (860) 536-3388.

6. Doe ex rel. A.N. v. East Haven Bd. of Educ., Case No. 3-02-cv-780

This was an action brought on behalf of a female high school student against the East Haven Board of Education under Title IX of the Educational Amendments of 1972. The high school student was the subject of sexual harassment by other students at school following her sexual assault. The allegations included that teachers and administrators had failed to adequately respond to the harassment. After a jury trial, a verdict was returned in the plaintiff's favor and judgment was entered. 430 F. Supp. 2d 54 (D. Conn. 2006), aff'd, 200 F. App'x 46 (2d Cir. 2006).

For Plaintiff Doe: John R. Williams, 51 Elm Street, New Haven, CT 06510, Tel.: (203) 562-9931.

For Defendant East Haven Board of Education: Hugh F. Keefe, Lynch, Traub, Keefe & Errante, 52 Trumbull Street, New Haven, CT 06510, Tel.: (203) 787-0275.

7. Collins v. Olin Corp., Case No. 3-03-cv-945

This was a class action brought by a group of homeowners in Hamden, Connecticut, against the Olin Corporation and the Town of Hamden under various federal and state environmental statutes and state common law. The plaintiffs' properties had been polluted by residue from a firearms manufacturer in New Haven that for many years had deposited its hazardous waste in landfills in Hamden. Following resolution of motions to dismiss and summary judgment, the action was settled. 2009 WL 279027 (D. Conn. Jan. 12, 2009) (ruling on motion for partial summary judgment); 248 F.R.D. 95 (D. Conn. 2008) (ruling on class certification); 418 F. Supp. 2d 34 (D. Conn. 2006) (ruling on motions to dismiss and for partial summary judgment); 2010 WL 1677764 (D. Conn. Apr. 21, 2010) (ruling on proposed settlement).

For Plaintiffs: Andrew A. Rainer, Mark W. Roberts, McRoberts & Roberts, LLP, 15 Broad Street, Boston, MA 02109, Tel.: (617) 722-8222; Monte E. Frank, Cohen & Wolf, 158 Deer Hill Avenue, Danbury, CT 06810, Tel.: (203) 792-2771. For Defendant Olin Corporation: Michael H. Wetmore, Husch Blackwell, 190 Carondelet Plaza, St. Louis, MO 63105, Tel.: (314) 480-1841. For Defendant Town of Hamden: Ann Marie Catino, Halloran & Sage, 225 Asylum Street, Hartford, CT 06103, Tel.: (860) 297-4682.

8. Doe I v. Ciolli, Case No. 3-07-cv-909

This was an action brought by two female Yale Law School students against individuals using pseudonyms on the internet. The defendants had participated in a campaign of pornographic abuse of the plaintiffs on various internet blogs. The action was brought under federal copyright law and Connecticut common law. Following my various rulings requiring disclosure of the defendants' actual identities and resolving jurisdictional issues, the case was settled. 611 F. Supp. 2d 216 (D. Conn. 2009) (ruling on motion to dismiss).

For Plaintiffs: David N. Rosen, 400 Orange Street, New Haven, CT 06511, Tel.: (203) 787-3513.

For Defendants: Joseph G. Fortner, Jr., Halloran & Sage LLP, 225 Asylum Street, Hartford, CT 06103, Tel.: (860) 297-4609.

9. United States v. Massie, Case No. 3-01-cr-17

This was a prosecution against a physician and a number of pharmacists who had engaged in a conspiracy to sell prescription narcotics in the New Haven area. All the defendants, except one, entered guilty pleas, and a trial was held concerning the remaining defendant, a pharmacist. He was convicted and no appeals were taken. United States v. Funaro, 222 F.R.D. 41 (D. Conn. 2004) (ruling on post trial motions); United States v. Funaro, 253 F. Supp. 2d 286 (D. Conn. 2003) (ruling on motion to suppress).

For the Government: Jonathan Biran, Assistant U.S. Attorney, U.S. Attorney's Office for the District of Maryland, 36 South Charles Street, Baltimore, MD 21201, Tel.: (401) 209-4800; Peter A. Clark, Assistant U.S. Attorney (Retired), 525 Bridgeport Avenue, Shelton, CT 06484, Tel.: (203) 925-9688.

For Defendant Massie: Charles E. Tiernan, III, Lynch, Traub, Keefe & Errante, 52 Trumbull Street, New Haven, CT 06506, Tel.: (888) 692-7403.

For Defendant Umstead: Michael O. Sheehan, Sheehan & Reeve, 139 Orange Street, New Haven, CT 06510, Tel.: (203) 787-9026.

For Defendant Calash: William M. Bloss, Koskoff, Koskoff & Bieder, P.C., 350 Fairfield Avenue, Bridgeport, CT 06604, Tel.: (203) 336-4421.

For Defendant Caponera: Jonathan J. Einhorn, 412 Orange Street, New Haven, CT 06511, Tel.: (203) 777-3777.

For Defendant Melanidis: Robert M. Casale, 250 West Main Street, Branford, CT 06405, Tel.: (203) 488-6363.

For Defendant Funaro: Alan J. Sobol, Pullman & Comley, 90 State House Square, Hartford, CT 06103, Tel.: (860) 424-4361.

For Defendant Wozniak: Vincent T. McManus, Jr., 1 Blackberry Lane, Wallingford, CT 06492, Tel.: (203) 284-2002.

For Defendant Santa: William F. Dow, III, Jacobs, Grudberg, Belt, Dow & Katz, P.C., 350 Orange Street, New Haven, CT 06511, Tel. No. (203) 772-3100.

10. Comair Rotron, Inc. v. Nippon Densan Corp., Case No. 2-91-cv-32

This was a patent infringement action concerning electromagnetic technology in computers. Following extensive pretrial resolution of jurisdictional and dispositive motions, a jury trial was conducted. A plaintiff's verdict was returned and the action was subsequently resolved by the parties. 154 F. Supp. 2d 326 (D. Conn. 2001) (Markman ruling).

For Plaintiff Comair Rotron: Lee Carl Bromberg, McCarter & English, LLP, 265 Franklin Street, Boston, MA 02110, Tel.: (617) 449-6500.

For Defendants: Francis H. Morrison, III, Axim, Veltrop & Harkrider LLP, 90 State House Square, Hartford, CT 06103, Tel.: (860) 275-8155.

- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. Lafaro v. New York Cardiothoracic Grp., PLLC, 570 F.3d 471 (2d Cir. 2009).

For Petitioner: Richard G. Menaker, Menaker & Hermann LLP, 10 East 40th Street, New York, NY 10016, Tel.: (212) 545-1900.

For Respondent: Jordy Rabinowitz, Westchester County Health Care Corp., Westchester Medical Center, Valhalla, NY 10595, Tel.: (914) 493-2101.

