UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

   Analisa Nadine Torres

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

   United States District Judge for the Southern District of New York

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.

   111 Centre Street
   New York, New York 10013

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

   1959; New York, New York

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

   1981 – 1984, Columbia Law School; J.D., 1984
   1977 – 1981, Harvard University; A.B. (*magna cum laude*), 1981

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.

   2010 – Present
   New York State Supreme Court
   New York County, Criminal Term
   111 Centre Street
   New York, New York 10013
   Justice (2012 – Present)
   Acting Justice (2010 – 2011)

2004 – 2009
New York State Supreme Court
Bronx County, Criminal Division
265 East 161st Street
Bronx, New York 10451
Acting Justice

2003 – 2004
Civil Court of the City of New York
111 Centre Street
New York, New York 10013
Judge

2000 – 2002
Criminal Court of the City of New York
100 Centre Street
New York, New York 10013
Judge

1992 – 1999
New York State Supreme Court
Civil Term
60 Centre Street
New York, New York 10007
Law Clerk to Justice Elliott Wilk

1993 – 1995
Planning Commission of the City of New York
22 Reade Street
New York, New York 10007
Commissioner

May – August 1992
South Bronx Overall Economic Development Corporation
555 Bergen Avenue
Bronx, New York 10455
General Counsel

1988 – 1992
Patterson, Belknap, Webb & Tyler
1133 Avenue of the Americas
New York, New York 10036
Real Estate Associate

1987 – 1988
De La Salle Academy
202 West 97th Street
New York, New York 10025
Teacher

1985 – 1987
Coudert Brothers (Defunct)
New York, New York
Real Estate Associate

1984 – 1985
Kaye, Scholer LLP
425 Park Avenue
New York, New York 10022
Real Estate Associate

Summer 1983
Reavis & McGrath (now Fulbright & Jaworski)
666 Fifth Avenue
New York, New York 10103
Summer Associate

Summer 1982
Reed Smith
225 Fifth Avenue
Pittsburgh, Pennsylvania 15222
Summer Associate

Summer 1981
Harvard Upward Bound
Harvard University School of Education
13 Appian Way
Cambridge, Massachusetts 02138
Tutor/Counselor

Other Affiliations (uncompensated):

1998 – Present
Women's Housing and Economic Development Corporation
50 East 168th Street
Bronx, New York 10452
Chair (2007 – Present)
Member, Board of Directors (1998 – 2006)

2008 – Present
City University of New York School of Law
65-21 Main Street
Flushing, New York 11367
Member, Board of Visitors

2002 – 2009
Miss Porter's School
60 Main Street
Farmington, Connecticut 06032
Member, Board of Trustees

1995 – 1999
Museum of the City of New York
1220 Fifth Avenue
New York, New York 10029
Member *ex officio*, Board of Trustees

1994 – 1997
Morris-Jumel Mansion Museum
65 Jumel Terrace
New York, New York 10032
Member, Board of Trustees

1994 – 1997
Puerto Rican Bar Association
303 Park Avenue South #1405
New York, New York 10010
Member, Board of Directors

1990 – 1994
Lawyers Alliance for New York
171 Madison Avenue
New York, New York 10016
Member, Board of Directors

1992 – 1993
Bronx AIDS Services
540 East Fordham Road
Bronx, New York 10458
Member, Board of Directors

1990 – 1993
Pamela C. Torres Day Care Center, Inc.
161 St. Ann's Avenue

Bronx, New York 10454
Member, Board of Directors

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

   I have never served in the military. I am not required to register for selective service.

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

   Leon B. Polsky Fellowship (The Aspen Institute, Justice and Society Seminar) (2012)
   Puerto Rican Bar Association:
   - Judiciary Committee Honoree (2012)
   - Judicial Excellence Award (2010)
   - President's Professional Achievement Award (2006)

   Charles Evans Hughes Fellowship, Columbia Law School (1983)
   S.K. Yee Scholarship, Columbia Law School (1982)
   Puerto Rican Legal Defense & Education Fund Scholarship (1982)
   Elizabeth Cary Agassiz Certificate of Merit (for high grades) (1980 – 1981)
   Harvard University Center for International Affairs Summer Research Grant (for thesis research) (1980)
   John F. Kennedy Institute of Politics Summer Research Award (for thesis research) (1980)
   Harvard University Committee on Latin American and Iberian Studies Summer Research Grant (for thesis research) (1980)
   Josephine L. Murray Travelling Fellowship (for thesis research) (1980)

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.

   Association of Judges of Hispanic Heritage (2000 – Present)

   Metropolitan Black Bar Association (1984 – Present)

   National Association of Women Judges (2009 – Present)

   New York Women's Bar Association (1994 – Present)

   Puerto Rican Bar Association (1981 – Present)
   - Member, Board of Directors (1994 – 1997)

Pro Bono Committee (1988 – 1999)
Chair (1994 – 1999)

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, 1985

There were no lapses in membership during my years as a practicing attorney. Under New York State law, a judge is deemed retired from the practice of law. N.Y. Comp. Codes R. & Regs. tit. 22 § 118.1(g). I was deemed retired, therefore, on December 31, 1999, the day before I assumed judicial office.

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 courts, 1985

There were no lapses in membership, other than as described above.

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.

Bronx AIDS Services
Member, Board of Directors (1992 – 1993)

Cervantes Society, Inc. (2011 – Present)

City University of New York School of Law
Member, Board of Visitors (2008 – Present)

El Museo del Barrio (2011 – Present)

Lawyers Alliance for New York
Member, Board of Directors (1990 – 1994)

Miss Porter's School
Member, Board of Trustees (2002 – 2009)

Morris-Jumel Mansion Museum
Member, Board of Trustees (1994 – 1997)

Museum of the City of New York
Member *ex officio*, Board of Trustees (1995 – 1999)

Pamela C. Torres Day Care Center, Inc.
Member, Board of Directors (1990 – 1993)

Women's Housing and Economic Development Corporation
Chair (2007 – Present)
Member, Board of Directors (1998 – 2006)

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

To the best of my knowledge, none of the organizations listed in response to 11a 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.

Clara E. Rodriguez, et al., *Latino Racial Identity: In the Eye of the Beholder?*, LATINO STUD. J., Sept. 1991, at 33. Copy supplied.

