

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Mary Kay Vyskocil

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.

United States Bankruptcy Court
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004

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

1958; 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.

1980 – 1983: St. John's University School of Law; J.D., 1983

1976 – 1980: Dominican College of Blauvelt; B.A. (*summa cum laude*), 1980

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.

2016 – present
United States Bankruptcy Court
Southern District of New York

Alexander Hamilton Customs House
One Bowling Green
New York, New York 10004
United States Bankruptcy Judge

1983 – 2016
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
Partner (1991 – 2016)
Associate (1983 – 1990)

1983
United States Attorney's Office
Southern District of New York
One St. Andrews Plaza
New York, New York 10007
Law School Intern in Civil Division

1982
Swiss Re Holding (North America) Inc.
55 East 52nd Street
New York, New York 10055
Summer Associate in Law Department

1973 – 1981
St. Catharine's Church
523 Western Highway
Blauvelt, New York 10983
Weekend Secretary/Receptionist

Other Affiliations (uncompensated)

2016 – present
Sanctuary for Families
Confidential Address
New York, New York
Director (2016 – present)
Lawyers Advisory Council (March 2015 – 2016)

2015 – 2016
Inner-City Scholarship Fund, Lawyers' Committee
Archdiocese of New York
1011 First Avenue 14th Floor
New York, New York 10022
Executive Committee

2014 – present
Historical Society of the New York Courts
140 Grand Street, Suite 701
White Plains, New York 10601
Trustee

2013 – 2016
New York Community Trust
909 Third Avenue
New York, New York 10022
Member, Distribution Committee (Governing Body) (2013 – 2016)
Director, Community Funds Inc. (2013 – 2016)
Trustee, St. James Foundation (2013 – 2016)

2011 – present
Judges & Lawyers Breast Cancer Alert (JALBCA)
100 Crosby Street, Suite 303
New York, New York 10012
Director (2011 – present)
Vice President (2015 – present)

2008 – present
Windswept Condo Association
Mill Lane
Orleans, Massachusetts
Trustee and Clerk

2007 – 2013
ARIAS–U.S.
7918 Jones Branch Drive, Suite 300
McLean, Virginia 22102
Chair (2012 – 2013)
President (2011 – 2012)
President-Elect (2010 – 2011)
Director (2007 – 2013)

2006 – present
Federal Bar Council
150 Broadway, Suite 505
New York, New York 10038-4300
President-Elect (2016 – present)
Vice-President (2014 – 2016)
Treasurer (2012 – 2014)
Vice-Chair of Board (2010 – 2012)
Secretary (2007 – 2009)

Assistant Secretary (2006 – 2007)

2004 – 2016

New York American Inn of Court
c/o Laurel Fensterstock at Vinson & Elkins LLP
666 Fifth Avenue, 26th Floor
New York, New York 10103
Vice President and member of Executive Committee

1997 – present

80 East End Avenue Owners Corporation (Co-op) Board
80 East End Avenue
New York, New York 10028
Vice President (2014 – present)
Secretary (approximately 2009 – 2014)
Director (1997 – present)

1997 – present

St. John's University School of Law Alumni Association
8000 Utopia Parkway
Jamaica, New York 11439
President (2007 – 2009)
President-elect (2006 – 2007)
First Vice President (2004 – 2006)
Secretary (2001 – 2004)
Director (1997 – present)
President of Manhattan Chapter (2000 – 2002)

1986 – present

Dominican College
470 Western Highway
Orangeburg, New York 10962
Trustee Emeritus (2018 – present)
Trustee (1986 – 2018)

1985 – present

St. Joseph's Seminary
201 Seminary Avenue
Yonkers, New York 10704
Trustee

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

I have not served in the military. I was 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.

St. John's University School of Law Sprizzo Award (2017)

Euromoney, Americas Women in Business Law Lifetime Achievement Award (2016)

New York Law Journal, Top Women in Law Award (2016)

Sanctuary for Families Above & Beyond Achievement Award for Distinguished Pro Bono Service (2015)

Legal 500, Global Insurance and Reinsurance Lawyer of the Year (2013 & 2014)

New York Women Leaders in the Law, ALM and Martindale Hubbell (2013 & 2014)

Who's Who Legal, named most highly regarded insurance and reinsurance lawyer (2013, 2014, & 2016)

The American Lawyer, one of the "2013 Top Rated Lawyers in Insurance Law" and an AV Preeminent peer review rating (2013)

Best Lawyers, "Lawyer of the Year for Insurance Law in the New York City Area" (Best Lawyers in the United States 2013)

Euromoney Legal Media Group, America's Women in Business Law Awards, "Best in Insurance & Reinsurance" (2012 & 2013)

Euromoney Benchmark Litigation, "Top Ten Women in Litigation in America" (2012 & 2013)