2. United States v. Kliti, 156 F.3d 150 (2d Cir. 1998).

For Government: David C. James, Assistant U.S. Attorney, David P. Porter, Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of New York, 271 Cadman Plaza East, Brooklyn, NY 11201, Tel.: (718) 254-7000.

For Defendant: Paul Kenneth, 111 Broadway, Room 701, New York, NY 10006, Tel.: (212) 586-8000.

3. Doe I v. Ciolli, 611 F. Supp. 2d 216 (D. Conn. 2009).

For Plaintiffs: David N. Rosen, 400 Orange Street, New Haven, CT 06511, Tel.: (203) 787-3513.

For Defendants: Joseph G. Fortner, Jr., Halloran & Sage LLP, 225 Asylum Street, Hartford, CT 06103, Tel.: (860) 297-4609.

4. Bridgeport & Port Jefferson Steamboat Co. v. Bridgeport Port Auth., 566 F. Supp. 2d 81 (D. Conn. 2008), aff'd, 567 F.3d 79 (2d Cir. 2009), cert. denied, 130 S. Ct. 1075 (2010).

For Plaintiff: Martin Domb, Akerman Senterfitt, 335 Madison Avenue, Suite 2600, New York, NY 10017, Tel.: (212) 880-3800; Stewart I. Edelstein, Cohen & Wolf, P.C., 1115 Broad Street, Bridgeport, CT 06604, Tel.: (203) 368-0211.

For Defendant: Timothy F. Noelker, Thompson Coburn, LLP, One U.S. Bank Plaza, St. Louis, MO 63101, Tel.: (314) 552-6091.

5. United States v. Paris, No. 3:06-cr-64, 2007 WL 3124724 (D. Conn. Oct. 24, 2007), aff'd sub. nom United States v. Martinez, 621 F.3d 101 (2d Cir. 2010).

For Government: James G. Genco, Assistant U.S. Attorney (Retired), 25 Vermillion Drive, Avon, CT 06001, Tel.: (860) 678-7109; Andrew J. Kline, Civil Rights Division, U.S. Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, DC 20530, Tel.: (202) 307-2897

For Defendant: Jeremiah F. Donovan, 123 Elm Street, Old Saybrook, CT 06475, Tel.: (860) 388-3750

6. United States v. Madera, 521 F. Supp. 2d 149 (D. Conn. 2007)

For Government: Brian P. Leaming, Assistant U.S. Attorney, U.S. Attorney's Office, 450 Main Street, Hartford, CT 06103, (860) 760-7954

For Defendant: Terence S. Ward, Assistant Federal Defender, Federal Public Defender's Office, 10 Columbus Boulevard, 6th Floor, Hartford, CT 06106, Tel.: (860) 493-6260

7. United States v. Gomes, 305 F. Supp. 2d 158 (D. Conn. 2004), aff'd, 387 F.3d 157 (2d Cir. 2004), cert. denied, 543 U.S. 1128 (2005).

For Government: Hon. John A. Danaher, III, Connecticut Superior Court, 15 West Street, Litchfield, CT 06759, Tel.: (860) 567-5438; Thomas V. Dailey, Reid & Riege, P.C., One Financial Plaza, Hartford, CT 06103, Tel.: (860) 278-1150
For Defendant: Jeremiah F. Donovan, 123 Elm Street, Old Saybrook, CT 06475, Tel.: (860) 388-3750.

8. Collins v. Olin Corp., 434 F. Supp. 2d 97 (D. Conn. 2006).

For Plaintiff: Andrew A. Rainer, Mark W. Roberts, McRoberts & Roberts, LLP, 15 Broad Street, Boston, MA 02109, Tel.: (617) 722-8222; Monte E. Frank, Cohen & Wolf, 158 Deer Hill Avenue, Danbury, CT 06810, Tel.: (203) 792-2771.
For Defendant Olin Corporation: Michael H. Wetmore, Husch Blackwell, 190 Carondelet Plaza, St. Louis, MO 63105, Tel.: (314) 480-1841.
For Defendant Town of Hamden: Ann Marie Catino, Halloran & Sage, 225 Asylum Street, Hartford, CT 06103, Tel.: (860) 297-4682.

9. Doe ex rel. A.N. v. East Haven Bd. of Educ., 430 F. Supp. 2d 54 (D. Conn. 2006), aff'd, 200 F. App'x 46 (2d Cir. 2006).

For Plaintiff: John R. Williams, 51 Elm Street, New Haven, CT 06510, Tel.: (203) 562-9931.
For Defendant: Hugh F. Keefe, Lynch, Traub, Keefe & Errante, 52 Trumbull Street, New Haven, CT 06510, Tel.: (203) 787-0275.

10. Fenn v. Yale Univ., 283 F. Supp. 2d 615 (D. Conn. 2003); Fenn v. Yale Univ., Case No. 3-96-cv-1647, 2005 WL 327138 (D. Conn. Feb. 8, 2005), aff'd, 184 F. App'x 21 (2d Cir. 2006).

For Plaintiff: Hubert J. Santos, Santos & Seeley, P.C., 51 Russ Street, Hartford, CT 06106, Tel.: (860) 249-6548.
For Defendant: Jonathan M. Freiman, Wiggin & Dana, One Century Tower, 265 Church Street, New Haven, CT 06508, Tel.: (203) 498-4584.

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

District Court

1. Bridgeport & Port Jefferson Steamboat Co. v. Bridgeport Port Auth., 566 F. Supp. 2d 81 (D. Conn. 2008), aff'd, 567 F.3d 79 (2d Cir. 2009), cert. denied, 130 S. Ct. 1075 (2010).
2. United States v. Gomes, 3:98-cr-195, vacated and remanded, 289 F.3d 71 (2d Cir. 2002), cert. granted, judgment vacated in light of Sell v. U.S., 539 U.S.

166 (2003), 539 U.S. 939 (2003), remanded, 69 F. App'x 36 (2d Cir. 2003), 305 F. Supp. 2d 158 (D. Conn. 2004), aff'd, 387 F.3d 157 (2d Cir. 2004), cert. denied, 543 U.S. 1128 (2005).

3. Charts v. Nationwide Mut. Ins. Co., 397 F. Supp. 2d 357 (D. Conn. 2005), rev'd sub. nom. Chartschlaa v. Nationwide Mut. Ins. Co., 538 F.3d 116 (2d Cir. 2008), cert. denied, 129 S. Ct. 1534 (2009).
4. United States v. Pugh, No. 3:02-cr-69, 2003 WL 22132912 (D. Conn. Aug. 29, 2003), aff'd and remanded, 175 F. App'x 390 (2d Cir. 2006), cert. denied, 549 U.S. 897.