Maria Rodriguez et al., *Ever Thought About Becoming an Attorney?* (Hispanic National Bar Association, 1988). Copy supplied.

b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If

you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

As an Acting New York State Supreme Court Justice, I was one of several judges who supported an editorial, published on March 26, 2009 in the New York Law Journal, advocating for drug law reform in the criminal justice system. Copy supplied.

I was a member of a delegation of judges who served as international monitors of the December 3, 2006, Venezuelan presidential election. The delegation issued a statement describing our observations. Copy supplied.

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

In 1996, the Puerto Rican Bar Association sent a letter and policy statement to the White House regarding H.R. 123. Although, as a Board member, my name appeared on the Bar Association letterhead, I did not sign the letter; I never discussed it, considered it, or was consulted about it; and the Board was never asked to vote on its contents. I only list it here in an effort to construe this question as broadly as possible. Copy supplied.

As a Commissioner of the New York City Planning Commission, from 1993 to 1995, I participated in the twice-monthly public hearings concerning proposals for the improvement of private and public real estate. I have no notes, transcripts or recordings. I understand that reel-to-reel audio recordings of the public hearings are available in the Commission archives.

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.

I have not kept a comprehensive list of all the speeches, talks and presentations that I have given. Below is my best effort to recreate my history of speaking engagements, drawing from my calendars and files. It is possible that I have omitted presentations for which I did not retain records.

September 28, 2012: I spoke about my career path at the Depository Trust & Clearinghouse Corporation's panel titled "Hispanics and the Judiciary" (New York, New York). I have no notes, transcript or recording. The Depository Trust & Clearinghouse Corporation is located at 55 Water Street, New York, New York 10041.

June 8, 2012: I spoke to fifth graders about the law as a panelist on Career Day at Public School 175 (New York, New York). I have no notes, transcript or recording. The school is located at 175 West 134th Street, New York, New York 10030.

May 5, 2012: I participated in a National Association of Women Judges program for college students, where I discussed careers in the law (Bronx, New York). I have no notes, transcript or recording. The Association is located at 1341 Connecticut Avenue, NW, Suite 4.2, Washington, DC 20036.

February 25, 2012: At the Columbia Law School Admissions Conference, I served as a panelist on the Legal Practitioners Panel, where I discussed my career trajectory (New York, New York). I have no notes, transcript or recording. Columbia Law School is located at 435 West 116th Street, New York, New York 10025.

February 16, 2012: I expressed my gratitude to the Puerto Rican Bar Association at a reception honoring four judges, including myself (Brooklyn, New York). I have no notes, transcript or recording. The Association is located at 303 Park Avenue South, #1405, New York, New York 10010.

January 6, 2012: I delivered a speech at my induction as a New York State Supreme Court Justice (New York, New York). Prepared remarks supplied.

September 21, 2011: I delivered a speech accepting the Democratic Party's nomination for the office of New York State Supreme Court Justice (New York, New York). Prepared remarks supplied.

September 20, 2011: I delivered a campaign speech at the judicial candidates' forum sponsored by the Village Reform Democratic Club (New York, New York). Prepared remarks supplied.

September 19, 2011: I delivered a campaign speech at the judicial candidates' forums sponsored by: (1) the Lower Manhattan Democrats and (2) jointly by the Samuel L. Tilden Democratic Club and the Gramercy Stuyvesant Independent Democratic Club (both in New York, New York). I spoke from the same prepared remarks supplied for the September 20, 2011 speech.

September 15, 2011: I delivered a campaign speech at the judicial candidates' forum sponsored by the Community Free Democrats (New York, New York). I

spoke from the same prepared remarks supplied for the September 20, 2011 speech.

June 21, 2011: I spoke about my career path at a career panel sponsored by the Alumnae of Columbia Law School (New York, New York). I have no notes, transcript or recording. The Alumnae of Columbia Law School is located at 435 West 116th Street, Box A-2, New York, New York 10025.

May 26, 2011: I spoke to fourth graders about the law as a panelist on Career Day at Public School 175 (New York, New York). I have no notes, transcript or recording. The school is located at 175 West 134th Street, New York, New York 10030.

March 24, 2011: I gave a talk about how judges think at a Continuing Legal Education seminar sponsored by the New York Women's Bar Association (New York, New York). Notes supplied.

February 17, 2011: I served as a panelist at a forum sponsored by the Metropolitan Black Bar Association and titled "Demystifying the Judicial Election Process." I spoke about my experiences seeking election to the judiciary (New York, New York). I have no notes, transcript or recording. The Association is located at 275 Madison Avenue, New York, New York 10016.

September 21, 2010: I delivered an extemporaneous speech withdrawing myself as a potential Democratic Party nominee for the office of New York State Supreme Court Justice (New York, New York). I have no notes, transcript or recording. The New York County Democratic Committee is located at 461 Park Avenue South, 10th Floor, New York, New York 10016.

September 15, 2010: I delivered an extemporaneous speech describing my background and qualifications at the judicial candidates' forum sponsored by the Community Free Democrats (New York, New York). I have no notes, transcript or recording. The Community Free Democrats are located at 200 West 79th Street, #8N, New York, New York 10024.

September 14, 2010: I delivered an extemporaneous speech describing my background and qualifications, at the judicial candidates' forum sponsored jointly by the Downtown Independent Democrats and the Village Reform Democratic Club (New York, New York). I have no notes, transcript or recording. The Downtown Independent Democrats and the Village Reform Democratic Club have no physical address.

September 14, 2010: I delivered an extemporaneous speech describing my background and qualifications, at the judicial candidates' forums sponsored jointly by the Samuel J. Tilden Democratic Club and the Gramercy Stuyvesant Independent Democratic Club (New York, New York). I have no notes, transcript

or recording. The Samuel J. Tilden Democratic Club and the Gramercy Stuyvesant Independent Democratic Club have no physical address.

March 30, 2010: At a reception where I received the Puerto Rican Bar Association's Judicial Excellence Award, I spoke extemporaneously about my 45-year relationship with the organization (New York, New York). I have no notes, transcript or recording. The Association is located at 303 Park Avenue South, #1405, New York, New York 10010.

April 13, 2009: At the annual dinner of the Association of Judges of Hispanic Heritage, I spoke about the life of the late Judge Charles Tejada and the seven-decade relationship between the Torres and Tejada families (New York, New York). I have no notes, transcript or recording. The Association is located at P.O. Box 1064, New York, New York 10013.

