UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Kari Anne Dooley Kari Anne Pedersen

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

United States District Judge for the District of Connecticut

3. <u>Address</u>: 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: Superior Court, 50 Field Street, Torrington, Connecticut 06790

Residence: Sandy Hook, Connecticut

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

1963; New York, New York

5. <u>Education</u>: 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.

1985 – 1988, University of Connecticut School of Law; J.D., 1988

1981 – 1985, Cornell University, College of Arts and Sciences; B.A., 1985

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

2004 – present State of Connecticut Judicial Department Litchfield Judicial District 50 Field Street Torrington, Connecticut 06790 Judge of the Superior Court

1992 – 2004 United States Attorney's Office for the District of Connecticut 157 Church Street New Haven, Connecticut 06510 Assistant United States Attorney

1988 – 1992 Whitman and Ransom (now Whitman Breed Abbott and Morgan LLC) 500 West Putnam Avenue, 2nd Floor Greenwich, Connecticut 06830 Associate Attorney

1988 Office of the Chief State's Attorney 300 Corporate Place Rocky Hill, Connecticut 06067 Part-Time Research Intern

1986 – 1988 University of Connecticut School of Law Bookstore 35 Elizabeth Street Knight Hall Hartford, Connecticut 06105 Part-Time Cashier/Clerk

1986 – 1987 University of Connecticut School of Law Office of the Bursar/Business 55 Elizabeth Street Hartford, Connecticut 06105 Part-Time Assistant

7. <u>Military Service and Draft Status</u>: 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 did not serve in the military. I was not required to register for the selective service.

8. <u>Honors and Awards</u>: 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.

University of Connecticut School of Law, graduated cum laude (1988)

9. <u>Bar Associations</u>: 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.

Alternative Dispute Resolution Commission (2011)

American Judges Association (2011 – 2012)

Connecticut Bar Association (1988 – 1991)

Connecticut Judges Association (2004 – present)
President (2011 – 2012)
Vice President (2010 – 2011)

Secretary (2009 – 2010)

State of Connecticut Judicial Bench, Superior Court Rules Committee, Member (2012 – 2014) Sentence Review Division, Alternate (2009 – 2012)

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, 1988

There have been no lapses in membership.

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

District of Connecticut, 1989 Southern District of New York, 1990 Second Circuit Court of Appeals, 1992

There have been no lapses in membership.

11. Memberships:

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held.

Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

American Inns of Court (2005 – 2016)

Cornell University Admissions Alumnae Ambassador Network (approx. 2014 – present)

Pi Beta Phi Fraternity (1982 – present)

Ridgewood Country Club (1999 – present)

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

Pi Beta Phi's membership is limited to women. To my knowledge, none of the other organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

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

None.

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

None.

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.

Judiciary Committee of the State of Connecticut Legislature, Confirmation Hearing, Jan. 14, 2013. Questionnaire and transcript supplied.

Judiciary Committee of the State of Connecticut Legislature, Confirmation Hearing, Jan. 12, 2005. Transcript supplied.

Judiciary Committee of the State of Connecticut Legislature, Confirmation Hearing, Nov. 8, 2004. Transcript supplied.

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

September 30, 2010, Panelist, American Institute of Certified Public Accountants Conference ("AICPA") for Forensic Accountants, Boston, Massachusetts. The subject matter was the role of forensic accountants at trial and the judges' perspective as to what is and is not effective in terms of testimonial practices. I have no notes, transcript or recording. The address of the AICPA is 220 Leigh Farm Road, Durham, North Carolina 27707.

Outside of wholly personal speeches or talks I may have given—for example, toasts, eulogies, and religious instruction or commentary—the above represents my best recollection of all speeches or talks I have delivered since high school.

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.

Former Lawyer Faces Sentence in Insurance Fraud Case, The Daily Oklahoman, September 23, 2003. Copy supplied.

Malpractice Insurer Sues Local Lawyer Linked to Frankel, The Tennessean, March 12, 2002. Copy supplied.

Frankel Pleads Not Guilty, Asks Again to Move, The Blade, March 3, 2001. Copy

supplied.

Lasaga Confinement Lifted, New Haven Register, February 5, 1999. Copy supplied.

Lawyer: Tom Leonard Will Plead Guilty, The News-Times, October 23, 1997. Copy supplied.

13. <u>Judicial Office</u>: 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.

From November 9, 2004 through the present, I have served as a Judge of the Superior Court for the State of Connecticut. I was appointed to this position by Governor M. Jodi Rell. The Superior court is a trial court of general jurisdiction which includes jurisdiction over all matters returnable to the Superior Court to include civil, criminal, family, housing and juvenile matters.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? 70
 - i. Of these, approximately what percent were:

jury trials:

50%

bench trials:

50% [total 100%]

civil proceedings:

81%

criminal proceedings:

19% [total 100%]

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

Please see attached list.