American Lawyer, *Litigator of the Week* (2012)

Euromoney Benchmark Appellate Litigation, "Litigation Star" in the Second Circuit (2012)

Euromoney Benchmark Litigation "Top 250 Women in Litigation in America" (2012 – 2015)

Law360 MVP Award, Insurance (2012)

Law360, Top 15 Female Litigator in its Female Trial Attorneys series (2012)

Euromoney Benchmark Litigation, “Litigation Star” in the category of Insurance (2011 – 2015)

The Legal 500, “Leading Lawyer” (2010 – 2014)

Pietas Medal, St. John's University School of Law (2008)

Induction into Alumni Hall of Distinction: *Honoring Excellence*, Dominican College (2008)

The New York Times, “Top 100 Attorneys in the New York Metro Area” (2007 – 2012)

Euromoney Benchmark Litigation, “Best of the Best–Insurance” (2006 – 2014)

Super Lawyers, “Top 50 Women Lawyers in New York” (2006 – 2015)

Who's Who Legal, named one of the top 15 insurance and reinsurance lawyers globally (2006 – 2014)

Best Lawyers in America (2006 – 2015)

Euromoney Benchmark Litigation, “Guide to the World’s Leading Insurance & Reinsurance Lawyers” (2006 – 2016)

Member, mock United States Supreme Court bench at the Office of Appellate Defender's “First Monday in October” program: “NYPD Subway Searches: Are They Constitutional?” (2006)

St. Edmund’s Medal of Honor, St. Edmund’s Retreat (2005)

Chambers Guide to America’s Leading Business Lawyers (2004 – 2015)

David Rockefeller Fellow, Partnership for New York City (2003 – 2004)

President’s Medal, Dominican College (2002)

National Law Journal, “America’s Top 50 Women Litigators” (2001)

National Law Journal, “40 Under 40” (1995)

First Recipient of Badami Outstanding Young Alumni Award, Dominican College (1992)

National Moot Court Team, St. John’s Team Member (1982)

Best Oral Advocate and Best Brief Writer, St. John’s Moot Court Competition (to determine National Moot Court Team) (1981 – 1982)

St. Thomas More Scholarship, St. John's University School of Law (1980 – 1983)

Dominican College of Blauvelt (1976 – 1980)

Valedictorian (1980)

Full Tuition Academic Scholarship (all semesters)

Dean's List (all semesters)

Cardinal Spellman Award (Academic Excellence) (1980)

Alpha Chi National Honor Society (1979)

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.

Advisory Committee to Southern District of New York Judicial Improvements Committee, Pilot Project on Complex Commercial Litigation (2010 – 2011)

Co-Chair of Trial Subcommittee

American Bankruptcy Institute (2015 – present)

Member (2015 – present)

Law Review Advisory Board Member (2016 – present)

American Bar Association (approximately 1990 – present)

Insurance Coverage Litigation Section (approximately 1990-2016)

Co-Chair, Annual Meeting (2003)

Co-Chair, Reinsurance Subcommittee (1997 – 2000 & 2009 – 2016)

Co-Chair, Program Subcommittee (2004 – 2005)

Co-Chair, Property Insurance Subcommittee (2006 – 2009)

Environmental Committee (Vice-Chair 1994 – 1998; Co-Chair, Annual Meeting 1995)

American Bar Fellow (2017 – present)

American Law Institute (May 2000 – present)

ARIAS–U.S. (2004 – 2016)

Member (2004 – 2016)

Director (2007 – 2013)

President-Elect (2010 – 2011)

President (2011 – 2012)

Chair (2012 – 2013)

Education Committee (2008 – 2013; Chair 2011 – 2016)

International Committee (2009 – 2013; Co-Chair 2013 – 2014)

Nominating Committee (2012, 2013; Chair 2014)

Law Committee (2005 – approximately 2010)

Strategic Planning Committee (2012 – 2016; Co-Chair 2013 – 2015)

Chair of 20th Anniversary Committee (2013 – 2014)

City Bar Association (1986 – present)
 Long-time Member (1986 – present)
 Chair, Insurance Committee (1993 – 1996)
 Member, Litigation Committee (2005 – 2008)
 Member, Committee on Federal Courts (1997 – 2001)
 Member, Joint Committee on Judicial Conduct (2005 – approximately 2010)

Defense Research Institute (1990 – 2017)

New York State Appellate Division First Department, Disciplinary Committee Hearing Referee (2009 – 2016)

Federal Bar Council
 Member (approximately 1993 – present)
 Chair, Second Circuit Courts Committee (2009 – 2013)
 Chair, Thanksgiving Luncheon (2012)
 Co-Chair, Judges Reception (2009)
 Chair/Co-Chair, Fall CLE Bench & Bar Retreat (2004 – 2007)
 Co-Chair, Winter Bench & Bar Retreat (2011)
 Assistant Secretary (2006 – 2007)
 Secretary (2007 – 2009)
 Vice-Chair of Board (2010 – 2012)
 Treasurer (2012 – 2014)
 Vice-President (2014 – 2016)
 President-Elect (2016 – present)

