

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

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

Timothy John Feighery

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

Chairman, Foreign Claims Settlement Commission

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

*Office of the Legal Adviser
Office of International Claims and Investment Disputes
U.S. Department of State
Suite 237, South Building
2430 E St. NW
Washington, DC 20037*



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

1962; New York (Bronx), New York

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

*Fordham University School of Law, 1984 – 1987; J.D., May 1987
Fordham College, 1980 – 1984; BA (Philosophy), May 1984*

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.

<i>1. Employer:</i>	<i>Office of the Legal Adviser</i>
	<i>U.S. Department of State</i>
<i>Address:</i>	<i>2201 C St NW</i>
	<i>Washington D.C. 20520</i>
<i>Job Title:</i>	<i>Attorney Adviser; July 2004 - Present</i>

2. *Employer:* George Mason University School of Law
 Address: 3301 Fairfax Drive
 Arlington VA 22201
 Job Title: Adjunct Professor; August 2005 – May 2010

3. *Organization:* American Bar Association, International Courts Committee
 740 15th Street, N.W.
 Washington, DC
 Co-Vice Chair, 2008 - 2010

4. *Employer:* U.S. Justice Department (9/11 Compensation Fund)
 Address: 1100 L St NW
 Washington D.C. 20530
 Job Title: Deputy Special Master; August 2003 – July 2004

5. *Employer:* United Nations Compensation Commission
 Address: Villa La Pelouse, Palais des Nations
 1211 Geneva, Switzerland
 Job Title: Chief of Section; January 2000 – August 2003

6. *Employer:* U.S. Federal Trade Commission
 Address: 600 Pennsylvania Ave. NW
 Washington D.C. 20580
 Job Title: Senior Attorney; August 1998 – December 1999

7. *Employer:* United Nations Compensation Commission
 Address: Villa La Pelouse, Palais des Nations
 1211 Geneva, Switzerland
 Job Title: Team Leader; February 1996 – July 1998

8. *Employer:* Webster University
 Address: Geneva, Switzerland
 Job Title: Adjunct Professor; 1997

9. *Employer:* Kaye Scholer LLP
 Address: 425 Park Avenue
 New York, NY 10022
 Job Title: Summer Associate, Associate (worked in New York,
 Brussels and Washington D.C. offices); May 1986 –
 December 1995

10. *Employer:* Dingle Corporation
 Rte 6, Putnam Plaza
 Carmel, NY 10512
 Job Title Employee of family-owned bar/restaurant, 1984-1986

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.

No service in the U.S. military; registered for the selective service.

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

*5 Superior Honor Awards (2005, 2006, 2007, 2009 & 2010) and 2 Meritorious Honor Awards (2006 & 2008) from the State Department;
Member, Fordham Law Review (1987)*

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

*Member, New York State Bar Association
Co-Vice Chair, International Courts Committee, American Bar Association (2008-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.

New York State, 1988; 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.

New York State 1988, no lapses; New York Office of Court Administration

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.

*Riverside Gardens Citizens Association, August 2004 – Present
Riverside Gardens Swim & Tennis Club, August 2004 - Present*

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

None

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.

Contributor, "2007 Year In Review: ABA International Law Section, Committee on International Courts," 42 International Lawyer 345 (Summer 2008)

Contributor, "2008 Year In Review: ABA International Law Section, Committee on International Courts," 43 International Lawyer 425 (Summer 2009)

Assessing the Costs of Iraq's 1990 Invasion and Occupation of Kuwait – The United Nations Compensation Commission, Refugee Survey Quarterly 22 (4):87-104

Book Review: Arbitration Clauses for International Contracts by Paul D.

Friedland, 16 ICSID Foreign Investment Law Journal No. 1, p. 285 (2001);

Book Review: The ICSID Convention: The Law of the International Centre for the Settlement of Investment Disputes by K.V.S.K. Nathan, 17 ICSID Foreign Investment Law Journal No. 1, p. 200 (2002).

- 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.

See 12(a).