- 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. Pursuit Partners, et al. v. UBS, et al., Dkt. No. UWY CV 08-4033148 (2015)

This case arose out of the sale of collateralized debt obligations ("CDOs") in 2007 shortly before they were downgraded by Moodys from an A rating to a "junk" rating. The plaintiffs, a hedge fund and its management, brought suit against UBS and Moodys alleging that UBS was aware of the imminent downgrade when it sold tens of millions of dollars worth of CDOs to the plaintiffs. There was

extensive pretrial litigation and multiple motions in limine filed and heard. The parties settled the case following jury selection but prior to the first day of evidence.

Plaintiffs' Counsel:

David Hersch Burg Simpson 40 Inverness Drive East Englewood, CO 80122 303-708-0527

Michael Burg Burg Simpson 40 Inverness Drive East Englewood, CO 80122 303-708-0527

UBS's Counsel:

Dane Butswinkas Williams and Connelly 725 12th Street N.W. Washington D.C. 20005 202-434-5000

Andrew Rudge Williams and Connelly 725 12th Street N.W. Washington D.C. 20005 202-434-5000

2. MacDermid, Inc. v. Cookson Group PLC et al., Dkt. No. UWY CV 12-6016356 (2015)

MacDermid Incorporated was once a publically traded company. In 2006, a group of investors, who were also MacDermid management insiders, sought to purchase all of the outstanding stock for \$35.00 per share, thereby taking the company private. During that process, defendant Cookson Group, PLC and its affiliates also submitted a bid to purchase MacDermid. The management insiders' purchase price was approved by a Special Committee established to evaluate offers to purchase MacDermid. The Special Committee's approval of the management insiders' offer and its rejection of the Cookson offer was challenged in court. Two cases involving this same transaction were consolidated for hearing. On the eve of trial, the parties settled their claims.

MacDermid, Inc.'s Counsel:

James Robertson Carmody Torrance Sandak and Hennessy 50 Leavenworth Street Waterbury, CT 06702 203-573-1200

Fatima Lahnin Carmody Toarrance Sandak and Hennessy 50 Leavenworth Street Waterbury, CT 06702 203-573-1200

Cookson Group PLC's Counsel:

Bart Totten Adler Pollock and Sheehan, PC One Citizens Plaza, 8th Floor Providence, RI 02903 401-274-7200

Nicole Benjamin Adler Pollock and Sheehan, PC One Citizens Plaza, 8th Floor Providence, RI 02903 401-274-7200

3. St. Pierre, Executrix v. Yale University et al., Dkt No. UWY 13-6023885 (2016)
St. Pierre, Executrix v. SigEp Connecticut Delta et al., Dkt No. UWY CV 14-6023607 (2016)
Short v. Ross et al., Dkt. No. UWY CV 126023797 (2016)
Short v. SigEp Connecticut Delta et al., Dkt. No. UWY CV 14-6023606 (2016)

Four lawsuits were brought as a result of an accident during the tailgate of the 2009 Yale - Harvard football game. A rented U-Haul, driven by a member of a Yale fraternity, accidentally struck and killed one person and seriously injured another. The suits named multiple defendants many of whom entered into settlements with the plaintiffs early in the litigation. The lawsuits also included the local fraternity which had rented the U-Haul for a fraternity sponsored tailgate, the fraternity's national organization as well as each of the individual members. I was called upon to decide whether and to what extent if at all, the national organization could be held liable for the acts of the local chapter. I was also called upon to decide the extent, if any, of the liability of the individual members of the fraternity, which was an unincorporated association under

Connecticut law. The cases all settled in the weeks leading up to the trial of the first case.

Sarah Short's Counsel:

Eric Smith
Faxon Law Group
59 Elm Street
New Haven, CT 06510
203-624-9500

Paula St. Pierre's Counsel:

Paul Edwards
Deakin, Edwards and Clark, LLC
245 Amity Road, Suite 200
Woodbridge, CT 06525
203-387-5100

Local Fraternity Members Counsel:

Jeremy Platek Boeggeman, George and Corde, PC 3 Barker Ave. 9th Floor White Plains, NY 10601 914-761-2252

National Fraternity Counsel:

Calvin Woo Verrill Dana LLP 33 Riverside Ave. Westport, CT 06880 203-222-0885

 O&G Industries Inc., et al v. Ace American Insurance Company et al., Dkt. No. X10 UWY CV 136021704 (2016)
 Kleen Energy Systems, Inc. v. Ace American Insurance Company et al., Dkt. No. X10 UWY CV 136021750 (2016)

These consolidated cases arose out of the explosion at the Kleen Energy plant in Middletown Connecticut, which was nearing the end of construction at the time of the explosion. At issue, was the extent of the coverage afforded Kleen Energy, the general contractor on the construction site, and several subcontractors under the builder's all risk policy issued by a consortium of insurance companies. These cases settled prior to trial.