Federalist Society for Law and Public Policy Studies (1998 – 2005)

Historical Society of the New York Courts (2014 – present)
 Trustee

Joint Committee on Judicial Conduct, Federal Bar Council & City Bar of New York
 Member (2005 – approximately 2010)

Judges and Lawyers Breast Cancer Alert (2011 – present)
 Director (2011 – present)
 Vice President (2015 – present)

Magistrate Judge Selection Panel for United States Magistrate Judges for the Southern District of New York (Manhattan) (2011 – 2016)

National Conference of Bankruptcy Judges (2016 – present)

New York American Inn of Court (2002 – present)
 Vice President and Member of Executive Committee (2004 – 2016)

New York County Lawyers Association (2012 – present)

New York State Bar Association

Member (1986 – present)

Co-Chair, Appellate Committee of Commercial & Federal Litigation Section
(2014 – 2016)

New York State Commercial Division, Advisory Council (2013 – 2016)

New York Women's Bar Association (2015 – present)

Second Circuit Task Force on Racial, Ethnic and Gender Fairness

Member and Subcommittee Co-Chair (approximately 1996 – 1997)

St. John University School of Law Alumni Association

Member (1983 – present)

Director (approximately 1997 – present)

Secretary (2001 – 2004)

First Vice President (2004 – 2006)

President-Elect (2006 – 2007)

President (2007 – 2009)

President-Emeritus (2009 – present)

President of Manhattan Chapter (2000 – 2002)

St. John's University School of Law Center for Law & Religion

Advisory Board Member (2010 – present)

St. John's University School of Law Dean's Advisory Council-Member (2011 – 2014)

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, 1984

There have been no lapses in membership.

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

I was admitted to the following courts on the dates indicated and maintained my admission until I took the bench in 2016:

Supreme Court of the United States, 1989
U.S. Court of Appeals for the Second Circuit, 1984
U.S. Court of Appeals for the Third Circuit, 1985
U.S. Court of Appeals for the Fourth Circuit, 1993
U.S. Court of Appeals for the Sixth Circuit, 1993
U.S. Court of Appeals for the Ninth Circuit, 1992
U.S. Court of Appeals for the Eleventh Circuit, 1996
U.S. Court of Appeals for the Federal Circuit, 2010
U.S. District Court for the Northern District of California, 1988
U.S. District Court for the District of Connecticut, 1988
U.S. District Court for the Eastern District of New York, 1984
U.S. District Court for the Northern District of New York, 1984
U.S. District Court for the Southern District of New York, 1984
U.S. Court of International Trade, 2009

To the best of my knowledge, there have not been any lapses in my membership.

11. Memberships:

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

80 East End Avenue Owners Corporation (Co-Op) Board
Member (1994 – present)
Vice President (2014 – present)
Secretary (approximately 2009 – 2014)
Director (1997 – present)

Dominican College (1986 – present)
Trustee (1986 – 2018)
Trustee Emeritus (2018 – present)

Inner-City Scholarship Fund, Lawyers Committee (2012 – present)

Marco Island Civic Association (approximately 1990 – present)

Metropolitan Museum of Art (1999 – present)

New York Community Trust, Trustee (2013 – 2016)

New York Thoroughbred Breeders (2000 – 2015)

Partnership for New York City, David Rockefeller Fellow (Class of 2004)

Sanctuary for Families

Lawyers Advisory Council (2015 – 2016)

Director (2016 – present)

Saratoga Performing Arts Center, Patron (2016 – present)

St. Joseph Seminary, Trustee (1985 – present)

Tina's Wish, Leadership Committee (2016 – present)

Windswept Condominium Association

Member (2006 – present)

Trustee and Clerk (2008 – present)

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

I am a member of the Board of Trustees of St. Joseph's Seminary, a seminary dedicated to training men for ordination to the Roman Catholic priesthood. To the best of my knowledge, no other organization of which I am a member or to which I belong 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.

With Barry R. Ostrager, *Crisis Management – Commercial Litigation in New York State Courts*, in 4A N.Y. Prac., Com. Litig. In New York State Courts, § 64 (formerly § 59) (R. Haig ed., Thomson Reuters, 4th ed. Sept. 2017). Copy supplied.

With Barry R. Ostrager, *Crisis Management – Commercial Litigation in New York State Courts*, in 4A N.Y. Prac., Com. Litig. In New York State Courts, § 59

(R. Haig ed., Thomson Reuters, 4th ed. Jan. 2015). Copy supplied.