November 14, 2007: I served as emcee at the reception celebrating the 15th anniversary of the Women's Housing and Economic Development Corporation (New York, New York). Prepared remarks supplied.

April 28, 2006: I delivered remarks at a meeting of the Board of Trustees of Miss Porter's School (Farmington, Connecticut). Prepared remarks supplied.

March 16, 2006: I delivered remarks at a reception where I received the Puerto Rican Bar Association's President's Achievement Award (New York, New York). Prepared remarks supplied.

February 2, 2006: I served as a panelist at a discussion titled "Perspectives from the Bench: Effective Courtroom Techniques" (New York, New York). I have no notes, transcript or recording. The event was co-sponsored by the Puerto Rican Bar Association, located at 303 Park Avenue South, #1405, New York, New York 10010; the Hispanic National Bar Association, located at 1900 L Street NW, Suite 700, Washington, DC 20036; the Dominican Bar Association, located at P.O. Box 203, Canal Street Station, New York, New York 10013; and the Latino Lawyers Association of Queens County, located at P.O. Box 751235, Forest Hills, New York 11375.

September 23, 2005: I spoke extemporaneously about the role of a judge at the Minority Law Student Leadership Summit (New York, New York). I have no notes, transcript or recording. The event was sponsored by Mayer, Brown, Rowe & Maw, located at 1675 Broadway, New York, New York 10019.

November 18, 2003: I spoke at the Women's Housing and Economic Development Corporation's Public Service Award reception (New York, New York). Prepared remarks supplied.

October 30, 2003: I delivered remarks in connection with awarding the Frank Torres Diversity Award to Mayor Bloomberg, at the annual dinner of the Association of Judges of Hispanic Heritage (New York, New York). I have no notes, transcript or recording. The Association is located at P.O. Box 1064, New York, New York 10013.

October 2003: I spoke about the law to eighth graders at De La Salle Academy, a school for intellectually gifted children from poor families (New York, New York). I have no notes, transcript or recording. The school is located at 202 West 97th Street, New York, New York 10025.

June 3, 2003: I delivered the commencement address at Miss Porter's School (New York, New York). Prepared remarks supplied.

March 8, 2003: I served as a panelist at a symposium sponsored by the Latin American Law Students Association of Columbia Law School and titled "Latinos in the Law" (New York, New York). I spoke about my career trajectory. I have no notes, transcript or recording. The Association is located at 435 West 116th Street, New York, New York 10025.

December 7, 2002: I participated in a panel discussion sponsored by the New York City Bar Association and titled "How to Become a Judge" (New York, New York). I spoke about my experience as a candidate for election to the Civil Court. I have no notes, transcript or recording. The Association is located at 42 West 44th Street, New York, New York 10036.

November 3, 2000: I spoke at the book-signing party celebrating the publication of *Changing Race: Latinos, the Census and the History of Ethnicity in the United States*, by Clara Rodriguez (New York, New York). Prepared remarks supplied.

November 17, 1999: I delivered a speech at my induction as a Judge of the Civil Court of the City of New York (New York, New York). Prepared remarks supplied.

Spring 1999: At candidate forums in connection with the 1999 Democratic Party primary for the office of Judge of the Civil Court of the City of New York (Sixth District), I gave a speech describing my background and qualifications (New York, New York). I cannot recall the dates or locations. I have no notes, transcript or recording. The forums were sponsored by the Lexington Democratic Club, located at 1202 Lexington Avenue, New York, New York 10028, and the Lenox Hill Democratic Club, located at P.O. Box 20431, Cherokee Station, New York, New York 10021.

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.

November 11-14, 2011: I exchanged emails with Michael Aronson, member of the New York Daily News Editorial Board, concerning an editorial published on November 8, 2011. I have supplied a copy of the email trail and two editorials:

> Editorial, *Too Many Judicial Candidates in the City Are Violating Court Rules in Their Campaigns*, N.Y. DAILY NEWS, Nov. 8, 2011.
>
> Editorial, *Judges-elect Annalisa Torres and Alex Tisch Failed to Follow the Letter of the Law*, N.Y. DAILY NEWS, Nov. 15, 2011.

Laura Nahmias, *After a Lifetime's Wait, One Final Delay*, CITY AND STATE, July 25, 2011. Copy Supplied.

Edgar Sandoval, et al., *N.Y.ers Proudly Fete Hometown Girl*, N.Y. DAILY NEWS, Aug. 7, 2009. Copy supplied.

August 6, 2009: I was interviewed by New York 1 television reporter Jeanine Ramirez in connection with the confirmation of Sonia Sotomayor as a United States Supreme Court Justice. A video of the story is available at: http://www.ny1.com/content/top_stories/103671/sotomayor-vote-a-crowning-moment-for-latino-community/.

October 3, 2006: I was interviewed by New York 1 television reporter Jeanine Ramirez in connection with the 50th Anniversary of the founding of the Puerto Rican Bar Association. A video of the story is available at: http://www.ny1.com/content/top_stories/63123/hispanic-heritage-week--puerto-rican-bar-association-set-to-celebrate-50-years.

Analisa N. Torres '77: And Justice For All, The Bulletin of Miss Porter's School, Winter/Spring 2000. Copy supplied.

Editorial, *For Civil Court and Bronx D.A.*, N.Y. TIMES, Sept. 13, 1999. Copy supplied.

Eric Pace, *Felipe N. Torres, 96, Former Legislator and Retired Judge*, N.Y. TIMES, Apr. 5, 1994. Copy supplied.

Richard Perez-Pena, *Job-Seekers Are Victims of Ad Hoax*, N.Y. TIMES, Aug. 10, 1993. Copy supplied.

Women Students Want Radcliffe To Assume More Active Role, HARVARD CRIMSON, Dec. 7, 1978. Copy supplied.

La O Backs Divestiture, HARVARD CRIMSON, Oct. 19, 1978. Copy supplied.

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

In 1999, I was elected a Judge of the Civil Court of the City of New York for a ten-year term commencing January 1, 2000. The Civil Court has jurisdiction over civil matters involving claims up to $25,000. From January 2000 until December 2002, I was administratively assigned to the Criminal Court of the City of New York. The Criminal Court has jurisdiction over misdemeanors and violations. Judges of the Criminal Court also act as arraigning magistrates and conduct preliminary hearings in felony cases. From January 2003 to October 2004, I served on the Civil Court bench.