Court of Appeals (sitting by designation)

1. United States v. Mercado, 573 F.3d 138 (2d Cir.), cert. denied, 130 S. Ct. 645 (2010).
 2. United States v. Sperling, 367 F. App'x 213 (2d Cir.), cert. denied, 131 S. Ct. 441 (2009).
 3. Pyke v. Cuomo, 567 F.3d 74 (2d Cir.), cert. denied, 130 S. Ct. 741 (2009).
 4. United States v. Rojas, 346 F. App'x 686 (2d Cir. 2009), cert. denied, sub nom Salazar-Espinosa v. United States, 130 S. Ct. 1311 (2010).
 5. Arista Records, LLC v. Launch Media, Inc., 578 F.3d 148 (2d Cir. 2009); 344 F. App'x 648 (2d Cir. 2009), cert. denied, 130 S. Ct. 1290 (2010).
 6. Gulino v. New York State Educ. Dept., 460 F.3d 361 (2d Cir. 2006), cert. denied, 554 U.S. 917 (2008).
 7. United States v. Pimentel, 346 F.3d 285 (2d Cir. 2003), cert. denied, 543 U.S. 955 (2004).
 8. Israel v. Carpenter, 67 F. App'x 56 (2d Cir. 2003), cert. denied, 540 U.S. 1109 (2004).
 9. United States v. Lucas, 68 F. App'x 265 (2d Cir. 2003), cert. denied, 540 U.S. 1024 (2003).
- 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.

Reversals, Remands or Vacaturs (full or partial)

1. Connecticut Bar Ass'n v. United States, 394 B.R. 274 (D. Conn. 2008), aff'd in part, vacated in part, 620 F.3d 81 (2d Cir. 2010).

This was an action by bankruptcy attorneys challenging the constitutionality of certain provisions of the Bankruptcy Abuse Prevention and Consumer Protection Act ("BAPCPA"). Following the U.S. Supreme Court's decision in Milavetz, Gallop & Milavetz, P.A. v. United States, 130 S. Ct. 1324 (2010), the Second Circuit affirmed in part and vacated in part my decision on the parties' motions to dismiss and for a preliminary injunction.

2. Taravella v. Town of Wolcott, No. 3:04-cv-895, 2008 WL 1821507 (D. Conn. Apr. 22, 2008), rev'd, 599 F.3d 129 (2d Cir. 2010).

This was an action brought by a former municipal employee against a town, its mayor and another municipal employee asserting constitutional and state law causes of action arising from her employment termination. The Second Circuit reversed my denial of qualified immunity for the mayor in a ruling on a summary judgment motion. Judge Straub dissented.

3. Wiener v. Health Net of Connecticut, Inc., No. 3:04-cv-1300, 2007 WL 2815199 (D. Conn. Sept. 26, 2007), aff'd in part, vacated in part, 311 F. App'x 438 (2d Cir. 2009).

Parents brought this action on behalf of their son for payment by an ERISA plan administrator of growth hormone therapy. The Second Circuit affirmed my decision following a bench trial that the administrator's denial of benefits was arbitrary and capricious, but remanded to have the administrator reconsider the claim.

4. Hoyer v. DiCocco, 457 F. Supp. 2d 110 (D. Conn. 2006), rev'd, 224 F. App'x 103 (2d Cir. 2007).

This was a claim of false arrest and imprisonment by a plaintiff who was suffering from mental illness and was arrested by the defendant police officer and involuntarily committed for psychiatric evaluation. The Second Circuit reversed my denial of qualified immunity in my summary judgment decision.

5. Staehr v. Hartford Fin. Servs. Grp., Inc., 460 F. Supp. 2d 329 (D. Conn. 2006), vacated and remanded, 547 F.3d 406 (2d Cir. 2008).

My dismissal of this securities action for contingency commission kickback arrangements on the basis of a statute of limitations was reversed on the basis that there were inadequate "storm warnings" to the investor plaintiffs.

6. Charts v. Nationwide Mut. Ins. Co., 397 F. Supp. 2d 357 (D. Conn. 2005), rev'd sub nom. Chartschlaa v. Nationwide Mut. Ins. Co., 538 F.3d 116 (2d Cir. 2008), cert. denied, 129 S. Ct. 1534 (2009).

Denial of motion for judgment as a matter of law following jury verdict in plaintiff's favor was reversed on the basis that plaintiff insurance agent's claims for state law violations were part of earlier bankruptcy estate rather than owned by plaintiff.

7. Ellis v. Tribune Television Co., 363 F. Supp. 2d 121 (D. Conn. 2005), vacated and remanded, 443 F.3d 71 (2d Cir. 2006).

The plaintiff was granted summary judgment to compel defendant to comply with Federal Communication Commission ("FCC") cross-ownership rules. The Second Circuit vacated and remanded to have the FCC address the waiver request of the defendant.

8. Brookridge Funding Corp. v. Nw. Human Servs., Inc., No. 3:99-cv-2339, 2004 WL 1897004 (D. Conn. Aug. 18, 2004), aff'd in part, rev'd in part, 170 F. App'x 170 (2d Cir. 2006).

This was a breach of contract action brought by a lender against a non-profit agency that developed a minor league baseball stadium. Following a bench trial that resulted in an award of substantial damages to the plaintiff, the Second Circuit remanded for a specific finding on consideration or promissory estoppel to support the contract.

9. Ryckman v. Listec USA, Inc., No. 3:00-cv-1123, 2004 WL 3524740 (D. Conn. Apr. 8, 2004), rev'd sub nom. Shapiro v. Logistec USA, Inc., 412 F.3d 307 (2d Cir. 2005).

Reversal of remand order in personal injury action based on diversity of citizenship.

10. Perricone v. Medicis Pharm. Corp., 267 F. Supp. 2d 229 (D. Conn. 2003), aff'd in part, rev'd in part, 432 F.3d 1368 (Fed. Cir. 2005).

This case involved two patents for methods of treating sunburn and skin disorders. I granted summary judgment for the defendant on the basis of invalidity of the patents. The Federal Circuit affirmed the majority of my conclusions, but vacated as to certain claims of one of the patents concerning invalidity and non-infringement. Judge Bryson dissented.

11. Anton/Bauer, Inc. v. PAG, Ltd., No. 3:01-cv-577, 2002 WL 1359673 (D. Conn. June 13, 2002), rev'd, 329 F.3d 1343 (Fed. Cir. 2003).

Reversal of grant of preliminary injunction in favor of owner of patent for battery pack connection. The Federal Circuit concluded, in reversing, that the patent owner had granted implied licenses to purchasers.

12. Bishop v. Nat'l. Health Ins. Co., No. 3:00-cv-256, 2002 WL 519712 (D. Conn. Mar. 11, 2002), vacated and remanded, 334 F.3d 305 (2d Cir. 2003).

The Second Circuit reversed my grant of summary judgment to the plaintiff who had sought coverage under a medical insurance policy against defendant insurer. The Second Circuit held that the intoxication exclusion of the policy barred coverage.