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

None

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

Presentation in October 2009 to Fordham Law School students on practicing law in the State Department Legal Adviser's Office (powerpoint used attached)

Presentation to the European University Law Institute in Florence, Italy, based on an article prepared by David Caron and Brian Morris on the functioning of the United Nations Compensation Commission (David D. Caron and Brian Morris. "The United Nations Compensation Commission: Practical Justice, Not Retribution" EUROPEAN JOURNAL OF INTERNATIONAL LAW 13 (2002): 183-199). There is no record of my presentation.

- 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.

None

13. Public Office, Political Activities and Affiliations:

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

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

14. Legal Career: Answer each part separately.

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

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

I have not clerked for a judge.

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

I have not been a sole practitioner

- 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.

Dates: July 2004 - Present
Gov't Agency: Office of the Legal Adviser
U.S. State Department
Address: 2201 C St NW
Washington D.C. 20520
Job Title: Attorney Adviser

Dates: August 2005 – May 2010
Employer: George Mason University School of Law
Address: 3301 Fairfax Drive
Arlington VA 22201
Job Title: Adjunct Professor

Dates: August 2003 – July 2004
Gov't Agency: U.S. Justice Department (9/11 Compensation Fund)
Address: 1100 L St NW
Washington D.C. 20530
Job Title: Deputy Special Master

Dates: January 2000 – July 2003
Employer: United Nations Compensation Commission
Address: Villa La Pelouse, Palais des Nations
1211 Geneva, Switzerland
Job Title: Chief of Section

Dates: August 1998 – December 1999
Gov't Agency: U.S. Federal Trade Commission
Address: 600 Pennsylvania Ave. NW
Washington D.C. 20580
Job Title: Senior Attorney

Dates: February 1996 – July 1998
Employer: United Nations Compensation Commission
Address: Villa La Pelouse, Palais des Nations
1211 Geneva, Switzerland
Job Title: Team Leader

Dates: 1997
Employer: Webster University
Address: Geneva, Switzerland
Job Title: Adjunct Professor

Dates: September 1987 – December 1995
Law Firm: Kaye Scholer LLP
Address: 425 Park Avenue
New York, NY 10022
Job Title: Associate (worked in New York, Brussels and Washington D.C. offices)

- 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.

No

b. Describe:

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

From law school graduation until December 1995 I was employed as an associate in a large international law firm, and represented corporate clients in civil litigations (many were antitrust litigations). My role as an associate was to support the legal work of more senior lawyers (senior associates, counsel, partners) in the litigations to which I was assigned.

In December 1995 I left the firm and began working in the public interest – first with the United Nations, and later with the U.S. Federal Trade Commission, Justice Department and now the State Department.

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

Typical clients while I practiced at Kaye Scholer were almost exclusively corporations – mostly large international corporations, and some small corporations.

After beginning work in the public interest, I began my current specialization, which is international law and international claims.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

*My practice at Kaye Scholer did not involve court appearances. I was present in the United States Supreme Court in one case on which I worked but had no role before the Court and was not listed as Counsel of Record (*Texaco v. Hasbrouck*, 496 U.S. 543 (1990); argued December 5, 1989). Early in my career, I represented indigent defendants pro bono in the New York State Criminal Court system and appeared before that court a number of times, but have no record of those appearances or the dates.*

Since joining the State Department, a much more significant amount of my time has been spent practicing before courts – specifically, the Iran/US Claims Tribunal in The Hague, The Netherlands. From September 2006 to March 2008, I spent in excess of 50 days before the Tribunal in defense of the United States in a claim brought by Iran.

- i. Indicate the percentage of your practice in:
 1. federal courts;
 2. state courts of record;
 3. other courts;
 4. administrative agencies

Pre-2004: Negligible

Post-2004: A small percentage (before the Iran/U.S. Claims Tribunal)

- ii. Indicate the percentage of your practice in:
 1. civil proceedings; 99%
 2. criminal proceedings. 1%

Over the course of my career, I have been engaged almost exclusively in civil matter; the only exception being small criminal cases undertaken on a pro bono basis.