In 2004, then-Chief Administrative Judge Jonathan Lippman designated me an Acting Supreme Court Justice. From November 2004 to December 2009, I was assigned to the Supreme Court, Bronx County, Criminal Division, which has jurisdiction over misdemeanor and felony matters.

In 2009, I was reelected to the Civil Court for another ten-year term commencing January 2010. My designation as an Acting Supreme Court Justice continued.

In 2010, I was assigned to Supreme Court, New York County, Criminal Term which has jurisdiction over misdemeanor and felony matters.

In 2011, I was elected a Justice of the Supreme Court of the State of New York for a 14-year term commencing January 2012. I currently serve as a Manhattan trial judge, handling criminal cases.

a. Approximately how many cases have you presided over that have gone to verdict or judgment? 260

   i. Of these, approximately what percent were:

jury trials:	50%
bench trials:	50%
civil proceedings:	33%
criminal proceedings:	67%

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

People v. Weitz, -- N.Y.S.2d --, 2012 WL 3139877 (N.Y. Sup. Ct. Aug. 3, 2012).

People v. Reid, 918 N.Y.S.2d 863 (N.Y. Sup. Ct. 2011).

People v. Ventura, 913 N.Y.S.2d 543 (N.Y. Sup. Ct. 2010).

People v. Davila, 901 N.Y.S.2d 787 (N.Y. Sup. Ct. 2010).

People v. Gonzalez, 901 N.Y.S.2d 901, 2009 WL 2779856 (N.Y. Sup. Ct. 2009).

People v. Ortiz, 906 N.Y.S.2d 775, 2009 WL 4335844 (N.Y. Sup. Ct. 2009).

Montgomery Trading Co. v. Cho, 815 N.Y.S.2d 495, 2006 WL 481218 (N.Y. Civ. Ct. 2006), *aff'd*, 880 N.Y.S.2d 874, 2009 WL 400083 (N.Y. App. Term 2009).

People v. Ruiz, 831 N.Y.S.2d 349, 2006 WL 2988446 (N.Y. Sup. Ct. 2006).

People v. Morgan, 819 N.Y.S.2d 212, 2006 WL 1674295 (N.Y. Sup. Ct. 2006).

People v. Taylor, 819 N.Y.S.2d 212, 2006 WL 1348745 (N.Y. Sup. Ct. 2006).

People v. Scarborough, 2005 WL 6003425 (N.Y. Sup. Ct. 2005), *rev'd*, 818 N.Y.S.2d 510 (N.Y. App. 1st Dep't 2006), *leave denied*, 7 N.Y.3d 851 (2006).

Rokosz v. Belmont Watkins Realty Corp., 798 N.Y.S.2d 713, 2004 WL 2309271 (N.Y. Civ. Ct. 2004), *aff'd*, 867 N.Y.S.2d 20, 2008 WL 2420747 (N.Y. App. Term 2008).

H. Park Central LLC v. Meissen Gallery, Inc., 2003 WL 21435565 (N.Y. Civ. Ct. Mar. 17, 2003).

People v. Mohamady, NYLJ, Feb. 11, 2002, at 21, col. 3 (N.Y. Crim. Ct. 2002).

People v. Cullinan, 729 N.Y.S.2d 385 (N.Y. Crim. Ct. 2001).

People v. Cunningham, 727 N.Y.S.2d 281 (N.Y. Crim. Ct. 2001).

People v. Gristina, 721 N.Y.S.2d 491 (N.Y. Crim. Ct. 2001).

People v. Garcia, NYLJ, Feb. 5, 2001, at 24, col. 6 (N.Y. Crim. Ct. 2001).

People v. Webb, 709 N.Y.S.2d 369 (N.Y. Crim. Ct. 2000).

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. *People v. Harrell*. Indictment No. 3742/08; Supreme Court, New York County.

   In the area of the Peter Cooper Village apartment complex in Manhattan, defendant stabbed a person with a screwdriver and attempted to stab another. Defendant admitted to the crimes during a videotaped interview with a prosecutor. The police conducted a lineup where one eyewitness identified defendant as the perpetrator; a second eyewitness did not. I denied defendant's pretrial suppression motion, holding that the police had probable cause for the arrest, defendant's statements, which were preceded by *Miranda* warnings, were voluntary and the lineup was not unduly suggestive. At trial, I denied defendant's request for a deadly force justification charge, because there was no evidence that defendant reasonably believed that the stabbing victim used or was about to use deadly force against defendant. The jury convicted defendant of attempted murder in the second degree and related charges.

   Assistant District Attorney: Scott Leet
   New York County District Attorney's Office
   One Hogan Place
   New York, NY 10013
   (212) 335-3538

   Defense Counsel: Hershel Katz
   100 Lafayette Street
   New York, NY 10013
   (212) 925-2455

2. *People v. Mathis*. Indictment No. 1379/09; Supreme Court, New York County, *aff'd*, 941 N.Y.S.2d 146 (N.Y. App. 1st Dep't 2012).

   Defendant and two others attempted a gunpoint robbery of Velazquez on a Manhattan subway platform. A police officer showed Velazquez a picture of a young man that the officer had obtained from a victim in a subway robbery that had occurred three days earlier. The officer did not know the name of the person depicted in the photo and he was not a suspect in the Velazquez case. Velazquez identified the individual as one of his assailants. Later, another suspect named defendant as the person in the picture. On three subsequent occasions, Velazquez again identified defendant as a participant in the robbery – while examining a photo array, viewing a lineup and during his testimony at trial. The jury convicted defendant of attempted robbery in the first degree and related charges. During summation and in his post-trial motion, defense counsel argued that showing Velazquez the single picture was unduly suggestive and tainted all subsequent identifications. I denied the motion, because the police did not use the photo as an identification procedure (they did not know who was depicted in the picture), but as an investigative tool designed to make use of the victim's memory while it was still fresh.

   Assistant District Attorney: James Zaleta
   New York Country District Attorney's Office

One Hogan Place
New York, NY 10013
(212) 335-3669

Defense Counsel:

Michael Croce
100 Lafayette Street, Suite 404
New York, NY 10013
(212) 566-5828

3. *People v. Moore*. Indictment No. 5009/09; Supreme Court, New York County.