13. Commercial Cleaning Servs., LLC v. Colin Serv. Sys., Inc., No. 3:99-cv-109, 2000 WL 545126 (D. Conn. Mar. 21, 2000), 271 F.3d 374 (2d Cir. 2001).

This was a putative class action brought by a commercial cleaning service against its competitor under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), claiming that RICO was violated by the defendant's hiring of undocumented aliens. The Second Circuit reversed my dismissal of the action, holding that there were sufficient allegations of proximate injury and that failure to supply information under a local standing order was not a sufficient additional basis for dismissal.

14. Edwards v. Tarascio, No. 3:97-cv-2410, 2000 WL 306607 (D. Conn. Feb. 22, 2000), vacated and remanded, 119 F. App'x 327 (2d Cir. 2000).

This was a prisoner's action for constitutional violations resulting from a body and cavity search by prison officials. I dismissed this action on the basis that the plaintiff had failed to demonstrate exhaustion of administrative grievance procedures. The Second Circuit reversed and remanded for a determination whether prior communications constituted estoppel of the defendant's ability to pursue dismissal on the basis of failure to follow the procedures.

15. Bassett v. Mashantucket Pequot Tribe, No. 3:96-cv-1947, aff'd in part, vacated in part, 204 F.3d 343 (2d Cir. 2000).

A film producer brought this action against the Mashantucket Pequot Tribe and related defendants, claiming that the defendants had breached their contract and committed copyright violations in connection with the producer's development of a film for the defendant Tribe's museum. I dismissed the action on the basis that the copyright claims were merely incidental to the contract claims. The Second Circuit reversed, abrogating the prior test for copyright jurisdiction, and setting

forth a new test. The Second Circuit also remanded for a fuller determination of whether the defendant Tribe was an indispensable party.

16. United States v. Gomes, 3:98-cr-195, vacated and remanded, 289 F.3d 71 (2d Cir. 2002), cert. granted, vacated in light of Sell v. U.S., 539 U.S. 166 (2003), 539 U.S. 939 (2003), remanded, 69 F. App'x 36 (2d Cir. 2003), 305 F. Supp. 2d 158 (D. Conn. 2004), aff'd, 387 F.3d 157 (2d Cir. 2004), cert. denied, 543 U.S. 1128.

This case involved a request by the Government for involuntary medication of a defendant in a criminal prosecution following my finding of incompetency. My order of involuntary medication was vacated by the Second Circuit, but following the U.S. Supreme Court's decision in Sell v. United States, affirmed.

17. Green-Younger v. Barnhart, 3:99-cv-1425, rev'd and remanded, 335 F.3d 99 (2d Cir. 2003).

This was an appeal of the denial of a social security disability petition. United States Magistrate Judge William I. Garfinkel issued a recommended ruling sustaining the Administrative Law Judge's denial, which I accepted. The Second Circuit reversed, holding that the treating physician's diagnosis of fibromyalgia must be given controlling weight.

Criticism

1. Beason v. United Techs. Corp., 213 F. Supp. 2d 103 (D. Conn. 2002), aff'd, F.3d 271 (2d Cir. 2003).

The Court of Appeals stated that the definition of disability under the Americans with Disabilities Act was not co-extensive with the similar Connecticut act.

2. Fireman's Fund Ins. Co. v. TD Banknorth Ins. Agency, Inc., No.3:08-cv-364, 2010 WL 420041(D. Conn. Feb. 1, 2010), adjudication of appeal stayed, No. 10-0797-cv, 2011 WL 1601993(2d Cir. Apr. 29, 2011) (certifying question to Connecticut Supreme Court).

The Second Circuit disagreed that a contract abrogated the "make whole" doctrine of insurance law, but certified a question to the Connecticut Supreme Court.

- 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.

I have filed all my decisions with our Clerk's Office, which in recent years has used the CM/ECF system to make all written decisions available to the public and

attorneys online. Most of my decisions have also been published electronically by Westlaw or Lexis or reported in the Federal Supplement.

- 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.

1. U.S. v. Kliti, 156 F.3d 150 (2d Cir. 1998).
2. Andrews v. Peet, No. 3:08-cv-150, 2010 WL 2976921 (D. Conn. July 21, 2010).
3. Doe I v. Ciolli, 611 F. Supp. 2d 216 (D. Conn. 2009).
4. Connecticut Bar Ass'n v. United States, 394 B.R. 274 (D. Conn. 2008), aff'd in part, vacated in part, 620 F.3d 81 (2d Cir. 2010).
5. Bridgeport & Port Jefferson Steamboat Co. v. Bridgeport Port Auth., 566 F. Supp. 2d 81 (D. Conn. 2008), aff'd, 567 F.3d 79 (2d Cir. 2009), cert. denied, 130 S. Ct. 1075 (2010).
6. United States v. Paris, No. 3:06-cr-64, 2007 WL 3124724 (D. Conn. Oct. 24, 2007), aff'd sub nom., United States v. Martinez, 621 F.3d 101 (2d Cir. 2010).
7. United States v. Gomes, 3:98-cr-195, vacated and remanded, 289 F.3d 71 (2d Cir. 2002), cert. granted, judgment vacated in light of Sell v. United States, 539 U.S. 166 (2003), 539 U.S. 939 (2003), remanded, 69 F. App'x 36 (2d Cir. 2003), 305 F. Supp. 2d 158 (D. Conn. 2004), aff'd, 387 F.3d 157 (2d Cir. 2004), cert. denied, 543 U.S. 1128 (2005).
8. Piscottanno v. Town of Somers, 396 F. Supp. 2d 187 (D. Conn. 2005).
9. Ross ex rel. Dunham v. Lantz, 3:05-cv-758, 2005 WL 1124704 (D. Conn. May 12, 2005), stay denied, 409 F.3d 121 (2d Cir. 2005).
10. Inturri v. City of Hartford, 365 F. Supp. 2d 240 (D. Conn. 2005), aff'd, 165 F. App'x 66 (2d Cir. 2006).
11. Juvenile Matters Trial Lawyers Ass'n v. Judicial Dept., 363 F. Supp. 2d 239 (D. Conn. 2005).
12. Ross ex rel. Ross v. Rell, 392 F. Supp. 2d 224 (D. Conn. 2005).
13. Leocata ex rel. Gilbride v. Wilson-Coker, 343 F. Supp. 2d 144 (D. Conn. 2004), aff'd sub nom. Leocata v. Leavitt, 148 F. App'x 64 (2d Cir. 2005).

14. Hartwig v. Albertus Magnus College, 93 F. Supp. 2d 200 (D. Conn. 2000).

- 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.