Kleen Energy Systems, Inc.'s Counsel:

Edward Joyce Jones Day 250 Vesey Street New York, NY 10281 212-326-3939

O&G Industries, Inc.'s Counsel: Dennis Artese Anderson Kill 1251 Avenue of the Americas New York, NY 10020 212-278-1246

Keystone Construction Corp.'s Counsel:

Jared Cohane Hinkley Allen 20 Church Street Hartford, CT 06103 860-725-6200

Insurer Defendants Counsel:

Charles Rocco Foran Glennon Palandech Ponzi & Rudloff 40 Wall Street, 54th Floor New York, NY 10005 212-257-7100

5. NUSCO and CL&P v. American Electrical Testing v. Corcoran and Haviland, Dkt. No. UWY CV 10-6005436 (2015)

This breach of contract case arose out of a fatal explosion at a CL&P transfer station. The defendant American Electrical Testing ("AET") was a subcontractor performing work for CL&P at the site. Under the terms of the contract, AET was required to secure certain insurance to protect CL&P from exposure as a result of injuries arising out of AET's work. After the explosion, the carrier on the policies procured by AET denied coverage for claims brought by the injured workers, a decision vindicated by way of a declaratory judgment action in federal court. CL&P then sued AET for failing to procure the insurance required under their agreement. AET denied that it was required to procure coverage for the type of claims made against CL&P by the injured workers or their representatives. Alternatively, AET brought a third party complaint against its insurance broker

for failing to procure the appropriate insurance required under the contract. The case was tried to a jury over the course of several days. The jury returned a verdict for AET and did not reach the third party complaint.

NUSCO and CL&P's Counsel:

Richard Street Carmody Torrance, Sandak and Hennessey LLP 50 Leavenworth Street Waterbury, CT 06702 203-573-1200

Maureen Cox Carmody Torrance, Sandak and Hennessey LLP 50 Leavenworth Street Waterbury, CT 06702 203-573-1200

AET's Counsel:

Kenneth Walton Lewis Brisbois One International Place, Suite 350 Boston, MA 02110 857-313-3936

Corcoran and Haviland's Counsel:

William Chapman Melick and Porter LLP One Liberty Square Boston, MA 02109 617-523-6200

6. Morrin v. Koplin, Dkt. No. UWY CV 11-6012598 (2014)

This wrongful death action arose out of the defendant's alleged failure to diagnose and treat the plaintiff's decedent's major depressive disorder. The plaintiff's decedent killed his wife and then committed suicide. The case was tried to a jury over the course of several days. The jury returned a verdict in favor of the plaintiff and awarded damages in the amount of \$8.0 million. Thereafter, the case settled on appeal.

Plaintiff's Counsel:

Josh Koskoff

Koskoff, Koskoff and Bieder 350 Fairfield Avenue Bridgeport, CT 06604 203-583-8634

Alinor Sterling Koskoff, Koskoff and Bieder 350 Fairfield Avenue Bridgeport, CT 06604 203-583-8634

Defendant's Counsel:

James Rosenblum Rosenblum Newfield, LLC One Landmark Square Stamford, CT 06901 475-299-9997

7. Durham v. USA Hauling, Inc., Dkt. No. UWY CV 08-5008639 (2012)

This case was a personal injury action. The plaintiff suffered severe and permanent injuries when he walked onto a section of the tipping floor of a transfer station, which was clearly marked as off limits to pedestrian traffic, and was accidentally run over by a dump truck that was backing up on the tipping floor. The defense asserted contributory negligence in excess of 50%, which would extinguish liability under Connecticut law. The case was tried to a jury, which returned a plaintiff's verdict. The jury apportioned fault on a 50% - 50% basis, thereby reducing the damages award by half.

Plaintiff's Counsel:

George Kramer Law Offices of George W. Kramer 30 Clemens Court Rocky Hill, CT 06067 860-212-4871

Defendant's Counsel:

Robert Shields Sharp, Shields and Smith 500 Enterprise Drive, #4B Rocky Hill, CT 06067 860-571-8577

8. State v. Pitera, 126 Conn. App. 497 (2011)

This was a criminal prosecution on two counts of manslaughter in the 2nd degree and several counts of assault in the 2nd degree, among other charges. The defendant was accused of operating a motor vehicle while intoxicated causing a collision, which resulted in the deaths of two of her young children, and severe injuries to the third. A jury heard evidence over the course of several days and acquitted the defendant of most, but not all, charges.

Counsel for the State:

Richard Palumbo State's Attorneys Office 172 Golden Hill Street Bridgeport, CT 06604 203-579-6555

Defense Counsel:

Norm Pattis Pattis and Smith Law Firm 383 Orange Street New Haven, CT 06511 203-393-3017

9. In re: Mariah P., 50 Conn. Sup. 594 (2007)

This case involved the filing of a petition to terminate the parental rights of a mother and father who had five children. The children spanned a significant age range and each had differing levels of understanding as to the reasons they had been removed from their parents' care. The family, once happy and healthy, unraveled when first father and then mother became drug addicted. The case was tried to the court. Ultimately, I terminated the parental rights with respect to the three youngest children, but did not terminate the parental rights with respect to the two oldest, both of whom were fully aware of their parents' struggles and neither of whom wanted the court to sever their parents' rights.