On a lower Manhattan street, defendant and codefendant Palencia approached Torres and asked for a lighter. Defendant punched Torres in the face, both defendants threw Torres up against a wall and Palencia removed cash, a cell phone and car keys from Torres' pockets. As the perpetrators fled, Palencia transferred the stolen property to defendant. Torres and an eyewitness gave chase and apprehended Palencia, who was arrested at the scene. Palencia informed an officer that defendant had taken part in the robbery. The officer showed Palencia an arrest photo of defendant and Palencia confirmed that the individual depicted was defendant. The officer showed Torres a photo array which included defendant's picture. Torres identified defendant as one of his assailants. During a police interview, defendant waived his *Miranda* rights and made verbal and written statements. The police conducted a lineup. Again, Torres identified defendant as a robber. I denied defendant's pretrial suppression motion, holding that the lineup was not unduly suggestive and that defendant's statements were voluntary. The jury convicted defendant of robbery in the second degree.

Assistant District Attorney:

Shawn McMahon
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-9965

Defense Counsel:

Lawrence Gerzog
233 Broadway, Suite 2707
New York, NY 10279
(212) 486-3003

4. *People v. Davis*. Indictment No. 2342/11; Supreme Court, New York County.

A Columbia University employee reported to the police that her wallet and iPhone were missing from her office. The next day, the police stopped defendant for urinating in public. A check of defendant's identification revealed an open warrant. The police searched defendant and recovered the employee's credit cards from his person. At the precinct, a detective believed that defendant resembled an individual captured in Columbia surveillance photos. The police read defendant his *Miranda* warnings and he indicated that he understood each warning. Defendant denied being

at the University. When shown the surveillance pictures, defendant stated "all right, I was there. So what?" I denied defendant's pretrial motion to suppress his statements. Defendant moved for a trial order of dismissal, arguing that the evidence presented did not establish the elements of possession of stolen property. I denied the motion. The jury convicted defendant of grand larceny in the fourth degree and criminal possession of stolen property.

Assistant District Attorney:	Larken Kade New York County District Attorney's Office One Hogan Place New York, NY 10013 (212) 335-9587
Defense Counsel:	David Liebman 270 Madison Avenue New York, NY 10016 (212) 213-6681

5. *People v. Lopez*. Docket No. 4896/11; Supreme Court, New York County.

Defendant posted a fraudulent advertisement on Craig's List, listing a Manhattan apartment for rent. Defendant accepted from two young women more than $5,000 for a bogus application fee and the first and last months' "rent." They were instructed to make checks payable to defendant's friend, Kennedy, who cashed the checks. Defendant did not deliver the apartments. At trial, I permitted the prosecution to use, as rebuttal evidence impeaching Kennedy's testimony, a recorded telephone call between defendant and Kennedy made when defendant was incarcerated on Rikers Island. The jury convicted defendant of criminal possession of stolen property in the third degree, grand larceny in the fourth degree and scheme to defraud in the first degree.

Assistant District Attorney:	Jeremy Pfetsch New York County District Attorney's Office One Hogan Place New York, NY 10013 (212) 335-9545
Defense Counsel:	David W. Guy 12501 Queens Boulevard, Suite 218 Kew Gardens, NY 11415 (718) 268-7320

6. *People v. Gonzalez*. Indictment No. 807/09; Supreme Court, New York County.

Defendant, a friend of the complainant's girlfriend, was admitted to the complainant's home where he assaulted the complainant and robbed him of personal property.

Because the arresting officer failed to give defendant the *Miranda* warnings, I granted defendant's motion to suppress post-arrest statements made to that officer. After a jury trial, defendant was convicted of robbery in the third degree and possession of stolen property in the fifth degree.

Assistant District Attorney: Siobhan Carty
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-4225

Defense Counsel: Theodore Herlich
2560 Matthews Avenue, Suite One
Bronx, NY 10467
(212) 227-4716

7. *People v. Samuel*. Indictment No. 3418/09; Supreme Court, New York County *aff'd*, 938 N.Y.S.2d 69 (N.Y. App. 1st Dep't 2012).

Defendant committed a gunpoint robbery in a Lexington Avenue deli. At trial, I permitted the prosecution to introduce expert testimony regarding the technology of triangulation and cell sites, in order to establish the proximity of defendant's cell phone to the scene of the crime. The jury convicted defendant of robbery in the first and second degrees.

Assistant District Attorney: Megan Joy
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-8968

Defense Counsel: Natasha Lapiner-Giresi
New York County Defender Service
225 West Broadway, 11th Floor
New York, NY 10013
(212) 803-5140
(646) 924-7329

8. *People v. Plummer*. Indictment No. 0171/10; Supreme Court, New York New County, *aff'd*, 944 N.Y.S.2d 134 (N.Y. App. 1st Dep't 2012).

On a Harlem street, the victim was set upon by two men who struck him on the back of his head with an imitation pistol, causing pain and bleeding. As the second perpetrator held the complainant by the hood of his jacket, defendant pointed the fake gun at the victim's chest and demanded that he empty his pockets. The complainant handed over a wallet which contained his passport and $676. At trial, I instructed the

jury that they were to consider whether the imitation pistol, as used, was a dangerous instrument capable of inflicting serious physical injury. The jury convicted the defendant of robbery in the first and second degrees.

Assistant District Attorney:
Gerard Monusky
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-9947

Defense Counsel:
Wendell Cruz
225 Broadway, Room 1100
New York, NY 10007
(212) 803-5125

9. *People v. Alam.* Indictment No. 911/11; Supreme Court, New York County.

Defendant and another cab driver, Amador, were involved in a "road rage" incident on the Transverse Road in Central Park. Both parties suffered injuries and were removed from the scene by ambulance. At trial, defendant claimed that, acting in self-defense, he stabbed Amador with a steel pen, because Amador had bitten defendant's ear which defendant believed "was gone." I denied defendant's request for a deadly force justification charge, because, under New York law, teeth do not constitute a dangerous instrument or weapon, and there was no evidence that defendant believed or had reason to believe that he was in imminent danger of being subjected to deadly physical force by an unarmed Amador. The jury acquitted defendant of assault in the second degree.