With Barry R. Ostrager, *Modern Reinsurance Law & Practice* (Thomson Reuters 3rd ed. 2014). Copy supplied.

With Meghan E. Cannella, *Potential Insurance and Reinsurance Implications of Hurricane Sandy*, in Simpson Thacher & Bartlett LLP (Jan. 30, 2013). Copy supplied.

With Barry R. Ostrager, *Crisis Management – Commercial Litigation in New York State Courts*, in 4A N.Y. Prac., Com. Litig. In New York State Courts, § 59 (R. Haig ed., Thomson Reuters, 3rd ed. pocket part updated June 2012). Copy supplied.

United States Fidelity & Guaranty Co. v. American Re-Insurance Co. (N.Y. Sup Ct. 2010), Arias–U.S. (Aug. 20, 2010). Copy Supplied.

With Barry R. Ostrager, *Crisis Management – Commercial Litigation in New York State Courts*, in 4A N.Y. Prac., Com. Litig. In New York State Courts, § 59 (R. Haig ed., Thomson Reuters, 3rd ed. Jan. 2010). Copy supplied.

“Trigger of Coverage,” in *Insurance Law Practice*, (J. Nonna, New York State Bar Association, 2nd ed. 2010). Copy supplied.

Message from the Alumni Association President, DeNovo Alumni Magazine (Fall 2008). Copy supplied.

Luce, Forward, Hamilton & Scripps, LLP v. Koch, Arias–U.S. (Apr. 30, 2008). Copy Supplied.

With Patricia Taylor Fox, *Mid-Continent Casualty Co. v. General Reinsurance Corp.*, Arias–U.S. (Feb. 15, 2007). Copy supplied.

ACandS, Inc. v. Travelers Casualty and Surety Company, Arias–U.S. (Jan. 19, 2006). Copy supplied.

With Patricia Taylor Fox, *Available Relief in Arbitration*, Arias–U.S. Quarterly (3rd Qtr. Sept. 2003). Copy supplied.

With Barry R. Ostrager and Lynn K. Neuner, *New York Court Holds That Policyholders Can Recover Damages Beyond the Limits of An Insurance Policy For Bad Faith Claims Against Insurers*, in Simpson Thacher & Bartlett LLP, (Sept. 26, 2001). Copy supplied.

The Expected or Intended Defense and Related Defenses Arising out of the Insured's Knowledge, in 12th Annual Insurance, Excess and Reinsurance

Coverage Disputes, Vol. Two (PLI Lit. and Admin. Prac. Series, Litigation Course Handbook Series Number H-519, 1995). Copy supplied.

Strategic Issues in Connection with the Management and Trial of an Insurance Coverage Case, in Practising Law Institute Fifth Annual Litigation Management Supercourse (1994). Copy supplied.

With Martin S. Checov, *Interpretation of Insurance Policies*, in Comprehensive General Liability Policies 1993: Insurance Claims and Coverage Litigation (Practising Law Institute, Comm. Law and Prac. Course Handbook Series Number A-658, 1993). Copy supplied.

With Barry R. Ostrager, *Occurrence Policy Coverage for Tort Claims*, in Insurance, Excess, and Reinsurance Coverage Disputes (Practising Law Institute, Course Handbook Series, 1986). Copy supplied.

With Nancy Boyce, *Reinsurance Claims*, in Introduction to Business Insurance: Law and Litigation (Practising Law Institute, Lit. and Admin. Prac. Series, Litigation Course Handbook Series Number 296, 1985). Copy supplied.

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

Southern District of New York Judicial Improvements Committee, Report of the Judicial Improvements Committee, *Pilot Project Regarding Case Management Techniques for Complex Civil Cases*, Oct. 2011. Copy supplied.

Federal Bar Council, Second Circuit Courts Committee, *En Banc Practices in the Second Circuit Time for a Change?*, July 2011. Copy supplied.

Association of the Bar of the City of New York, The Committee on Federal Courts, *Revisiting the Codification of Privileges Under the Federal Rules of Evidence*, 55 Rec. Ass'n B. City N.Y. 148 (2000). Copy supplied.

Association of the Bar of the City of New York, The Committee on Federal Courts, *The Proposed "Class Action Fairness Act,"* 54 Rec. Ass'n B. City N.Y. 637 (1999). Copy supplied.

Association of the Bar of the City of New York, The Council on Judicial Administration and the Committee on Federal Courts, *Report and Recommendations on Second Circuit Certification of Determinative State Law*

Issues to the New York Court of Appeals, 54 Rec. Ass'n B. City N.Y. 310 (1999). Copy supplied.

Association of the Bar of the City of New York, Committees on Federal Courts, Professional Discipline, Professional and Judicial Ethics, and Professional Responsibility, *The Proposed Federal Rules of Attorney Conduct: The Wrong Solution for the Wrong Problem*, 54 Rec. Ass'n B. City N.Y. 219 (1999). Copy supplied.