Plaintiff's Counsel:

Susmita Mansukhani Assistant Attorney General 55 Elm Street Hartford, CT 06106 860-808-5318

Defense Counsel:

Scott Chamberlain Scott B. Chamberlain Law Offices 275 Greenwood Avenue Bethel, CT 06801 203-798-2877

10. State v. Marshall, 114 Conn. App. 178 (2009)

This was a criminal prosecution wherein the defendant was accused of significant and substantial narcotics trafficking in Norwalk, Connecticut. The first trial, which was heard before another judge, resulted in a mistrial. I was assigned the case upon retrial. On retrial, a jury convicted the defendant and he was sentenced to ten years of incarceration followed by six years of special parole.

Counsel for the State:

Michael DeJoseph Assistant State's Attorney 1061 Main Street Bridgeport, CT 06604 203-579-6506

Defense Counsel:

William Pelletreau William A. Pelletreau LLC 5 Mott Avenue Norwalk, CT 06850 203-838-0529

- 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.
 - Short v. Brendan Ross, et al, 2015 WL 5981142 (Sep. 16, 2015)
 St. Pierre v. Yale University, et al
 Short v. SigEp Connecticut Delta, et al.

 St. Pierre v. SigEp Connecticut Delta, et al.

Plaintiffs' Counsel:

Paul Edwards

Deakin, Edwards & Clark LLC 245 Amity Road, Suite 200 Woodbridge, CT 06525 203-387-5100

Eric Smith The Faxon Law Group 59 Elm Street New Haven, CT 06510 203-624-9500

<u>Defense Counsel:</u>

Jeremy Platek Boeggeman, George and Corde, P.C. 3 Barker Avenue, 4th Floor White Plains, NY 10601 914-761-2252

2. O&G Industries Inc., et al v. Ace American Insurance Company et al., 2014 WL 1814270 (April 9, 2014)

Plaintiffs' Counsel:

Dennis Artese Anderson Kill 1251 Avenue of the Americas New York, NY 10020 212-278-1246

Jared Cohane Hinckley Allen 20 Church Street Hartford, CT 06103 860-725-6200

Defense Counsel:

Charles Rocco Foran Glennon Palandech Ponzi & Rudloff PC 40 Wall Street, 54th Floor New York, NY 10005 212-257-7100

3. North Star Contracting Corp. v. Albright et al., 2013 WL 6171428 (Oct. 25, 2013)

Plaintiff's Counsel:

Ira Sacks Akerman LLP 1 FDR Drive New York, NY 10004 212-859-8000

Defense Counsel:

Ian Bjorkman Law Offices of Ian E. Bjorkman LLC 900 Chapel Street #621 New Haven, CT 06510 203-773-9110

4. Cook et al., v. Family Dollar Stores of Connecticut, Inc, 2013 WL 1406821 (March 18, 2013)

Plaintiffs' Counsel:

Richard Hayber Hayber Law Firm 221 Main Street #502 Hartford, CT 06106 860-522-8888

Defense Counsel:

Joel Cohn Akin Gump Strauss Hauer and Feld, LLP 1333 New Hampshire Avenue, N.W. Washington, D.C. 20036 202-887-4065

5. Journal Publishing Co., Inc v. The Hartford Courant Company, 2014 WL 5094970 (Sep. 4, 2014)

Plaintiff's Counsel:

Richard Weinstein Weinstein and Wisser 29 South Main Street West Hartford, CT 06107 860-561-2628

Defense Counsel:

William Fish Hinckley Allen 20 Church Street Hartford, CT 06103 860-725-6200

6. MacDermid, Inc. v. Leonetti, 2012 WL 3064616 (June 22, 2012)

Plaintiff's Counsel:

John Horvack Carmody Torrance Sandak and Hennessey 50 Leavenworth Street Waterbury, CT 06702 203-573-1200

Defense Counsel:

Kathleen Eldergill (deceased)

7. Greenwald v. Van Handel, 2012 WL 753779 (Feb. 16, 2012)

Plaintiff's Counsel:

James Brennan Brennan Law Firm 207 Bank Street, 4th Floor Waterbury, CT 06702 203-528-0152

Defense Counsel:

Liam West Ryan Ryan Deluca LLP 707 Summer Street Stamford, CT 06901 203-541-5051

8. In Re: Samantha S., 2007 WL 3316516 (Sept. 14, 2007)

Plaintiff's Counsel:

Susmita Mansukhani

Assistant Attorney General 55 Elm Street Hartford, CT 06106 860-808-5318

Defense Counsel:

Gail Bedoukian PO Box 3356 Danbury, CT 06813 203-241-9372

9. In Re: Mariah P., 50 Conn. Sup. 594 (2007)

Plaintiff's Counsel:

Susmita Mansukhani Assistant Attorney General 55 Elm Street Hartford, CT 06106 860-808-5318

Defense Counsel:

Scott Chamberlain Scott B. Chamberlain Law Office 275 Greenwood Avenue Bethel, CT 06801 203-798-2877

10. Mary Grey et al. v. Stamford Health Systems, Inc., et al., 2005 WL 1545302 (June 6, 2005)

Plaintiff's Counsel:

Carey Reilly Koskoff Koskoff and Beider 350 Fairfield Avenue, Suite 501 Bridgeport, CT 06604 203-583-8634

Defense Counsel:

Madonna Sacco Heidell, Pittoni, Murphy and Bach, LLP 855 Main Street Bridgeport, CT 06604 203-382-9700

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

None.

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.

Multari v. Yale New Haven Hospital, 2013 WL 1004293 (Conn. Super. Ct.), rev'd 145 Conn. App. 253 (2013). I dismissed this action for failure by the plaintiff to file a certificate of good faith and opinion letter regarding the allegations of medical malpractice as required under Connecticut statutes. My decision was reversed and remanded for further proceedings finding that although there were allegations, which were concededly allegations of professional negligence, the Appellate Court determined that some of the allegations sounded in ordinary negligence. As such, the certificate and opinion letter was not required as to those allegations.

Dorry v. Garden et al., 2013 WL 1800824 (Conn. Super. Ct.), rev'd 313 Conn. 516 (2014). I dismissed this wrongful death action on statute of limitations grounds. I determined that the action could not be "saved" under our savings statute in light of the manner by which service was attempted in the original action. The Supreme Court reversed finding that the flawed service did not mean that the original action had never been commenced as required for Connecticut's saving statute.

MacDermid, Inc. v. Cookson Group, PLC., 2013 WL 1492988 (Conn. Super. Ct.), rev'd 149 Conn. App. 571 (2014). I dismissed this cause of action under the prior pending action doctrine because I had the same parties before me in a companion case and the claims asserted had already been precluded (by a prior judge) from the already pending matter. The plaintiffs argued that the defendant should be judicially estopped from seeking dismissal. I disagreed. The Appellate Court reversed on the issue of judicial estoppel and remanded the case for further proceedings.

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.

The overwhelming majority of my written decisions are unpublished. Decisions that do not require significant fact-finding or legal analysis are often simply

entered into the electronic filing system as court orders. Decisions that require either factual findings or a more involved legal analysis are issued as Memoranda of Decision. The Memorandum of Decision in any given case is then filed with the Clerk of the Court. Although they are not officially published, they are often picked up by the online reporting services and given unofficial citations. Some decisions are therefore available online as well.

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.

State v. Morrison, 2009 WL 2357478 (June 16, 2009).

State v. Ventry, 2016 WL 7665374 (Nov. 25, 2016).

i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

I have never sat by designation on a federal court of appeals.

- 14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:
 - a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
 - b. a brief description of the asserted conflict of interest or other ground for recusal;
 - c. the procedure you followed in determining whether or not to recuse yourself;
 - d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

I was asked on one occasion to recuse myself by a self-represented litigant who claimed bias. I asked a colleague to preside over the hearing on the motion. My colleague denied the motion. The litigant than filed a lawsuit against me and again sought my recusal. In light of the fact that one of the matters pending before me involved a defamation action against a news media outlet for reporting that the litigant filed frivolous lawsuits, I became concerned that my status as a

defendant in the lawsuit, could raise questions as to the objective impartiality of the court. I therefore recused myself.

I have recused myself *sua sponte* in one matter based upon a financial interest in one of the parties. The case involved a putative class action against a financial institution in which I held stock.

From mid-2006 through 2008, I was the executrix of my mother's estate. During that time, I did not hear matters in which the estate lawyer, or other members of his firm, was appearing.

During my time as a judge of the Superior Court, I have sought to comply with the Code of Judicial Conduct as well as Practice Book Section 1-22 regarding recusal and disqualification, disqualifying myself in circumstances mandated by these provisions or in any case where my impartiality might reasonably be questioned.

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.

None.

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

None.

16. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a clerk to 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.

1988 – 1992 Whitman and Ransom (now Whitman Breed Abbott and Morgan LLC) 500 West Putnam Avenue, 2nd Floor Greenwich, Connecticut 06830 Associate Attorney

1992 – 2004
United States Attorney's Office for the District of Connecticut
157 Church Street
New Haven, Connecticut 06510
Assistance United States Attorney

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

I did not serve as a mediator or arbitrator when I was a practicing attorney.

b. Describe:

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

While in private practice, from 1988 to 1992, I was involved in a broad spectrum of both civil and criminal litigation. There was no specialization or particular focus to the scope of my practice.