Assistant District Attorney:
Andrew Weinstein
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-9171

Defense Counsel:
Eric Sears
111 Broadway
New York, NY 10006
(212) 252-8560

10. *Montgomery Trading Co. v. Cho*, Index No. L&T 87842/02; Civil Court, New York County. 815 N.Y.S.2d 495, 2006 WL 481218 (N.Y. Civ. Ct. 2006), *aff'd*, 880 N.Y.S.2d 874, 2009 WL 400083 (N.Y. App. Term 2009).

In a commercial holdover proceeding, the owner of a building with ground floor retail premises and residential apartments above, sought possession of a street level space occupied by a deli, after a fire had destroyed some of the building's electrical

equipment. Because Con Edison cut off power, the landlord could not provide sufficient electricity to run the store. The lease stated that the owner was entitled to terminate the tenancy if the premises were rendered "wholly unusable" by fire. At trial, none of the tenant's experts, including an engineer who specializes in fire-damaged buildings, provided evidence that the landlord could have restored power to the deli. After a seven-week bench trial, I determined that the fire rendered the premises wholly unusable. Holding that the tenancy was properly terminated and that the landlord was entitled to possession of premises, I granted judgment in favor of the owner.

Plaintiff's Counsel:

Liviu Vogel
Salon Marrow Dyckman Newman & Broudy LLP
292 Madison Avenue
New York, NY 10017
(212) 661-7100

Defense Counsel:

Jay Dankberg
1220 Broadway, Room 502
New York, NY 10001
(212) 967-1114

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

1. *People v. Reid*, 918 N.Y.S.2d 863 (N.Y. Sup. Ct. 2011).

Assistant District Attorney:

Jonathan Chananie
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-9978

Defense Counsel:

Gary Sunden
299 Broadway, Suite 1700
New York, NY 10007
(212) 925-4848

2. *People v. Ventura*, 913 N.Y.S.2d 543 (N.Y. Sup. Ct. 2010).

Assistant District Attorney:

Michael Clarke
Office of the Mayor of New York City
One Centre Street
New York, NY 10013
(917) 975-6055

Defense Counsel:

Steven Hornstein
350 Broadway, Suite 1201
New York, NY 10013
(212) 941-7100

3. *People v. Davila*, 901 N.Y.S.2d 787 (N.Y. Sup. Ct. 2010).

Assistant District Attorney:

Jason Petri
Bronx County District Attorney's Office
198 East 161st Street
Bronx, NY 10451
(718) 838-7291

Defense Counsel:

William Schwarz
97 Spy Glass Hill
Hopewell Junction, NY 12533
(845) 592-2301

4. *People v. Gonzalez*, 901 N.Y.S.2d 901, 2009 WL 2779856 (N.Y. Sup. Ct. 2009).

Assistant District Attorneys:

Jevet Johnson
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215 East 161st Street
Bronx, NY 10451
(718) 590-2000

Heather Hatcher
Special Education Administrative Litigation Unit
New York City Department of Education
333 Seventh Avenue, 7th Floor
New York, NY 10001
(917) 339-1608

Defense Counsel:

Arlen Yalkut
Yalkut & Israel
175 Main Street
White Plains, NY 10601
(914) 686-9393

5. *Montgomery Trading Co. v. Cho*, 815 N.Y.S.2d 495, 2006 WL 481218 (N.Y. Civ. Ct. 2006), *aff'd*, 880 N.Y.S.2d 874, 2009 WL 400083 (N.Y. App. Term 2009).

Plaintiff's Counsel:

Liviu Vogel
Salon Marrow Dyckman Newman & Broudy LLP
292 Madison Avenue

New York, NY 10017
(212) 661-7100

Defense Counsel: Jay Dankberg
1220 Broadway, Room 502
New York, NY 10001
(212) 967-1114

6. *People v. Ruiz*, 831 N.Y.S.2d 349, 2006 WL 2988446 (N.Y. Sup. Ct. 2006).

Assistant District Attorney: Steve Cherfils
New York City Department of Education
335 Adams Street
Brooklyn, NY 11201
(718) 923-5120

Defense Counsel: Jeremy Schneider
Rothman Schneider Soloway & Stern LLP
100 Lafayette Street, Suite 501
New York, NY 10013
(212) 571-5500

7. *People v. Weitz*, __ N.Y.S.2d __, 2012 WL 3139877 (N.Y. Sup. Ct. Aug. 3, 2012).

Assistant District Attorney: Jessica Lynn
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-3572

Department of Probation: Lisa Immit
New York City Department of Probation
General Counsel's Office
33 Beaver Street, 21st Floor
New York, NY 10004
(212) 442-4551

Defense Counsel: Roger Adler
233 Broadway, Suite 1800
New York, NY 10279
(212) 406-0181

8. *People v. Taylor*, 819 N.Y.S.2d 212, 2006 WL 1348745 (N.Y. Sup. Ct. 2006).

Assistant District Attorney: Cynthia Isales
Bronx Housing Court
1118 Grand Concourse

Bronx, NY 10456
(718) 466-3170

Defense Counsel:

Caroline McGrath
The Legal Aid Society
260 East 161st Street
Bronx, NY 10451
(718) 579-3035

9. *Rokosz v. Belmont Watkins Realty Corp.*, 798 N.Y.S.2d 713, 2004 WL 2309271 (N.Y. Civ. Ct. 2004), *aff'd*, 867 N.Y.S.2d 20, 2008 WL 2420747 (N.Y. App. Term 2008).

Plaintiff's Counsel:

Solomon Zabrowsky
250 West 57th Street, Suite 1401
New York, NY 10107
(212) 265-2800

Defense Counsel:

Samuel Weissman
44 Monroe Street, Suite A1
New York, NY 10002
(646) 415-8029

10. *People v. Cullinan*, 729 N.Y.S.2d 385 (N.Y. Crim. Ct. 2001).

Assistant District Attorney:

Leila Kermani
New York County District Attorney's Office
One Hogan Place
New York, NY 10013
(212) 335-3574

Defense Counsel:

David Kapner
The Legal Aid Society
49 Thomas Street
New York, NY 10013
(212) 298-5124

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

I am not aware of any cases in which certiorari was requested or granted.

f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

People v. Rodriguez, 931 N.Y.S.2d 60 (N.Y. App. 1st Dep't 2011). In open court, I dismissed the second count of an indictment, charging defendant with failure to verify registration information, in violation of Correction Law § 168-f(3), on the ground that the provision was vague as applied to defendant. The Appellate Division reversed and reinstated the count.