- 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.

One case: Case No. B/61 before the Iran/U.S. Claims Tribunal in The Hague, The Netherlands. I was the supervising attorney of a large State Department legal team, and made more than 10 arguments before the Tribunal. The Tribunal issued a partial Award in this case in July 2009, dismissing Iran's largest claims.

- i. What percentage of these trials were:
 1. jury; 0%
 2. non-jury. 100%

- 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.

As an associate with two years of experience, I researched and drafted portions of the Brief and Reply Brief of Petitioner Texaco, Inc. in Texaco v. Hasbrouck. I had no role in the strategic decisions made in relation to these briefs.

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

- a. the date of representation;

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

The only cases that I have personally handled are:

- (1) *Case No. B/61, Iran v. United States, Iran-U.S. Claims Tribunal. This case is an arbitration under the Algiers Accords, brought by Iran against the United States for the United States' alleged failure to transfer to Iran military properties purchased by Iran from private United States' corporations. I was the supervising attorney for this case and represented the United States along with numerous other lawyers from the State Department Office of the Legal Adviser (counsel of record is the Agent of the United States in The Hague, The Netherlands). Iran was represented by Iranian counsel, and also by the Paris office of the international law firm, Eversheds. Lead counsel for Iran was Rodman Bundy, with co-counsel David Sellers, Charles Claypoole, and William Thomas, all of Eversheds. In July 2009 the Tribunal issued a Partial Award in the case, dismissing Iran's claim for compensation under one of its specific theories of liability. A portion of the case remains open and is the subject of further procedures before the Tribunal. I represented the United States in this case from August 2004 to the present.*
- (2) *Case No. B1, Iran v. United States, Iran-U.S. Claims Tribunal. This case is an arbitration under the Algiers Accords, brought by Iran against the United States for the United States' alleged breach of its Foreign Military Sales contracts with Iran. I am the supervising attorney for this case and represent the United States along with numerous other lawyers from the State Department Office of the Legal Adviser (counsel of record is the Agent of the United States in The Hague, The Netherlands). To the best of my knowledge, Iran is represented by Iranian counsel. Final briefing has not yet been completed in this case. I represented the United States in this case from April 2007 to the present.*

Both of these cases are being arbitrated before the full panel of the Iran/U.S. Claims Tribunal. For the hearings in Case B/61, the full panel was comprised of: Third-country judges: Krzysztof Skubiszewski (Poland, President), Gaetano Arangio Ruiz (Italy) & Bengt Broms (Finland); United States judges: Charles Brower, George Aldrich & Gabrielle McDonald; and Iranian judges: Aghahosseini, Ameli and Noori.

The full panel is presently comprised of Hans van Houtte (Belgium, President), Gaetano Arangio Ruiz (Italy) & Bengt Broms (Finland); United States judges: Charles Brower, George Aldrich & Gabrielle McDonald; and Iranian judges: Abedian Kalkhoran, Nikbakht Fini and Seifi.

I was not involved in litigations or arbitrations during my time at the UNCC or the FTC. While an associate at Kaye, Scholer, I worked on numerous litigations, generally as part of large litigation teams, but none of these went to court with one exception (noted above): I researched and drafted portions of the Brief and Reply Brief of Petitioner Texaco, Inc. in Texaco v. Hasbrouck before the Supreme

Court (but do not appear on these briefs), and was present at, but did not participate in, the oral argument before the Supreme Court. The docket number for this case was No. 87-2048. The Petition was rejected 9-0 by the Supreme Court, and the opinion can be found at 496 U.S. 543 (1990).