In 1992, I joined the Criminal Division of the United States Attorney's Office for the District of Connecticut. I had a single client, the United States, and my practice was devoted to investigating and prosecuting criminal matters until I left the office in 2004. During my tenure at the United States Attorney's Office, I also held a number of positions and titles which entailed additional responsibilities within the office. These included: Counsel to the United States Attorney; Supervisory Assistant United States Attorney; Child Exploitation Coordinator; Professional Responsibility Officer, and Senior Litigation Counsel.

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

While in private practice, the clients varied. The firm did personal injury work for both plaintiffs and defendants (insurance companies). The firm represented small businesses in contract or collection matters. The firm had large corporate clients as well. The firm represented individuals in land use matters or those charged with criminal offenses.

At the United States Attorney's Office, the client was the United States, though I worked with a number of different agencies including the FBI, the DEA, ICE, DSS, USPIS, and Secret Service. I specialized in federal criminal law and, over time, developed a few subspecialties including crimes against children and tax fraud.

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.

My entire career as a practicing lawyer was in litigation. While in private practice (1988 - 1992), I was given the opportunity to appear in court at least once a month. This increased over time. While at the United States Attorney's Office (1992 - 2004), I was in court at least once a week.

i. Indicate the percentage of your practice in:

1.	federal courts:	85%
2.	state courts of record:	15%
3.	other courts:	0%
4.	administrative agencies:	0%

ii. Indicate the percentage of your practice in:

1.	civil proceedings:	15%
2.	criminal proceedings:	85%

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.

To my recollection, I have tried at least 13 cases to verdict. I was sole counsel in 9 of these trials. I was chief counsel in 1 trial and associate counsel in 3 trials.

i. What percentage of these trials were:

1.	jury:	92%
2.	non-jury:	8%

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. <u>Litigation</u>: 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. Philip Giordano, No. 3:01 cr- 00216 (SRU) (D. Conn.) (2003) (before Judge Alan H. Nevas)

I was one of several attorneys representing the United States in this prosecution of the former mayor of Waterbury, Connecticut. He was charged with civil rights violations as well as sexual assault as a result of his repeated sexual abuse of two young girls under the auspices of the Mayor's Office. I was brought into the case to interview, prepare, and ultimately present the testimony of the child victims. Both victims testified at the trial, which occurred in 2003. The defendant was convicted and sentenced to 37 years in prison. The conviction was appealed to the Second Circuit Court of Appeals and affirmed in 442 F.3d 30 (2d Cir. 2006).

Lead Counsel:

Peter Jongbloed United States Attorneys Office for the District of Connecticut 157 Church Street New Haven, Connecticut 06510 203 821-3700

Defense Counsel:

Andrew Bowman Law Office of Andrew B. Bowman 1804 Post Road East Westport, CT 06880

203-255-2570

2. United States v. Martin Frankel, No. 3:99-cr-00235 (JCH) (D. Conn.) (2004)(before Judge Ellen Bree Burns)

I was one of two attorneys representing the United States in this investigation and prosecution, which began in 1999 and concluded in 2004. The defendant was accused of racketeering, money laundering, and fraud in connection with his fraudulent and secret acquisition of, and subsequent looting of seven insurance companies in Tennessee, Mississippi and other states. When his scheme was about to unravel, he fled the United States with millions of dollars in diamonds procured with insurance company funds. He was captured in Germany and extradited to the United States. He pled guilty and was sentenced to 15 years in prison.

Co-Counsel:

Mark Califano Senior Vice President, Managing Counsel American Express 7 Richmond Drive Old Greenwich, CT 06870 203-451-2040

Defense Counsel:

Jeremiah Donovan Law Offices of Jeremiah and Terry Donovan 123 Elm Street, Unit 400 Old Saybrook, CT 06975 860-388-3750

3. *United State v. David Rosse*, No. 3:99-cr-00276 (EBB) (D. Conn.)(2002) (before Judge Ellen Bree Burns)

I was one of two attorneys representing the United States in this prosecution, which arose out of the investigation into the fraud scheme perpetrated by Martin Frankel. This defendant was Mr. Frankel's chief of security, David Rosse. Early on in the investigation, Mr. Rosse was implicated in the purchase of diamonds with the stolen funds, as well as Mr. Frankel's flight from justice. Investigators further determined that Mr. Rosse had stolen some of the diamonds prior to their delivery to Mr. Frankel. Although Mr. Rosse cooperated with investigators, he concealed his theft of the diamonds and otherwise impeded their recovery for the victims. He pled guilty to a conspiracy charge and was sentenced to a period of incarceration. The investigation and prosecution began in 1999 and concluded in 2002.