People v. Rosado, 930 N.Y.S.2d 10 (N.Y. App. 1st Dep't 2011). Defendant was convicted of gang assault in the second degree. Defendant, along with seven others, assaulted the complainant on a Manhattan street, causing him to suffer a broken nose, chipped teeth and a scratched cornea. Despite reconstructive surgery to repair a nasal fracture, when the complainant testified at trial, a permanent indentation was apparent on his face. Defendant moved to set aside the verdict, on the ground that the prosecution failed to prove the element of "serious physical injury." On July 20, 2010, I denied the motion. The Appellate Division, relying upon a New York Court of Appeals decision issued on October 14, 2010, found the evidence legally insufficient and modified the judgment of conviction by reducing it to assault in the third degree.

People v. Scarborough, 2005 WL 6003425 (N.Y. Sup. Ct. 2005), *rev'd*, 818 N.Y.S.2d 510 (N.Y. App. 1st Dep't 2006), *leave denied*, 7 N.Y.3d 851 (2006). At a pretrial suppression hearing, a police officer testified that shortly before midnight, while standing outside the older model Cadillac in which defendant was the passenger, the officer looked through the open passenger side window and saw a two-inch by one-quarter of an inch plastic bag containing cocaine perched in the skeletal driver-side cup holder. Throughout his testimony, the officer was fidgety, nervous, averting his eyes and hesitant. I found the officer's testimony not credible and granted defendant's motion to suppress the evidence. The Appellate Division disagreed with my assessment of the officer's credibility and reversed.

Ford Motor Credit Co. v. Louie, 816 N.Y.S.2d 812 (N.Y. App. Term 2006), *aff'd*, 843 N.Y.S.2d 29 (N.Y. App. 1st Dep't 2007). After defendant's arrest for driving while intoxicated, the NYPD seized the car he had leased from plaintiff. The NYPD turned over the car to plaintiff, which eventually sold it. Plaintiff brought an action to recover the unpaid balance of the car lease. I denied both parties' motions for summary judgment. The Appellate Term reversed, granting defendant's motion. Unpublished opinion supplied.

Rosario v. 288 St. Nick LLC, 814 N.Y.S.2d 892, 2006 WL 288687 (N.Y. App. Term 2006), *leave denied*, 2006 N.Y. App. Div. LEXIS 11371 (N.Y. App. 1st Dep't 2006). The Appellate Term reversed my denial of landlord's motion to dismiss tenants' tort claims arising from building conditions, holding that some lacked merit and that others could have been raised in prior settled proceedings or failed to state a cause of action. Unpublished opinion supplied.

People v. Webers, 808 N.Y.S.2d 920, 2005 WL 2670944 (N.Y. App. Term 2005). After a bench trial, I found defendant guilty of aggravated harassment in the second degree. The Appellate Term reversed, holding that defendant's telephone calls to the complainant's office were not shown to have been actuated by the requisite criminal intent to "harass, annoy, threaten or alarm" or to have been initiated in a "manner likely to cause annoyance or alarm," under Penal Law § 240.30(1).

Espaillat v. Greenpath, Inc., 808 N.Y.S.2d 917, 2005 WL 2467067 (N.Y. App. Term 2005). The Appellate Term reversed my denial of a motion to vacate a default judgment. Unpublished opinion supplied.

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.

More than 99% of the hundreds of decisions that I have issued are unpublished. Decisions issued by New York State judges are generally not published. During my twelve years on the bench, I have only sought publication of opinions that involve a subtle, complicated or novel fact pattern or issue of law. In order to have a decision published, a judge must submit it to the State Reporter or the New York Law Journal. Unpublished written opinions are stored in the original court file.

Decisions placed on the record, which is the typical practice in criminal cases, may be obtained by ordering a transcript.

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.

People v. Cullinan, 729 N.Y.S.2d 385 (N.Y. Crim. Ct. 2001).
People v. Davila, 901 N.Y.S.2d 787 (N.Y. Sup. Ct. 2010).
People v. Gonzalez, 901 N.Y.S.2d 901, 2009 WL 2779856 (N.Y. Sup. Ct. 2009).
People v. Reid, 918 N.Y.S.2d 863 (N.Y. Sup. Ct. 2011).
People v. Ruiz, 831 N.Y.S.2d 349, 2006 WL 2988446 (N.Y. Sup. Ct. 2006).

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 served 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 have assessed the necessity or propriety of recusal in accordance with the rules and case law governing judicial ethics. N.Y. Judiciary Law § 14 (Consol. 2012); N.Y. Comp. Code R. & Regs. tit. 22 § 100.3 (E)-(F).

Additionally, although not a rule of "recusal," Part 151.1 of the Rules of the Chief Administrative Judge (N.Y. Comp. Code R. & Regs. tit. 22 § 151.1), effective July 15, 2011, provides for the administrative reassignment of cases where an assigned judge has received significant campaign contributions from parties or counsel within the previous two years. That reassignment—which is not automatic—is designed to occur without the knowledge of the affected judge. Part 151.1 neither increases nor decreases the ethical obligations of a judge.

In *Kirsner v. Markowitz, et al.* (Index No. 15358/2000), I recused myself sua sponte, because Marc Landis, Esq., the attorney representing the defendant, served as the treasurer of my 1999 campaign for Civil Court. When the case was called and I realized that Mr. Landis was representing a party, I immediately announced my recusal to avoid the appearance of impropriety.

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.

From 1993 to 1995, I served as a Commissioner of the New York City Planning Commission. I was appointed by Mayor David N. Dinkins.

In 2010, I sought the Democratic Party's nomination for the office of Justice of the Supreme Court of the State of New York, but withdrew myself from consideration at the nominating convention.

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.

I have never held any office in or rendered services to a political party or election committee. The only role I have played in a political campaign is that of candidate in my own judicial campaigns.

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 clerked for New York State Supreme Court Justice Elliott Wilk, from 1992 to 1999.

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

I never practiced law alone.