In addition to the above, the following is a list of lawyers with whom I have worked over the course of my professional career:

- (1) Sylvia Becker
Kaye Scholer LLP
Washington DC
(202) 682-3579*
- (2) David Copeland
Kaye Scholer LLP
New York
(212) 836-8105*
- (3) Michael D. Blechman
Kaye Scholer LLP
New York
(212) 836-8353*
- (4) James D. Herschlein
Kaye, Scholer LLP
New York,
(212) 836-8655*
- (5) Morris Bloom
Federal Trade Commission
Washington DC
(202) 326-2707*
- (6) Robert Tovsky
Federal Trade Commission
Washington, DC
(202) 326-2634*
- (7) Michael Mucchetti (UNCC)
Office of Rep. Lloyd Doggett
Washington, D.C.
(202) 225-4865*
- (8) Justice Brian Morris (UNCC)
Montana Supreme Court
(406) 444-5490*
- (9) Jeffrey Kovar
State Department
Washington, D.C.
(202) 776-8365*

(10) Clifton Johnson
State Department
Washington, D.C.
(202) 647-5654

16. **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.)

At the very beginning of my career I spent a large amount of my time working as the junior associate on an antitrust litigation on behalf of New York State Electric & Gas (NYSEG), which was sued by a small power producer, Long Lake Energy, for alleged anticompetitive practices relating to Long Lake's efforts to develop hydroelectric power projects in upstate New York. I prepared an extensive and detailed fact memorandum based on chronologies of events correlating Long Lake's development efforts and NYSEG's own activities in developing hydro power in upstate New York. The case settled before trial, but it gave me extensive training in drafting legal memoranda and briefs, and preparing scripts for depositions.

While I worked in Belgium for Kaye Scholer, most of my time was spent working on a pharmaceutical patent litigation on behalf of Bayer AG; my role was mainly to work reviewing Bayer's patent files at its headquarters in Germany, and working with potential fact witness, including their patent staff as well as the scientists who invented the pharmaceutical at issue (ciprofloxacin). The case was brought in U.S. court by a U.S. manufacturer of generic drugs (Barr), which challenged Bayer's patents for the drug. The case did not go to trial and was settled between the parties.

When I joined the United Nations Compensation Commission (UNCC) staff in Geneva in 1996 I was the Team Leader of a non-Kuwait corporate claims program, responsible for analyzing and presenting for decision to Panels of Commissioners claims for compensation for losses allegedly suffered as a result of Iraq's 1990 invasion and occupation of Kuwait filed by over 3,000 international corporations. The typical loss types asserted included loss of physical assets, lost income, loss of income-producing properties, lost profits, losses due to relief provided to employees. In some cases, guidelines promulgated by the UNCC Governing Council dictated the treatment of loss types; in other cases, research was required by the Panels of Commissioners and performed under my supervision to provide guidance to those Panels. I also planned the five-year work program for completion of this category of claims, and lead the supporting legal effort for the first Panel report on these claims. During my time at the UNCC from 2000 – 2003, I was a Chief of Section of the Legal Services Branch, and managed the construction and engineering claims program as well as the non-Kuwaiti claims program already discussed. I was responsible for all aspects of the work of the secretariat in relation to these claims, including budgeting, hiring professional and non-professional staff, establishing terms of reference for the retention of outside experts to assist the Panels of Commissioners, and dealing with the Commissioners themselves.

The lawyers and non-legal staff under my supervision supported the work of four separate Panels of Commissioners, who made recommendations of compensation in relation to over \$22 billion in claims.

In my work on the September 11th Compensation Fund, results were of two kinds: first, there was the need to achieve the result of getting a measure of compensation to the families of victims of the 9/11 attacks quickly. The second, and in many ways the most important result, was giving those same families a forum enabling them to state for the record how much their loved one meant to them. As a Deputy Special Master of the Fund, I made initial determinations on applications for compensation and conducted hearings with victims' families. In my view, the ability to be heard was very much a factor in claimants' decisions to participate in the Fund (claimants had an alternative option of pursuing claims for compensation through the judicial system), and a significant part of its success was the fact that so many claimants were able to participate in the hearing process. Presiding over the hearings themselves was extraordinarily difficult, but a necessary part of making a final determination on the appropriate measure of compensation to be paid to a given claimant, consistent with the regulatory scheme established by Congress. In most cases, the hearing process resulted in an increase in the amount of compensation that would otherwise have been paid. In some cases, it resulted in a reduction. In all cases, they were highly emotional and draining for all involved. In the last four months of the program, I presided over more than 80 hearings with victim families. Compensation was paid out to all claimants within the time period imposed by the Special Master, and the program stands as a unique American success.