Defense Counsel:

Joseph Martini Wiggin and Dana 281 Tresser Boulevard Stamford, Connecticut 203 363-7603

4. United States v. Theodore Wells, No. 3:03-cr-00160 (JCH) (D. Conn.) (2004)(before Judge Alan H. Nevas)

I represented the United States as sole counsel in this investigation and prosecution which began in 2003 and concluded in 2004. The defendant was originally charged with the interstate transportation of a minor for illicit sexual purposes. This was his third arrest for such activity. He had lured a troubled 15 year old girl out of her home, met her at a local bus station and then took her to Pennsylvania where he engaged in inappropriate and illegal sexual activity with her. The victim was able to contact a family friend who drove to Philadelphia to retrieve her. On the eve of trial, the defendant pled guilty to kidnapping. After I left the U.S. Attorneys Office, the defendant was sentenced to 10 years in prison.

Defense Counsel:

Thomas Belsky (retired)

5. United States v. Antonio Lasaga, 328 F. 3d 61 (2d Cir. 2003) (before Judge Alvin W. Thompson)

I represented the United States as sole counsel in this investigation and prosecution which began in 1998 and concluded by plea and sentencing in 2002. The defendant was a prominent Yale University geology professor accused of amassing hundreds of thousands of images of child pornography. During the investigation, it also became apparent that the defendant had been sexually abusing a young boy for whom he was a mentor in the New Haven Public School system. He also produced child pornography in connection with the sexual abuse of this child. I worked closely with the FBI as well as the State prosecutorial authorities. The defendant pled guilty to the child pornography charges on the eve of trial. By way of global agreement, he also pled guilty to sexual assault in the state courts. He was sentenced to 15 years in prison.

Defense Counsel:

William F. Dow Jacobs and Dow 350 Orange Street New Haven, Connecticut 203 772-3100 6. United States v. Alex Cole, No. 3:01-cr-00205 (SRU) (D. Conn.) (2002)(before Judge Alan H. Nevas)

I represented the United States in this investigation and prosecution which began in 2001 and concluded in 2002. The defendant, a former major league baseball player, was implicated in a plan to import in excess of a kilogram of heroin into Connecticut. Undercover officers were inserted into the plan and arrangements for a sale to take place in Bridgeport were made. The defendant, then playing for the local minor league team, the Bridgeport Bluefish, was arrested, pled guilty and was sentenced.

Co-counsel:

James Finnerty
Director, Global Commercial Banking
AML Compliance Risk Management
Citigroup, Inc.
One Court Square
Long Island City, NY 11120
718-248-9560

Defense Counsel:

Timothy Aspinwall Aspinwall and Aspinwall 3200 Main Street Stratford, CT 06614 203-377-7348

7. United States v. Adrian Peeler, No. 3:99-cr-00067 (AVC) (D. Conn.)(2000) (before Judge Alan H. Nevas)

I was one of several attorneys representing the United States in this investigation and prosecution. The investigation began following the homicide of a seven-year-old boy and his mother in Bridgeport in January 1999. The investigation focused on narcotics trafficking by brothers Adrian and Russell Peeler and whether the murders were connected to their narcotics trade. I was co-counsel throughout the labor intensive grand jury investigation and concluded my involvement in November 1999. I was not counsel during any of the trials that were held as a result of this investigation. Eventually, sufficient evidence was developed to prosecute the Peeler brothers for both of the murders as well as a significant narcotics trafficking business. The State undertook the prosecution for the murders. The US Attorney's Office undertook the prosecution for the narcotics offenses. Adrien Peeler pled guilty and was sentenced to 420 months in prison.

Lead Counsel:

James I. Glasser

Wiggin and Dana, LLP One Century Tower New Haven, CT 06508 203-498-4313

Defense Counsel:

Bruce Koffskey Koffskey and Felsen, LLC 1150 Bedford Street Stamford, CT 06905 203-327-1500

8. United States v. Thomas Leonard, No. 3:97-cr-00079 (PCD) (D. Conn.) (1998) (before Judge Peter C. Dorsey)

I represented the United States as sole counsel in this prosecution for tax evasion which arose out of the defendant's skimming of cash receipts from the Stew Leonard's grocery store in Danbury, Connecticut. The defendant, a one-fourth owner of the store, was also its manager. He was skimming cash receipts, keeping them off of the books, and converting them for his personal use. The defendant pled guilty.