Association of the Bar of the City of New York, Committee on Federal Courts, *Discovery of Electronic Evidence: Considerations for Practitioners and Clients*, 53 Rec. Ass'n B. City of N.Y. 656 (1998). Copy supplied.

Association of the Bar of the City of New York, Committee on Federal Courts, *Report on the Second Circuit's Rule regarding Citation of Summary Orders*, 53 Rec. Ass'n B. City N.Y. 764 (1998). Copy supplied.

Second Circuit Task Force on Racial, Ethnic and Gender Fairness, *Report of Second Circuit Task Force on Gender, Racial, and Ethnic Fairness in the Courts*, reprinted in 1997 Ann. Surv. Am. L., Issue 1 and 2, New York University School of Law. Copy supplied.

Association of the Bar of the City of New York, The Committee on Federal Courts, *Report on Judicial Vacancies in the Second Circuit*, 52 Rec. Ass'n B. City N.Y. 491 (1997). Copy supplied.

Association of the Bar of the City of New York, The Committee on Federal Courts, *Comments on Proposed Amendments to Rule 23, Federal Rules of Civil Procedure*, 52 Rec. Ass'n B. City N.Y. 210 (1997). Copy supplied.

Association of the Bar of the City of New York, The Committee on Insurance Law, *Regulation of Reinsurance Fronting Practices*, 48 Rec. Ass'n B. City N.Y. 194 (1993). 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 supplied or that others presented on your behalf to public bodies or public officials.

Association of the Bar of the City of New York, The Committee on Federal Courts, *Comments on Proposed Amendments to Rule 23, Federal Rules of Civil Procedure*, 52 Rec. Ass'n B. City N.Y. 210 (1997) (statement submitted to the Judicial Conference Committee on Rules and Practice and Procedures). Copy supplied.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered

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

NON-CLE SPEECHES/REMARKS

I generally do not speak from prepared texts or notes. I have made a diligent search of my files and available electronic databases for any notes, outlines, or texts of speeches and remarks.

June 27, 2017: Speaker, St. John's University School of Law Eighteenth Annual Sprizzo Reception. I was the recipient of the Hon. John Sprizzo Award. The event was sponsored by St. John's University School of Law Alumni Association, Manhattan Chapter, 8000 Utopia Parkway, Queens, New York 11439. Notes supplied.

February 16, 2017: Speaker, 2017 Law & Society Award Luncheon, New York Lawyers for the Public Interest. I provided introductory remarks for honoree Markus U. Diethelm. The address for New York Lawyers for the Public Interest is 151 West 30th Street, #11, New York, New York 10001. Video and article supplied.

February 7, 2017: Speaker, Visiting Jurist Lecture, St. John's University School of Law. I made brief remarks regarding my background followed by Q&A with students. The address of St. John's University School of Law is 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Article supplied.

April 7, 2016: Speaker, "Remarks after taking oath," Investiture of Mary Kay Vyskocil as United State Bankruptcy Judge for the Southern District of New York. The address of the United States Court of Appeals for the Second Circuit is Thurgood Marshall Courthouse, 40 Foley Square, New York, New York 10007. Remarks and article supplied.

April 5, 2016: Speaker, St. John's University School of Law Seventeenth Annual Sprizzo Reception. I welcomed guests and introduced honoree U.S. Supreme Court Justice Hon. Samuel Alito. The event was sponsored by St. John's University School of Law Alumni Association, Manhattan Chapter, 8000 Utopia Parkway, Queens, New York 11439. Draft introduction supplied.

November 13, 2014: Speaker, 20th Anniversary Dinner, ARIAS–U.S. I served as dinner chair, and delivered welcome remarks and emceed the event. The event was sponsored by ARIAS–U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Draft agenda supplied.

June 17, 2013: Speaker, Fourteenth Annual Sprizzo Reception honoring Hon. P. Kevin Castel, St. John's University School of Law. As former President of the Alumni Association, I welcomed Sprizzo family, past honorees, judges and faculty and introduced President-elect of the Alumni Association. The event was sponsored by St. John's University School of Law Alumni Association, Manhattan Chapter, 8000 Utopia Parkway, Queens, New York 11439. Draft agenda and article supplied.

November 21, 2012: Speaker, Annual Thanksgiving Luncheon, Federal Bar Council. As Luncheon Chair, I delivered remarks and emceed the event. The event was sponsored by Federal Bar Council, 150 Broadway, Suite 505, New York, New York 10038. Remarks supplied.