Finally, my work at the Department of State includes also the most significant legal activities of my career – specifically, representing the United States in international arbitration against Iran. In this capacity, I have argued on many occasions before the Iran/U.S. Claims Tribunal, and have supervised teams of lawyers in preparing briefs and arguments before that body. I have worked with and supervised attorneys who have had no previous practice experience, as well as highly experienced State Department lawyers. I have had front-line responsibility for all aspects of our defense of these claims, including, in addition to responsibility for the legal product, the identification and engagement of experts, the retention of contractors to perform functions for the litigation team (including, for example, information technology support), budgeting, ensuring adequate legal and legal support staffing, liaising with other agencies of the government, and briefing other agencies with interests in the claims process. In all my work, I in turn have been supervised by an Assistant Legal Adviser.

17. **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.

International Law, George Mason University School of Law (Evening Division, 2005 – December 2009)

This was an introductory survey course in international law that teaches broad principles of international law, including the interface of national law with international law, as well as introductions to various sub-specialties that have developed over the years,

including environmental law, law of the sea, human rights law and humanitarian law. The most recent syllabus for this course is included.

European Union Law, George Mason University School of Law (Evening Division 2006 – May 2010)

This was an introductory survey course in European Union Law that traces the formation of the modern European Union from its post World War II beginnings through the 2009 Treaty of Lisbon. This course addresses structural issues relating to the Union, including the interrelationship between Member State law and EU law itself, as well as substantive areas of EU law including competition law, trade law and the free movement of goods, services, persons and establishment. The most recent syllabus for this course is included.

Webster University, Geneva Switzerland

I taught two course at Webster University: an undergraduate Business & Society class in 1997, and a graduate International Business Law class, also in 1997. These classes were co-taught with David Isenegger, a Canadian attorney at the United Nations Compensation Commission, and Robert O'Brien, an American attorney at the United Nations Compensation Commission. Both of these courses were broad, introductory-type courses, and I focused on antitrust and competition law. I have no records for either of these courses.

18. **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.

Thrift Savings Plan; current (November 2010) balance: \$103,500

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

None

20. **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 SF-278 attached hereto.

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

See attached net worth statement.

22. **Potential Conflicts of Interest:**

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

None.

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

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

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

At Kaye Scholer I worked many pro bono hours on matters classified by the firm as pro bono, as well as through volunteering with the New York Legal Aid Society to represent individuals before New York courts in minor criminal matters (e.g., theft) as well as housing issues.

Since 1996, my career has been devoted to work in the public interest, including for the UN, the Federal Trade Commission, the 9/11 Compensation Fund, and the State Department. While at the State Department, aside from my existing work, I volunteered to work overnight on special "crisis centers" set up to communicate with relatives of potential U.S. victims of overseas disasters (for example, the 2004 tsunami in the Indian Ocean).

In addition to these legal activities, I have served as a member of my local civic association (Riverside Gardens Citizens Association), attending planning and zoning meetings on behalf of this association convened by the Mount Vernon Council of Civic Associations. Since 2004, I have served as a volunteer soccer coach with the Gunston and Lee-Mt. Vernon Soccer Clubs, and baseball with the Fort Hunt Youth Athletic Association.