Opinions I have authored for the Second Circuit:

1. Lafaro v. New York Cardiothoracic Group, PLLC, 570 F.3d 471 (2d Cir. 2009).

The Court of Appeals reversed the District Court's grant of a motion for judgment on the pleadings. My opinion held that a factual determination was necessary for the private plaintiffs to avail themselves of governmental immunity under the Sherman Act.

2. Robert Lewis Rosen Assocs., Ltd. v. Webb, 473 F.3d 498 (2d Cir. 2007).

The Court of Appeals affirmed the District Court's award of a supplemental judgment pursuant to Fed. R. Civ. P. 60(a).

3. NLRB v. Local 3, Intern. Broth. of Elec. Workers, 471 F.3d 399 (2d Cir. 2006).

The Court of Appeals affirmed a special master's findings concerning remedies for civil contempt against a labor union. A portion of the findings were modified.

4. United States v. Fermin, 252 F.3d 102 (2d Cir. 2001).

The Court of Appeals affirmed the District Court's decision not to depart downward for a sentence concerning illegal re-entry of a removed alien.

5. United States v. Kliti, 156 F.3d 150 (2d Cir. 1998).

The Court of Appeals vacated and remanded a criminal conviction on the basis that the District Court had failed to conduct a hearing concerning a potential conflict of interest involving defense counsel.

6. United States v. Mercado, 573 F.3d 138 (2d Cir.), cert. denied, 130 S. Ct. 645 (2009).

I filed a dissenting opinion to a decision by the Court of Appeals that affirmed the defendant's conviction for drug offenses. In my dissent I stated that the District Court erred in its application of Federal Rule of Evidence 404(b) to evidence of prior involvement of the defendant in firearms transactions.

Other Second Circuit cases on which I sat by designation:

Sudusinghe v. Holder, 369 F. App'x 219 (2d Cir. 2010)

United States v. Pepin, 367 F. App'x 262 (2d Cir. 2010)

Landmark Dev. Grp., LLC v. Town of East Lyme, 374 F. App'x 58 (2d Cir. 2010)

United States v. One 2004 Land Rover Range Rover, 369 F. App'x 208 (2d Cir. 2010)

Brown v. Legal Aid Soc., 367 F. App'x 215 (2d Cir. 2010), cert. denied, 131 S. Ct. 441 (2010)

United States v. Sperling, 367 F. App'x 213 (2d Cir. 2010), cert. denied, 131 S. Ct. 441 (2010)

Rojas v. Schkoda, 319 F. App'x 43 (2d Cir. 2009)

In Re Smith, 321 F. App'x 32 (2d Cir. 2009)

Pyke v. Cuomo, 567 F.3d 74 (2d Cir.), cert. denied, 130 S. Ct. 741 (2009)

Cuadro-Vidres v. Holder, 321 F. App'x 30 (2d Cir. 2009)

United States v. Rojas, 346 F. App'x 686 (2d Cir. 2009), cert. denied, sub nom. Salazar-Espinosa v. United States, 130 S. Ct. 1311 (2010)

Arista Records, LLC v. Launch Media, Inc., 578 F.3d 148 (2d Cir. 2009); and 344 F. App'x 648 (2d Cir. 2009), cert. denied, 130 S. Ct. 1290 (2010)

United States v. Francis, 319 F. App'x 27 (2d Cir. 2009)

United States v. Mercado, 573 F.3d 138 (2d Cir. 2009), cert. denied, 130 S. Ct. 645 (2009)

Simmons v. Local Union 1199, 319 F. App'x 33 (2d Cir. 2009)

United States v. Munroe, 167 F. App'x 253 (2d Cir. 2006)

Morrison v. I.N.S., 166 F. App'x 583 (2d Cir. 2006)

Gibbs ex rel. Gibbs v. Cigna Corp., 440 F.3d 571 (2d Cir. 2006)

United States v. Hartery, 169 F. App'x 604 (2d Cir. 2006)

Diaoune v. McElroy, 170 F. App'x 162 (2d Cir. 2006)

United States v. Munoz, 167 F. App'x 850 (2d Cir. 2006)

Li v. Gonzales, 167 F. App'x 272 (2d Cir. 2006)

Eastman Kodak Co. v. STWB. Inc., 452 F.3d 215 (2d Cir. 2006)

Surgutneftegaz v. President & Fellows of Harvard, 167 F. App'x 266 (2d Cir. 2006)

Williams v. Fletcher, 167 F. App'x 862 (2d Cir. 2006)

Smith v. Collins, 167 F. App'x 830 (2d Cir. 2006)

Haghpasand v. Reuters Am. Inc., 120 F. App'x 859 (2d Cir. 2005)

Carter v. Jablonsky, 121 F. App'x 888 (2d Cir. 2005)

Camaj v. I.N.S., 121 F. App'x 416 (2d Cir. 2005)

Gulino v. New York State Educ. Dept., 460 F.3d 361 (2d Cir. 2006), cert. denied, 554 U.S. 917 (2008)

McGuire v. City of New York, 142 F. App'x 1 (2d Cir. 2005)

United States v. Konstantakakos, 121 F. App'x 902 (2d Cir. 2005)

Boise v. Bouffard, 121 F. App'x 890 (2d Cir. 2005)

Ivorno v. Dupont Pharm. Co., 129 F. App'x 637 (2d Cir. 2005)

Zhao v. Attorney General, 121 F. App'x 909 (2d Cir. 2005)

Rodriguez v. Artuz, 123 F. App'x 428 (2d Cir. 2005)

Singh v. Ashcroft, 64 F. App'x 834 (2d Cir. 2003)

United States v. Pimentel, 346 F.3d 285 (2d Cir. 2003), cert. denied, 543 U.S. 955 (2004)

Israel v. Carpenter, 67 F. App'x 56 (2d Cir. 2003), cert. denied, 540 U.S. 1109 (2004)

Cortes v. Sky Chiefs, Inc., 67 F. App'x 66 (2d Cir. 2003)

London v. Berkshire Life Ins. Co., 71 F. App'x 881 (2d Cir. 2003)

Fieger v. Pitney Bowes Credit Corp., 69 F. App'x 31 (2d Cir. 2003)

Rossi v. City of New York, 75 F. App'x 18 (2d Cir. 2003)

United States v. Lucas, 68 F. App'x 265 (2d Cir. 2003), cert. denied, 540 U.S. 1024 (2003)

Formanek v. Pines, 69 F. App'x 504 (2d Cir. 2003)

United States v. Vasquez, 242 F.3d 368 (2d Cir. 2000)

Eastern Equip. & Servs. Corp. v. Factory Point Nat. Bank, Bennington, 236 F.3d 117 (2d Cir. 2001)

Windham v. Time Warner, Inc., 275 F.3d 179 (2d Cir. 2001)

Russell v. Bd. of Plumbing, 1 F. App'x 38 (2d Cir. 2001)