May 11, 2009: Speaker, Alumni Association Retiring Faculty Celebration, St. John's University School of Law. I gave welcome remarks and emceed event. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

April 28, 2009: Speaker, Tenth Annual Sprizzo Reception, St. John's University School of Law Alumni Association. As President of the Alumni Association, I welcomed guests and introduced honoree, Hon. Michael B. Mukasey. The event was sponsored by St. John's University School of Law Alumni Association, Manhattan Chapter, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

March 12, 2009: Event Co-Chair and Speaker, Judicial Reception, Federal Bar Council. The event was sponsored by the Federal Bar Council, 150 Broadway, Suite 505, New York, New York 10038. Comments supplied.

January 30, 2009: Speaker, Luncheon, St. John's University School of Law Alumni Association. As President of the Alumni Association, I made brief remarks, welcoming attendees, providing update regarding Alumni Association activities, and saluting the honoree. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

December 2, 2008: Speaker, New Jersey Alumni Chapter Holiday Celebration, St. John's University School of Law Alumni Association. As President of the Alumni Association, I made brief remarks and provided an alumni update. The event was sponsored by St. John's University School of Law Alumni Association,

New Jersey Chapter, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Article supplied.

October 3, 2008: Speaker, Medal of Honor Annual Dinner, St. Edmunds. I introduced honoree U.S. Supreme Court Justice Antonin Scalia. The event was sponsored by St. Edmunds, 1 Enders Island, Mystic, Connecticut 06355. Notes supplied.

September 8, 2008: Remarks, Seventh Annual Hon. Guy J. Mangano Golf Classic, St. John's University School of Law Alumni Association. As President of the Alumni Association, I provided alumni update and thanked sponsors. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

August 1, 2008: Remarks, Post Bar Party, St. John's University School of Law Alumni Association. As President of the Alumni Association, I welcomed attendees and congratulated recent graduates who passed the bar exam. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

June 2, 2008: Speaker, Ninth Annual Sprizzo Reception, St. John's University School of Law Alumni Association. As President of the Alumni Association, I welcomed guests and introduced honoree, Gov. Mario Cuomo. The event was sponsored by St. John's University School of Law Alumni Association, Manhattan Chapter, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda and article supplied.

June 1, 2008: Speaker, Commencement, St. John's University School of Law. I congratulated new graduates and welcomed them to Alumni Association. The event was sponsored by St. John's University School of Law, 8000 Utopia Parkway, Queens, New York 11439. Copy supplied.

May 13, 2008: Speaker, Bronx Alumni Chapter Reception, St. John's University School of Law Alumni Association. As President, I provided update regarding Alumni Association and made brief remarks. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

February 1, 2008: Speaker, Association Luncheon, St. John's University School of Law Alumni. As President, I welcomed guests, thanked Dean, luncheon chair and sponsors, provided update regarding Alumni Association and introduced luncheon honoree, Andrew Simons. The event was sponsored by St. John's

University School of Law, 8000 Utopia Parkway, Queens, New York 11439. Agenda, script, and article supplied.

December 9, 2007: Speaker, Reception, St. John's University School of Law Alumni Association. As President of Alumni Association, I greeted candidates for admission to U.S. Supreme Court and their guests and made brief remarks. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda and article supplied.

November 28, 2007: Speaker, Judiciary Night, St. John's University School of Law Alumni Association. As President of the Alumni Association, I emceed the event. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda and article supplied.

September 10, 2007: Speaker, Sixth Annual Hon. Guy J. Mangano Golf Classic, St. John's University School of Law Alumni Association. As President, I provided alumni update and thanked sponsors. The event was sponsored by St. John's University School of Law Alumni Association, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

October 2, 2006: Mock Jurist, First Monday in October: NYPD Subway Searches: Are They Constitutional? (*MacWade v. Kelly*), Office of the Appellate Defender. The event was sponsored by the Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007. Video and invitation supplied.

June 28, 2001: Speaker, Second Annual Sprizzo Reception, St. John's University School of Law Alumni Association. As event co-chair, I welcomed guests and introduced the guest of honor, Hon. Hugh L. Carey. The event was sponsored by St. John's University School of Law Alumni Association Manhattan Chapter, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Agenda supplied.

January 24, 1997: Speaker, Annual Law Luncheon, St. John's University School of Law Alumni Association. I made welcoming remarks as luncheon co-chair. The event was sponsored by St. John's University School of Law Alumni Association, Manhattan Chapter, 8000 Utopia Parkway, Queens, New York 11439. I have no notes, transcripts, or recording. Article supplied.

May 1992: Speaker, Commencement, Dominican College. I was the inaugural recipient of the Badami Outstanding Alumni Award. I gave a brief acceptance speech in which I thanked the College, the Board, my parents, and credited my achievements to the quality education I had received at Dominican. The event

was sponsored by Dominican College, 495 Western Highway South, Orangeburg, New York 10962. I have no notes, transcripts, or recording.