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

1984 – 1985
Kaye, Scholer LLP
425 Park Avenue
New York, New York 10022
Real Estate Associate

1985 – 1987
Coudert Brothers (Defunct)
New York, New York
Real Estate Associate

1988 – 1992
Patterson, Belknap, Webb & Tyler

1133 Avenue of the Americas
New York, New York 10036
Real Estate Associate

May – August, 1992
South Bronx Overall Economic Development Corporation
555 Bergen Avenue
Bronx, New York 10455
General Counsel

1993 – 1995
Planning Commission of the City of New York
22 Reade Street
New York, New York 10007
Commissioner

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

I have never served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

For my first seven years of law practice, I handled the purchase, sale, leasing and financing of commercial and residential real estate, including office buildings, shopping centers, industrial properties and homes. I represented banks in the restructuring and foreclosure of troubled loans. In addition, I participated in the drafting of a condominium offering plan and the closing of new units. I also assisted in the due diligence review of real estate aspects of leveraged buy-outs.

In my capacity as General Counsel to the South Bronx Overall Economic Development Corporation (May-August 1992), I advised the not-for-profit organization on real estate matters and commercial revitalization initiatives, including the development of business improvement districts.

During my seven years as law clerk to Justice Elliott Wilk, in the Civil Term of the New York State Supreme Court (1992-1999), I advised the judge on legal issues during trial (35 per year) and at the oral argument of motions (hundreds per year). My responsibilities also included legal research and drafting of opinions in the areas of contracts, real property,

torts, banking, matrimonial and civil rights law; mediation of discovery disputes; conferencing of cases; preparation of jury charges; and management of fiduciary appointments.

The New York City Planning Commission is a quasi-judicial and legislative body responsible for land use policy, including the review of private sector development proposals, site selection for municipal facilities, urban renewal, economic development, environmental review, infrastructure planning, modification of the New York City Zoning Resolution and changes to the city map. During my term as a Commissioner (1993-1995), the Commission addressed dozens of matters, including the amendment of laws governing waterfront zoning, the location of sex-related businesses, and the zoning of the Lincoln Center area.

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

Throughout my first seven years as an attorney, I practiced in the general area of transactional real estate. The law firms' typical clients included major corporations and high-net-worth individuals. I also served as General Counsel to The South Bronx Overall Economic Development Corporation, an economic development organization.

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.

I never worked as a litigator.

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

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

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I never worked as a litigator.

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

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

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

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

a. the date of representation;

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

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

I never worked as a litigator. For my first seven years of law practice, I represented major corporations and high-net-worth individuals in transactional real estate matters. As General Counsel to the South Bronx Overall Economic Development Corporation, I represented the not-for-profit in its commercial revitalization initiatives. During my seven year tenure as law clerk to Supreme Court Justice Elliott Wilk, I assisted the judge with hundreds of matters in a wide variety of civil law cases. As a Commissioner of the New York City Planning Commission, I considered proposals for the development of private and public real property and amendments to the New York City Zoning Resolution.

18. **Legal Activities**: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

Aside from serving as a judge, my most significant legal activity, over the course of two decades, has been my work with the Women's Housing and Economic Development Corporation (WHEDCO). WHEDCO's founder, Nancy Biberman, asked me to assume the role of pro bono general counsel in 1991, just as the organization got started. During my tenure as a law clerk, I provided pro bono legal services to WHEDCO, in accordance with New York State Judiciary Law § 50.6 (N.Y. Comp. Codes R. & Regs. tit. 22 § 50.6(c)). I served as pro bono general counsel until I became a judge and could no longer volunteer legal advice. I continued to actively serve the organization, however, on its Board of Directors. I became Board Chair in 2007. WHEDCO builds beautiful, award-winning, "green" affordable housing and provides supportive services for adults and children, including a pre-school, extracurricular enrichment and counseling.

I have also served as a member of the Board of Visitors of the City University of New York School of Law (2008 – 2012). In that role, I have focused on supporting and developing initiatives which promote student interaction with practicing attorneys.

19. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

    During the 1987-1988 school year, I taught Spanish, Expository Writing, and Introduction to Law at De La Salle Academy, a middle school for intellectually gifted children from low income families. I do not have a syllabus for any of the courses.

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

    I expect to receive income from the New York State and Local Employees Retirement System and the Deferred Compensation Plan. I have no other deferred income arrangements.

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

    I have no plans, commitments or agreements to pursue outside employment.

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

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

See attached Financial Disclosure Report.

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

    See attached Net Worth Statement.

24. **Potential Conflicts of Interest**:

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

       The most likely area of conflict would be habeas corpus cases where I presided over the underlying state conviction. I would recuse myself in any matter in which I had prior judicial involvement.

    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 would adhere to the Code of Conduct for United States Judges and any relevant ethical canons or statutory provisions.

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

    In addition to my service to WHEDCO (described in response to question 18), since entering law school in 1981, I have been actively involved, as a member and leader, in the Puerto Rican Bar Association (PRBA), volunteering at least 100 hours per year. As a judge, I have participated in PRBA panel discussions, mentored lawyers interested in pursuing a career in the judiciary and offered summer law student internships. As a lawyer, I served on the Board of Directors (1994 – 1997) and as a member (1988 – 1999) and Chair (1994 – 1999) of the Pro Bono Committee. In that capacity, I organized workshops to train members to provide civil legal services to needy senior citizens. On the Education Committee, I coauthored a pamphlet for college students titled "Ever Think of Becoming an Attorney?" On the Scholarship Committee, I read applications and interviewed candidates for the Association's annual grants. In law school, I organized LSAT preparation courses and essay writing workshops for aspiring college students.

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 February 2012, Senator Gillibrand expressed an interest in recommending me for nomination to the federal bench. I then exchanged phone calls and emails with her General Counsel, and on June 21, 2012, the Senator's General Counsel indicated that Senator Gillibrand would be recommending me for nomination to the position of United States District Judge for the Southern District of New York.

On June 28, 2012, I had a phone interview with an official from the White House Counsel's Office. I spoke with him again on July 16, 2012, and he informed me that I had been selected to proceed in the vetting process. Since July 18, 2012, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On August 27, 2012, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, D.C. On November 14, 2012, the President submitted my nomination to the Senate.

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

No.

AFFIDAVIT

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

11/14/12
(DATE)

(NAME)

CRYSTAL B. SCUDDER
Notary Public, State of New York
No. 01SC4689928
Qualified in New York County
Commission Expires 7/12/2015

(NOTARY)