FINANCIAL STATEMENT

Timothy Feighery

NET WORTH

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

ASSETS		LIABILITIES	
Cash on hand and in banks	\$1,000	Notes payable to banks-secured	See sch. 2
U.S. Government securities	None	Notes payable to banks-unsecured	See sch. 2
Listed securities-add schedule (see attached schedule 1)	\$99,397	Notes payable to relatives	None
Unlisted securities--add schedule	None	Notes payable to others	None
Accounts and notes receivable:	None	Accounts and bills due (see attached schedule 2)	\$15,672
Due from relatives and friends		Unpaid income tax	None
Due from others		Other unpaid income and interest	None
Doubtful		Real estate mortgages payable-add schedule (see schedule 3)	\$529,099
Real estate owned-add schedule	\$650,000 (Home)	Chattel mortgages and other liens payable	None
Real estate mortgages receivable	None	Other debts-itemize:	None
Autos and other personal property	\$8,000		
Cash value-life insurance			
Other assets itemize:			
Thrift Savings Plan	\$103,500		
College Savings (529) Plans	\$40,140	Total liabilities	\$544,771
		Net Worth	\$357,266
Total Assets	\$902,037	Total liabilities and net worth	\$902,037
CONTINGENT LIABILITIES	None	GENERAL INFORMATION	
As endorser, comaker or guarantor	None	Are any assets pledged? (Add schedule)	No
On leases or contracts	None	Are you defendant in any suits or legal actions?	No
Legal Claims	None	Have you ever taken bankruptcy?	No
Provision for Federal Income Tax	None		
Other special debt	None		

Schedule to Net Worth Statement

Schedule 1 – Listed securities (as of Nov. 1, 2010)

Fidelity Roth IRA:

Fidelity Diversified International (FDIVX)	\$ 18,266.00
Fidelity Asset Manager 50% (FASMX)	\$ 23,336.00
Fidelity Asset Manager 20% (FASIX)	\$ 26,330.00
Fidelity Magellan (FMAGX)	\$ 30,075.00
Rentech Common (RTK)	\$ 130.00
Dominion Resources Inc. Common (D)	\$ 1,300.00
Total	\$ 99,397.00

Schedule 2 – Accounts and bills due (as of Nov 1, 2010)

FIA CSNA	\$ 7,072.00
Beneficial National Bank	\$ 300.00
Suntrust Bank Line of Credit	\$ 4,800.00
UN Federal Credit Union	\$ 3,500.00
Total	\$ 15,672.00

Schedule 3 – Real Estate mortgages Payable (as of Nov. 1, 2010)

Suntrust Mortgage Corporation (First Trust)	\$430,578.00
Suntrust Mortgage Corporation (Second Trust)	\$128,521.00
Total	\$529,099.00



U.S. Department of Justice

NOV 19 2010

Washington, D.C. 20530

Mr. Robert Cusick
Director
Office of Government Ethics
1201 New York Avenue, NW
Suite 500
Washington, DC 20005-3919

Dear Mr. Cusick:

In accordance with the provisions of Title I of the Ethics in Government Act of 1978 as amended, I am forwarding the financial disclosure report of Timothy J. Feighery. President Obama has announced his intent to nominate Mr. Feighery to serve as the Chairman, Foreign Claims Settlement Commission (FCSC).

We have conducted a thorough review of the enclosed report. The conflict of interest statute, 18 U.S.C. § 208, requires that Mr. Feighery recuse himself from participating personally and substantially in any particular matter that has a direct and predictable effect on his financial interests or the financial interests of any other person whose interests are imputed to him, unless he first obtains a written waiver, pursuant to Section 208(b)(1), or qualifies for a regulatory exemption, pursuant to Section 208(b)(2). Mr. Feighery understands that the interests of the following persons are imputed to him: his spouse; minor children; any general partner of a general partnership in which he is a limited or general partner; any organization in which he serves as an officer, director, trustee, general partner or employee; and any person or organization with which he is negotiating or has an arrangement concerning prospective employment. In determining whether a particular matter has a direct and predictable effect on his financial interests or on those of any other person whose interests are imputed to him, Mr. Feighery will consult with Department of Justice ethics officials.