Spring 1980: Speaker, Investiture of President, Dominican College. As Student Government President, I spoke on behalf of the student body at the investiture ceremony. The event was sponsored by Dominican College, 495 Western Highway South, Orangeburg, New York 10962. I have no notes, transcripts, or recording.

June 19, 1976: Speaker, Commencement, Rosary Academy. As class valedictorian, I gave the student Commencement Address. The event was sponsored by Rosary Academy, 175 Route 340, Sparkill, New York 10976. Speech supplied.

CLE SPEECHES/REMARKS

November 15, 2017: Narrator, Historical Trial Re-enactment: "Judgment in Berlin: A Unique Historical Trial with Lessons for Today," New York American Inn of Courts. The event was sponsored by the New York American Inn of Courts, 100 Broadway, 8th Floor, New York, New York 10005. Script and program summary supplied.

September 8, 2017: Panelist, "Ethics in Bankruptcy," 14th Annual New Deal for Consumer Bankruptcy Seminar, Mid-Hudson Valley Consumer Bankruptcy Association. Panelists introduced hypotheticals posing ethical issues, called on attendees to address the issues, and provided comments. The event was sponsored by the Mid-Hudson Valley Consumer Bankruptcy Association, 2 Summit Court, Fishkill, New York 12524. I have no notes, transcripts, or recording.

September 8, 2017: Panelist, "Consumer Case Law Update," 14th Annual New Deal for Consumer Bankruptcy Seminar, Mid-Hudson Valley Consumer Bankruptcy Association. I discussed recent issues in recent consumer bankruptcy cases. The event was sponsored by the Mid-Hudson Valley Consumer Bankruptcy Association, 2 Summit Court, Fishkill, New York 12524. I have no notes, transcripts, or recording.

May 18, 2017: Panelist, "Equitable Mootness," 19th Annual New York City Bankruptcy Conference, American Bankruptcy Institute. Along with co-panelists, I discussed the doctrine of equitable mootness as applied by various courts in the bankruptcy context. The event was sponsored by the American Bankruptcy Institute, 66 Canal Center Plaza, Suite 600, Alexandria, Virginia 22314. I have no notes, transcripts, or recording.

May 5, 2017: Panelist, "Recent Cases," 11th Annual Credit and Bankruptcy Symposium Program. I provided brief remarks regarding trends in the Southern District of New York Bankruptcy Court and discussed the recent United States

Supreme Court decision in *Czyzewski v. Jevic Holding Corp.*, 137 S. Ct. 973 (2017). The address of the New York Institute of Credit is 1341 Broad Street, Stratford, Connecticut 06615, Turnaround Management Association, Post Office Box 1034, Weston, Connecticut 06883. The address of the American Bankruptcy Institute, 66 Canal Center Plaza, Suite 600, Alexandria, Virginia 22314. I have no notes, transcripts, or recording.

March 4, 2017: Panelist, "Mediation in Bankruptcy," Annual Spring Meeting, National Association of Bankruptcy Trustees. The panel discussed recent court decisions addressing mediation and gave practice pointers regarding mediation. The address of the National Association of Bankruptcy Trustees is 7433 Spout Springs Road, Suite 101 #67, Flowery Branch, Georgia 30542. I have no notes, transcripts, or recording.

February 23, 2017: Participant, "*Miranda v. Arizona*: 50th Anniversary," 2017 Winter Bench & Bar Conference, Federal Bar Council. I participated in the mock court session of the program and read a portion of one of the opinions in the case. The address of the Federal Bar Council is 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

November 9, 2016: Narrator, "Treason and Conspiracy, or Politics by Other Means?: The Treason Trial of Aaron Burr," New York American Inn of Courts. The event was sponsored by the New York American Inn of Courts, 100 Broadway, 8th Floor, New York, New York 10005. Script and program summary supplied.

September 30, 2016: Panelist, "Ethics in Bankruptcy," 13th Annual New Deal for Consumer Bankruptcy Seminar, Mid-Hudson Valley Consumer Bankruptcy Association. Panelists introduced hypotheticals posing ethical issues, called on attendees to address the issues, and provided comments. The address of the Mid-Hudson Valley Consumer Bankruptcy Association is 2 Summit Court, Fishkill, New York 12524. I have no notes, transcripts, or recording.

September 30, 2016: Panelist, "Consumer Case Law Update," 13th Annual New Deal for Consumer Bankruptcy Seminar, Mid-Hudson Valley Consumer Bankruptcy Association. I discussed recent issues in recent consumer bankruptcy cases. The address of the Mid-Hudson Valley Consumer Bankruptcy Association is 2 Summit Court, Fishkill, New York 12524. I have no notes, transcripts, or recording.