Defense Counsel:

Hugh F. Keefe Lynch, Traub, Keefe and Errante 350 Orange Street New Haven, Connecticut 06510 203-800-7343

9. United States v. Michael Morgan, No. 3:93-cr-00212 (PCD) (D. Conn.) (1996) (before Judge T.F. Gilroy Daly (trial) and Judge Peter C. Dorsey (sentencing))

I represented the United States in this prosecution. The case went to trial in 1996. The defendant, the former President of Charter Federal Savings and Loan Association, was accused in multiple counts of bank fraud and related charges. When the Resolution Trust Corporation placed the bank in receivership, the Office of Thrift Supervision uncovered a number of transactions which appeared to be fraudulent in nature. The FBI's investigation led to the same conclusion. I was lead counsel on the case. The defendant was convicted and sentenced. He first appealed an interlocutory decision denying his motion to dismiss on double jeopardy grounds. That decision was affirmed in 51 F. 3d 1105 (2d Cir. 1995). The defendant later appealed his conviction which was also affirmed in 113 F. 3d 1230 (2d Cir. 1997). I authored the government's brief and argued the appeal before the Second Circuit Court of Appeals

Co-Counsel:

Hon. Barbara Bailey Jongbloed Judge of the Superior Court New London Judicial District 70 Huntington Street New London, CT 06320 860-442-2977

Defense Counsel:

Hubert Santos Law Office of Hubert J. Santos 51 Russ Street Hartford, CT 06106 860-249-6548

10. United States v. Michael Stinson, No. 3:94-cr-0050 (VLB) (D. Conn.) (1994) (before Judge Alan H. Nevas)

I represented the United States as sole counsel in this prosecution. The case went to trial in 1994. The defendant was charged with the armed robbery of the United States Postal Service Station on the East Side of Bridgeport. The evidence tying the defendant to the crime was largely circumstantial. The exception to this was the testimony of a codefendant who robbed the business with him and had entered into a cooperation agreement with the government. The circumstantial evidence provided sufficient corroboration to the accomplice testimony. The defendant was convicted.

Defense Counsel:

Alfred Pavlis Finn Dixon 6 Landmark Square Stamford, Connecticut 06901 203-325-5056

18. <u>Legal Activities</u>: 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.)

Within the US Attorney's Office, I held various positions of responsibility in addition to the prosecutorial work of the office. I was Counsel to the United States Attorney, albeit briefly before my appointment to the State court bench, which required that I be available

for consultation on both the administrative and substantive aspects of the office activities. I was a Supervisory Assistant United States Attorney, overseeing the administrative and prosecutorial work of the Bridgeport Office. I was the Child Exploitation Coordinator which entailed the formation and oversight of a task force made up of state, local and federal law enforcement agencies dedicated to investigating crimes against children. I was, for a time, Senior Litigation Counsel, a position that involved the training of both new and veteran AUSAs on a variety of topics. Lastly, I was, for a time, the Professional Responsibility Officer, which essentially made me the point of contact for AUSAs on matters involving ethics and the Code of Professional Responsibility.

19. <u>Teaching</u>: 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.

In 2017, I taught a 75-minute seminar at the annual Connecticut Judges Institute on the fundamental principles applicable to the admission of expert testimony in civil cases. Syllabus provided.

In 2008, I taught a 75-minute seminar at the annual Connecticut Judges Institute titled "Silence is Golding" which dealt with the scope and parameters of *State v. Golding*, 213 Conn. 233 (1989).

In 2013, I taught a 75-minute seminar at the annual Connecticut Judges Institute on the nature and scope of the statutorily mandated "opinion letters" which must accompany any actions sounding in medical malpractice.

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

I have no anticipated income or benefits from uncompleted contracts, prior professional services, clients or business interests.

21. <u>Outside Commitments During Court Service</u>: 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. <u>Sources of Income</u>: 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. <u>Statement of Net Worth</u>: 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.

My brother is a practicing attorney in Connecticut. If confirmed, I will not hear cases in which he has appeared.

Canon 3(C)(1)(c) of the Code of Conduct for United States Judges requires a judge to disqualify himself if the judge, the judge's spouse or minor child has a financial interest, however small, in the subject matter of the controversy or a party to the action. I am presently governed by a very similar, though not identical, provision as a Superior Court judge. As a result, I keep a current list of any investments or securities held by my husband or myself as a means of doing a conflict check when new matters are assigned to me for adjudication. I will continue this practice.

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

If confirmed, I will carefully review any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct of United States Judges, and any other laws, rules and practices governing such circumstances.

25. <u>Pro Bono Work</u>: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

As a judge, I am, for the most part, precluded from practicing law, pro bono or otherwise. As a government lawyer, my ability to provide pro bono services was fairly curtailed. I did provide pro bono representation in a housing court matter between 1988 and 1992 on a few occasions. I do not recall the specifics.

26. Selection Process:

a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

In May 2017, I submitted an application packet to Senators Blumenthal and Murphy for review and consideration by their advisory panel. I was interviewed by the advisory panel on June 10, 2017. Thereafter, I was notified that I was recommended for an interview with Senators Blumenthal and Murphy. I interviewed with the Senators in Washington, DC on June 29, 2017. On August 8, 2017, I was contacted by White House Counsel's Office and advised that the Senators had passed along my name for consideration. On August 22, 2017, I interviewed with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice in Washington, DC. Since October 5, 2017, I have been in contact with officials from the White House Counsel's Office and the Office of Legal Policy. On December 20, 2017, 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.