Salomone v. Merrill Lynch & Co., Inc., 242 F.3d 367 (2d Cir. 2000)

Potter v. Xerox, 1 F. App'x 34 (2d Cir. 2001)

Corning, Inc. v. Shin Etsu Quartz Prods. Co., Ltd., 242 F.3d 364 (2d Cir. 2000)

United States v. Frederick, 242 F.3d 368 (2d Cir. 2000)

Danzer v. Norden Sys., Inc., 151 F.3d 50 (2d Cir. 1998)

Messner Vetere Berger McNamee Schmetterer Euro RSCG Inc. v. Aegis Grp. PLC, 150 F.3d 194 (2d Cir. 1998)

George Haug Co., Inc. v. Rolls Royce Motor Cars, Inc., 148 F.3d 136 (2d Cir. 1998)

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

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

Our Court has an automatic recusal system. The Clerk's Office maintains a list of persons or entities whose involvement automatically causes my recusal before I am assigned the case. I regularly update my list for the Clerk's Office for such automatic recusal based on financial interests, prior clients, close personal relationships, and other conflicts. Also, if one of my listed conflicts arises after the case has been assigned to me, e.g., a counsel appears who is on my recusal list, I then transfer the case through a random case assignment approach.

I only recall two instances in which my recusal was requested by a party. In Hanson v. Ocwen Fed. Bank, No. 3:02-cv-960 (2003), the plaintiff claimed in a motion that I was biased against him because I had been employed from 1979 to 1981 at the law firm representing a defendant. Following a hearing, I issued an opinion denying the motion. I concluded there was no factual basis for a claim of bias. Following continued litigation of the case, it was transferred to the Northern District of Illinois as a Multidistrict Litigation matter.

Recusal was also recently requested in a pending case, Baltayan v. Tito, No. 3:10-cv-1327, on the basis that I should not have imposed a stay on discovery. That motion was denied.

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.

United States Attorney for the District of Connecticut (1993 – 1997) (appointed by President William J. Clinton)

Town Council Member, Town of West Hartford (1983 – 1989) (elected)
(Deputy Mayor: 1983 – 1985; Mayor: 1985 – 1989)

Member, Charter Revision Commission, Town of West Hartford (1982 – 1983)
(Appointed by the Town Council)

Vice Chair, Finance Advisory Board, Town of West Hartford (1981 – 1982)
(Appointed by the Town Council)

I have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed offices.

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.

In 1981, I was the finance coordinator for Kevin Sullivan, candidate for Town Council.

In 1984, I volunteered for the campaign of Gerald Roisman for State Senate.

In 1984, I, along with the Democrats of the West Hartford Town Council, endorsed Walter Mondale for President.

In 1988, I was Chair of the Connecticut campaign of Al Gore for President.

In 1988, I was a district coordinator in Senator Lieberman's campaign.

From 1988 to 1992, I was a member of the Democratic State Central Committee for Connecticut.

In 1992, I volunteered for Senator Dodd's campaign.

In 1992, I was Connecticut Delegate Coordinator for the Presidential campaign and a national Democratic convention delegate

I have had no involvement in political activity since my appointment as United States Attorney in 1993.

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 clerked for a judge.

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

I have not practiced alone.

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

1979 – 1981

Day, Berry & Howard (now Day Pitney LLP)
242 Trumbull Street
Hartford, Connecticut 06103
Associate Attorney; Member of Trial Department

1981

Aetna Life & Casualty (now Aetna, Inc.)
151 Farmington Avenue
Hartford, Connecticut 06156
Attorney; Member of Law Department

1981 – 1984

Buckley & Santos, P.C.
51 Russ Street
Hartford, Connecticut 06106
Associate Attorney

1984 – 1993

Reid & Riege, P.C.
One Financial Plaza
Hartford, Connecticut 06103
Associate Attorney (1984 – 1987)
Vice President and Stockholder (1987 – 1993)

1993 – 1997

United States Attorney's Office
District of Connecticut
157 Church Street, 23rd Floor
New Haven, Connecticut 06510
United States Attorney

In the period from 1985 to 1989, I also served as a Criminal Justice Act public defender for the United States District Court in Connecticut.

- i. 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.

While in private practice, I served as a mediator on a pro bono basis as a member of the District Court's Panel of Special Masters. I did the same for the Connecticut state courts. I do not recall the specific cases, and I have no notes from that service.

b. Describe:

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

The general character of my practice was litigation and trial experience since 1979, except for a brief period in 1981 when I practiced investment law.

Following my graduation from the University of Connecticut School of Law in 1979, I joined the Hartford office of the law firm of Day, Berry & Howard (now Day Pitney LLC) as an associate attorney. At the time, there were approximately 100 lawyers at the firm. I joined the litigation department and was responsible for civil matters such as personal injury defense, products liability, antitrust, and corporate disputes. I tried a number of cases in this period, usually with senior lawyers, but also as chief trial attorney.

In 1981, I joined the law department of Aetna Life & Casualty for a brief period, approximately eight months. (Day, Berry & Howard and Aetna had a close relationship.) I worked on investment law matters at Aetna.

In 1981, following my time at Aetna, I joined the private law firm of Buckley & Santos (now Santos and Seeley, P.C.) in Hartford. That firm had four other lawyers and specialized exclusively in complex civil and criminal trial work. While at Buckley & Santos, I handled a number of important civil and criminal matters, including wrongful death, federal civil rights, capital felony, and others. I also argued appeals before the Connecticut Supreme Court and the U.S. Court of Appeals for the Second Circuit.

In 1984, I joined the Hartford law firm of Reid & Riege, P.C., which had approximately fifty lawyers, and I was a member of the trial department for nine years. I became a stockholder and officer in 1987 and practiced exclusively in the area of litigation. I tried many cases as both chief trial counsel and associate trial counsel at Reid & Riege and argued many appeals as well.

In 1993, I was appointed United States Attorney for the District of Connecticut. As United States Attorney, I supervised and directed the Assistant United States Attorneys in prosecuting federal crimes and representing the United States in civil matters. I also personally tried two cases while U.S. Attorney: the first, a prosecution of the leadership of the Ku Klux Klan in Connecticut and the second, the prosecution of a drug dealer from New Haven. While United States Attorney, I also argued three appeals in the United States Court of Appeals for the Second Circuit.

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

It is difficult to describe a typical former client from my time in private practice, as I represented individuals charged with federal felonies, individuals in personal injury cases, and many business entities with complicated civil litigation matters. However, all were in the area of litigation.

- 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.

Except for a brief period in 1981 when I practiced investment law, all of my practice was in litigation. I appeared in court frequently.

- i. Indicate the percentage of your practice in:

1.	federal courts:	50%
2.	state courts of record:	45%
3.	other courts:	0%
4.	administrative agencies:	5%

- ii. Indicate the percentage of your practice in:

1.	civil proceedings:	50%
2.	criminal proceedings:	50%

- 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.