We have advised Mr. Feighery that because of the standard of conduct on impartiality at 5 C.F.R. § 2635.502, he should seek advice before participating in any particular matter involving specific parties in which a member of his household has a financial interest or in which someone with whom he has a covered relationship is or represents a party. Mr. Feighery previously resigned from his positions as Secretary and General Counsel of Oceanoco, Inc.; Adjunct Professor of Law with George Mason University; Co-Vice Chair, International Courts Committee, American Bar Association; and Planning and Zoning Representative of the Riverside Gardens Citizens Association ("Association") to the Mount Vernon Council of Citizens Associations. For a period of one year from the date of his resignation from each of these

Mr. Robert Cusick

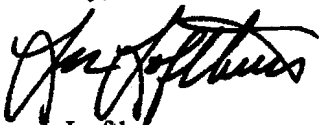
Page 2

organizations, he will not participate personally and substantially in any particular matter involving specific parties in which the organization is a party or represents a party, unless he is first authorized to participate pursuant to 5 C.F.R. § 2635.502(d).

Mr. Feighery understands that as an appointee he is required to sign the Ethics Pledge (Exec. Order No. 13490) and that he will be bound by the requirements and restrictions therein in addition to the commitments he has made in this and any other ethics agreement.

Based on the above agreements and counseling, I am satisfied that the report presents no conflicts of interest under applicable laws and regulations and that you may so certify to the Senate Judiciary Committee.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee J. Lofthus", written in a cursive style.

Lee J. Lofthus
Assistant Attorney General
for Administration and
Designated Agency Ethics Official

Enclosure

NOMINEE STATEMENT

I have read the attached Ethics Agreement signed by Lee J. Lofthus, Assistant Attorney General for Administration and Designated Agency Ethics Official on 11/19, 2010, and I agree to comply with the conflict of interest statute and regulations, and to follow the procedures set forth in the agreement. In addition, I understand that as an appointee I am required to sign the Ethics Pledge (Exec. Order 13490) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this and any other ethics agreement.



Timothy J. Feighery

11/19/10

Date

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election, or Nomination (Month, Day, Year)	Reporting Status (Check Appropriate Boxes)	Incumbent ☒	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate ☐	Termination Filer ☐	Termination Date (If Applicable) (Month, Day, Year)	Fee for Late Filing Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a \$200 fee.
Reporting Individual's Name	Last Name		First Name and Middle Initial				
Position for Which Filing	Title of Position		Department or Agency (If Applicable)				
Location of Present Office (or forwarding address)	Address (Number, Street, City, State, and ZIP Code)				Telephone No. (Include Area Code)		
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held						
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination				Do You Intend to Create a Qualified Diversified Trust? ☒ Yes ☐ No		
Certification	Signature of Reporting Individual				Date (Month, Day, Year)		
Other Review (If desired by agency)	Signature of Other Reviewer				Date (Month, Day, Year)		
	Signature of Designated Agency Ethics Official/Reviewing Official				Date (Month, Day, Year)		
Office of Government Ethics Use Only	Signature				Date (Month, Day, Year)		
Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)							
(Check box if filing extension granted & indicate number of days _____) ☐							
(Check box if comments are continued on the reverse side) ☐							
Agency Use Only							
OGE Use Only							

Reporting Individual's Name Feighery, Timothy J		SCHEDULE A										Page Number 2 of 6						
Assets and Income		Valuation of Assets at close of reporting period							Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.									
BLOCK A		BLOCK B							BLOCK C									
For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period, or which generated more than \$200 in income during the reporting period, together with such income. For yourself, also report the source and actual amount of earned income exceeding \$200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than \$1,000 (except report the actual amount of any honoraria over \$200 of your spouse). None ☐									Type		Amount			Date (Mo., Day, Yr.) Only If Honoraria				
									Dividends	Interest	None (or less than \$201)	\$1,001 - \$2,500	\$5,001 - \$15,000		\$50,001 - \$100,000	Over \$1,000,000*	Over \$5,000,000	Other Income (Specify Type & Actual Amount)
Examples		\$1,001 - \$15,000	\$50,001 - \$100,000	\$250,001 - \$500,000	Over \$1,000,000*	\$5,000,001 - \$25,000,000	Over \$50,000,000	Excepted Trust	Dividends	Interest	None (or less than \$201)	\$1,001 - \$2,500	\$5,001 - \$15,000	\$50,001 - \$100,000	Over \$1,000,000*	Over \$5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.)
Central Airlines Common			x						x			x						
Doe Jones & Smith, Hometown, State																		
Kempstone Equity Fund																		
IRA: Heartland 500 Index Fund													x					
1	Fidelity IRA Fidelity Diversified International (FDIVX)	x									x							
2	Fidelity IRA Fidelity Asset Manager 50% (FASMX)										x							
3	Fidelity IRA Fidelity Asset Manager 20% (FASIX)										x							
4	Fidelity IRA Fidelity Magellan (FMAGX)										x							
5	Rentech Common										x							
6	Dominion Common	x									x							
* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.																		