27. For about half of these I was sole counsel, one quarter chief counsel and one quarter associate counsel.

- i. What percentage of these trials were:
 - 1. jury: 35%
 - 2. non-jury: 65%

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

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

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

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

- 1. United States v. Dodge, 61 F.3d 142 (2d Cir. 1995), cert. denied, 516 U.S. 969 (1996); Judges: Trial: Honorable T. F. Gilroy Daly, United States District Judge (deceased); Appeal: U.S. Court of Appeals for the Second Circuit; Date of guilty plea: May 26, 1994.

I and an Assistant U.S. Attorney prosecuted the New England Grand Dragon of the Ku Klux Klan for weapons offenses. This case was one of a series of indictments brought by the U.S. Attorney's Office against members of the Connecticut chapter of the Ku Klux Klan for weapon and bomb offenses. The defendant Dodge entered a conditional plea of guilty to possessing a pipe bomb and appealed his conviction to the United States Court of Appeals for the Second Circuit, attacking the constitutionality of the National Firearms Act. The Second Circuit affirmed the conviction. I was lead trial counsel and lead appellate counsel.

Co-counsel: Assistant U.S. Attorney Anthony E. Kaplan, 157 Church Street, New Haven, CT 06510, Tel. (203) 821-3700; Opposing counsel: Thomas Dennis (Federal Public Defender), 10 Columbus Boulevard, 6th Floor, Hartford, CT 06106, Tel. (860) 240-6260.

2. United States v. Borkoski, 61 F.3d 142 (2d Cir. 1995), cert. denied, 516 U.S. 969 (1996); Judges: Trial: Honorable T.F. Gilroy Daly, United States District Judge (deceased); Appeal: U.S. Court of Appeals for the Second Circuit; Date of verdict: June 19, 1994.

I and an Assistant U.S. Attorney prosecuted a member of the Connecticut Chapter of the Ku Klux Klan for conspiracy to possess a silencer, for the purpose of shooting an African-American. This was also part of the overall investigation and prosecution of the Ku Klux Klan in Connecticut. The defendant was convicted following a jury trial and his conviction was sustained on appeal. I was lead trial counsel and lead appellate counsel.

Co-counsel: Assistant U.S. Attorney Anthony E. Kaplan, 157 Church Street, New Haven, CT 06510, Tel. (203) 821-3700; Opposing counsel: Joseph C. Burns, One State Street, Hartford, CT 06103, Tel. (860) 549-1000 (appellate counsel), and John D. Maxwell, 100 Pearl Street, Hartford, CT 06103, Tel. (860) 522-3343 (trial counsel).

3. United States v. Fields, Case Nos. 96-1168, -1257, 1997 WL 239648 (2d Cir. May 12, 1997); Judge: Trial: Senior United States District Judge Peter C. Dorsey; Docket No. 3:94-cr-258; Appeal: U.S. Court of Appeals for the Second Circuit; Date of verdict: September 21, 1995.

I and then Deputy U.S. Attorney Durham prosecuted this defendant, the leader of a New Haven street gang, for sale of crack cocaine. The investigation and prosecution was a product of a joint federal, state and local task force. Defendant Fields was convicted following a jury trial. I was co-trial counsel. The U.S. Court of Appeals for the Second Circuit affirmed the conviction on appeal.

Co-counsel: Deputy U.S. Attorney John H. Durham, 157 Church Street, New Haven, CT 06510, Tel. (203) 821-3700; Opposing counsel: Thomas G. Dennis (Federal Public Defender), 10 Columbus Boulevard, Hartford, CT 06106, Tel. (860) 493-6260.

4. United States v. Sage, 92 F. 3d 101 (2d Cir. 1996); Judges: Trial: Senior United States District Judge Dominic J. Squatrito; Appeal: U.S. Court of Appeals for the Second Circuit; Date of guilty plea: October 5, 1995.

I and an Assistant U.S. Attorney prosecuted the defendant for violating the Child Support Recovery Act. This was the first prosecution by the Office of the U.S. Attorney for the District of Connecticut under the recently enacted Act. The defendant entered a conditional guilty plea and challenged the Act's constitutionality. The U.S. Court of Appeals for the Second Circuit sustained the conviction and the constitutionality of the Act. The Assistant U.S. Attorney was lead trial counsel and I was lead appellate counsel.

Co-counsel: Assistant U.S. Attorney Denise D. Markle (now Superior Court Judge), 54 West Main Street, Meriden, CT 06451, Tel. (203) 238-6137; Opposing counsel: Terence Ward (Assistant Federal Public Defender), 10 Columbus Boulevard, Hartford, CT 06106, Tel. (860) 493-6260

5. State v. Hope, 524 A.2d 1148 (Conn. 1987), and 577 A.2d 1000 (Conn. 1990); Judges: Trial: Honorable Seymour Hendel; Appeal: Connecticut Supreme Court; Date of verdict: August 9, 1983.

A senior partner at my firm and I represented the defendant in the first prosecution by the State of Connecticut under the then-new Connecticut Death Penalty Act. Our client was prosecuted as part of a claimed murder-for-hire conspiracy, even though he did not commit the actual murder. I was associate trial counsel, argued many motions, and wrote many of the trial briefs. We prevailed at the trial and appellate levels.

Co-counsel: Hubert J. Santos, Esq., 51 Russ Street, Hartford, CT 06106, Tel. (860) 249-6548; Opposing counsel: C. Robert Satti, Esq., 70 Huntington Street, New London, CT 06320, Tel. (860) 443-2835 (now deceased).

6. Sanderson v. Steve Snyder Enters., Inc., 491 A.2d 389 (Conn. 1985); Judges: Trial: Honorable Arthur Spada; Appeal: Connecticut Appellate Court; Date of verdict: April 21, 1983.

I represented the estate of a man in a wrongful death action against a parachute equipment designer. I was sole trial counsel and co-appellate counsel. A defendant's verdict was reversed on appeal by the Connecticut Supreme Court on a number of bases. The Court affirmed our positions on a number of important products liability and evidence issues, including the admissibility of evidence of subsequent design changes in a Connecticut products liability action.

Co-counsel: Hubert J. Santos, Esq., 51 Russ Street, Hartford, CT 06106, Tel. (860) 249-6548; Opposing counsel: George D. Royster, Esq., Halloran & Sage, One Goodwin Square, Hartford, CT 06103, Tel. (860) 297-4631.

7. Kimberly-Clark Corp. v. Dubno, 527 A.2d 679 (Conn. 1987); Judges: Trial: Honorable Robert Satter (now Judge Trial Referee), Appeal: Connecticut Supreme Court; Dates of trial: October 1986; Date of Memorandum of Decision: December 12, 1986.