Reporting Individual's Name Felghery, Timothy J		SCHEDULE A continued (Use only if needed)										Page Number 3 of 6								
Assets and Income		Valuation of Assets at close of reporting period							Income: type and amount. If "None (or less than \$201)" is checked, no other entry is needed in Block C for that item.											
BLOCK A		BLOCK B							BLOCK C											
									Type		Amount					Date (Mo., Day Yr.) Only if Honoraria				
									Dividends	Interest	None (or less than \$201)	\$1,001 - \$2,500	\$5,001 - \$15,000	\$50,001 - \$100,000	Over \$1,000,000*		Over \$5,000,000	Other Income (Specify Type & Actual Amount)		
1	George Mason University																		Salary 2009 7,800	
2	George Mason University																		Salary 2010 2,850	
3	Virginia College Savings Plan (VPEP) Beneficiary: Child 1	X											X							
4	Virginia College Savings Plan (VPEP) Beneficiary: Child 2	X											X							
5	Virginia College Savings Plan (VPEP) Beneficiary: Child 3	X											X							
6																				
7																				
8																				
9																				

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name Feighery, Timothy J	SCHEDULE B	Page Number 4 of 6
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Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded \$1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

Identification of Assets		Transaction Type (x)	Date (Mo., Day, Yr.)	Amount of Transaction (x)						Certificate of divestiture
		None		\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000
Example	Central Airlines Common		2/1/99							
1										
2										
3										
4										
5										

*This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than \$260, and (2) travel-related cash reimbursements received from one source totaling more than \$260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. Exclude anything given to you by

the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth \$104 or less. See instructions for other exclusions.

None ☐

	Source (Name and Address)	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	\$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	\$300
1			
2			
3			
4			
5			

Reporting Individual's Name Faighery, Timothy J	SCHEDULE C	Page Number 5 of 6
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Part I: Liabilities

Report liabilities over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude**

a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☒

Creditors (Name and Address)		Type of Liability	Date Incurred	Interest Rate	Term If applicable	Category of Amount or Value (x)					
						\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	\$1,000,001 - \$5,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.						
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10%	on demand						
1											
2											
3											
4											
5											

*This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves

of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☒

Status and Terms of any Agreement or Arrangement		Parties	Date
Example	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1			
2			
3			
4			
5			
6			

Reporting Individual's Name Feighery, Timothy J	SCHEDULE D	Page Number 1 of 1
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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Oceanoco, Inc.	Corporation	Secretary & General Counsel	08/2008	7/2010
2	George Mason University	Non-profit education	Adjunct Professor of Law	09/2005	7/2010
3	American Bar Association	Professional association	Co-Vice-Chair, International Courts Committee	08/2008	7/2010
4	Riverside Gardens Citizens Association	Community association	Planning & Zoning Rep. to Mount Vernon Council of Citizens' Assocs.	09/2009	12/2009
5					
6					

Part II: Compensation in Excess of \$5,000 Paid by One Source

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other

non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

None ☐

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	George Mason University Law School	Adjunct Professor: taught two course (International Law and European Union Law) each calendar year
2		
3		
4		
5		
6		

AFFIDAVIT

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

11/23/2010

(DATE)

Timothy J. Feighery

(NAME)

11/23/2010

Gwendolyn D. Carter

(NOTARY)

GWENDOLYN D. CARTER
ANNE ARUNDEL COUNTY
MY COMM. EXP. 8/25/2012