I represented a manufacturer in a challenge to the application of the Connecticut sales tax to purchases of large machinery. The Connecticut Commissioner of Tax Revenue initially ruled that my client did not have to pay taxes on the equipment, but later held that taxes and interest were owed. My client challenged this finding, arguing that the doctrine of promissory estoppel applied equally to public officials. I was chief trial and appellate counsel. We prevailed at the state trial and appellate levels.

Opposing counsel: Assistant Attorney General Jonathan L. Ensign (now retired), 110 Sherman Street, Hartford, CT 06105, Tel. (860) 808-5318.

8. Schultz v. Flayderman, Litchfield Superior Court; Trial Judge: Honorable Thomas Gill; Docket No. CV-86-0043652; Dates of trial: December 1987; Date of Memorandum of Decision: September 16, 1988.

I represented a real estate partnership in claims of first impression arising under options and rights of first refusal under the then recently enacted Connecticut Unfair Trade Practices Act. I was chief trial counsel. A defendant's judgment was rendered and the case was resolved by the parties during the appeal.

Opposing counsel: D. Randall DiBella, Esq., P.O. Box 3009, New Milford, CT 06776; Tel. (860) 355-1186, and Stewart Edelstein, Esq., Cohen & Wolf, 1115 Broad Street, Bridgeport, CT 06601 Tel. (203)368-0211.

9. Howat v. Passaretti, 528 A.2d 834 (Conn. App. Ct. 1987); Judges: Trial: Honorable William Bieluch; Appeal: Connecticut Appellate Court; Date of verdict: March 8, 1987.

Along with one of my partners, I represented the estate of a young person in a medical negligence wrongful death action against an orthopedic group. Among the issues we litigated was the professional responsibility of a medical services corporation to patients. I was co-trial counsel and sole appellate counsel. A defendant's verdict was rendered which was sustained on appeal.

Co-counsel: Maurice T. FitzMaurice, Esq., Reid & Riege, P.C., One Financial Plaza, Hartford, CT 06103, Tel. (860) 278-1150; Opposing counsel: Joseph Adinolfi, Esq., (deceased) and Donald J. McCarthy, Jr., 107 Oak Street, Hartford, CT 06106, Tel. (860) 560-0468.

10. Cally Curtis Co. v. Groppo, 572 A.2d 302 (Conn. 1990), cert. denied, 111 S. Ct., 77 (1990); Judges: Trial: Honorable Ronald Fracasse; Appeal: Connecticut Supreme Court dates of trial: February 1989; Date of Memorandum of Decision: March 31, 1989.

I represented a California mail order company in a challenge to the application of the Connecticut sales tax statute on interstate sales of out-of-state corporations. The bases of our challenge were the Commerce and Due Process clauses of the U.S. Constitution. I was chief trial and appellate counsel. We prevailed at the state trial and appellate levels and certiorari was denied by the U.S. Supreme Court.

Opposing counsel: Assistant Attorney General Richard K. Greenberg (now retired), 110 Sherman Street, Hartford, CT 06105, Tel. (860) 808-5318.

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.)

I am proud of my efforts as United States Attorney to bring together state, municipal, and federal law enforcement officials to attack crime in a cooperative approach. In particular, we formed joint task forces in our cities of New Haven, Bridgeport, and Hartford to investigate and prosecute violent street gangs. We convicted over 150 gang members of federal offenses, including the leaders of the Latin Kings, Los Solidos, and 20-Love. I believe this effort significantly reduced violent crime in Connecticut.

At the same time that we prosecuted street gangs, we initiated programs to rebuild the neighborhoods in the cities. Among these efforts were our Weed and Seed sites and the Police and Urban Youth Task Force (which was created to try to bring police and young people in our cities closer together).

We also used this cooperative law enforcement model to attack health care fraud, environmental abuse, and other areas. We established working groups of federal, state, and municipal officials to share intelligence and resources and to present the most effective approaches to these problems.

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.

I have not taught any courses.

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.

No.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

If confirmed to the Court of Appeals, I would not sit on cases that I heard as a District Judge, of course. I would also not sit on cases in which I had a financial interest. I also have a number of family members who are attorneys and would not hear cases in which they were involved. Finally, I would not hear cases involving Reid & Riege, P.C., my former law firm.

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

I would continue to follow the recusal statutes and the Code of Conduct for United States Judges.

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.

From 1983 to 1989, I served without compensation as Deputy Mayor and then Mayor of West Hartford, Connecticut. West Hartford is Connecticut's eighth largest municipality, and presented many problems that arise from a diverse, large community. Although I worked on many initiatives during that time, I am most proud of my efforts to address housing needs, to improve opportunities and programs for senior citizens, and to reduce crime in our region. Prior to my terms as Deputy Mayor and Mayor, I also served on a

number of local boards and commissions, such as the Finance Advisory Board and the Charter Revision Commission.

During my time in private practice, I served for a number of years in the U.S. District Court in Connecticut as a voluntary public defender representing indigent defendants. I also served as an uncompensated mediator in both the U.S. District Court and the Connecticut Superior Court. From 1986 to 1992, I served as a member of the Board of Directors of our county bar association.

Prior to my appointment as United States Attorney, I participated extensively in charitable organizations in our region. Among those were a regional affordable housing cooperative, a local hospital, and a university scholarship fund for needy students.

During my time as United States Attorney, I devoted part of my personal life to improving the relationship between young people in our cities and municipal police. This was related to the initiative I began in my office entitled the "Police and Urban Youth Task Force" which was comprised of young people, law enforcement officials and community leaders. The Task Force hosted gatherings and sponsored events in the major cities to improve the communication between young people and police. We also hosted two statewide events.

I also gave a great deal of time to the Mushaba Force Youth Foundation. The Foundation helps young, impoverished people in the inner city develop respect for themselves and others.

As a District Judge, I have not been able to do quite as much in our community due to the obvious restrictions that accompany that role. However, I have encouraged many lawyers to participate in pro bono representation in both civil and criminal cases. I have also tried to help our community through work at my church, through being a coach of a girls sports league, and work at our local schools.

25. 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.

There is no selection commission in our jurisdiction for appointments to the U.S. Court of Appeals for the Second Circuit. In January 2011, I spoke with representatives of Senators Lieberman and Blumenthal, and indicated my interest

in a potential appointment to the Court of Appeals. The Senators subsequently recommended me to the White House. Since February 9, 2011, I have been in contact with pre-nomination officials at the Department of Justice. On March 10, 2011, I interviewed with attorneys from the Office of White House Counsel and the Department of Justice in Washington, DC. On May 4, 2011, the President submitted my nomination to the Senate.

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

No.

AFFIDAVIT

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

April 28, 2011
(DATE)

Christopher Doney
(NAME)

Renee Alexander
(NOTARY)
my commission Expires.
10/2011