May 12, 2016: Panelist, "Views from the Panel Bench," 18th Annual New York City Bankruptcy Conference, American Bankruptcy Institute. As a new bankruptcy judge, I introduced myself to the conference attendees. The event was sponsored by the American Bankruptcy Institute, 66 Canal Center Plaza, Suite 600, Alexandria, Virginia 22314. I have no notes, transcripts, or recording.

January 30, 2016: Speaker, "Campus Sexual Abuse," 2016 Winter Bench & Bar Conference, Federal Bar Council. I was an actor in a skit that introduced issues relating to investigations of allegations of sexual abuse on a college campus. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

November 19, 2015: Narrator, "The Military Trial of the Lincoln Conspirators: Was Justice Served? (1865)," New York American Inn of Courts. The event was sponsored by the New York American Inn of Courts, 100 Broadway, 8th Floor, New York, New York 10005. Script supplied.

September 24, 2015: Speaker, "Powers of Arbitration Panels," Intensive Arbitrator Training Workshop Program, ARIAS-U.S. The event was sponsored by ARIAS-U.S., Education Committee, 7918 Jones Branch Drive, McLean, Virginia 22102. Power point and notes supplied.

May 14, 2015: Narrator, "Who Has Not Libeled the Devil? The Trial of John Peter Zenger (1733)," 225th Anniversary of the Southern District of New York, New York American Inn of Courts. The event was sponsored by the New York American Inn of Courts, 100 Broadway, 8th Floor, New York, New York 10005. Script supplied.

November 13, 2014: Remarks, "The Arbitrators Speak: Insight and Perspective from the Arbitrators Themselves," Annual Meeting and Fall Conference, 2014 ARIAS-U.S. As Conference Co-Chair, I welcomed attendees and introduced the seminar topics. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording.

October 26, 2014: Participant, "Singing A Different Tune? *Bright Tunes v. Harrison*: A Case of Musical Plagiarism? (1963)," Fall Retreat, Federal Bar Council. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. Script supplied.

October 25, 2014: Speaker, "The Roosevelt Court," Fall Retreat, Federal Bar Council. I participated in a skit used to introduced a discussion of U.S. Supreme Court challenges to New Deal legislation. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

May 29, 2014: Narrator, "Who Has Not Libeled the Devil? The Trial of John Peter Zenger (1733)," New York American Inn of Courts. The event was sponsored by the New York American Inn of Courts, 100 Broadway, 8th Floor, New York, New York 10005. Script and summary supplied.

May 7, 2014: Speaker, "Update from the Arbitration Task Force and Strategic Planning Committee," Spring Conference, ARIAS-U.S. As Co-Chair of the

Strategic Planning Committee, I participated in providing an update on the work of the Committee. The event was sponsored by ARIAS–U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording. Agenda supplied.

February 14, 2014: Participant, “Current Issues in Legal Ethics,” 2014 Winter Bench & Bar Conference, Federal Bar Council. I participated as an actor in scripted hypothetical scenarios used to frame ethical issues for discussion by participants. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

December 11, 2013: Narrator, “Singing A Different Tune? *Bright Tunes v. Harrison*: A Case of Musical Plagiarism? (1963),” New York American Inn of Court. The event was sponsored by the New York American Inn of Court, 100 Broadway, 8th Floor, New York, New York 10005. Script and program summary supplied.

October 31, 2013: Speaker, “Difficult Issues in Arbitration,” Education Committee Seminar, ARIAS–U.S. As co-chair of the Education Committee, I welcomed attendees, introduced the format of the program, introduced and thanked faculty members, and introduced the issues to be discussed. The event was sponsored by ARIAS–U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording.

October 15, 2013: Moderator, “Arbitration in the Context of Reinsurance and Insurance Disputes,” American Bar Association. The event was sponsored by the American Bar Association, Women in Insurance Network, Insurance Coverage Litigation Committee, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline and program supplied.

September 18, 2013: Speaker, “Ethics Responsibilities of Arbitrators,” ARIAS–U.S. Intensive Arbitrator Workshop: Umpire Master Class (Education Committee Chair). The event was sponsored by ARIAS–U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Power point and program supplied.

June 11, 2013: Panelist, “Appeals to the Appellate Division,” Advice from More Experts: More Successful Strategies for Winning Commercial Cases in New York State Courts, New York County Lawyers’ Association. I participated on a panel, responding to questions from a moderator regarding practice pointers on handling appeals in commercial cases. The event was sponsored by the New York County Lawyers’ Association, CLE Institute, 14 Vesey Street, New York, New York, 10007. I have no notes, transcripts, or recording. Agenda supplied.

May 8, 2013: Speaker, Spring Meeting – Emerging Risks and Products, ARIAS–U.S. As Chair of ARIAS–U.S., I made welcome remarks at the start of the

conference. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording. Agenda supplied.

February 5, 2013: Panelist, "Business Development for Women Litigators," Business Development for Women Litigators, the Kate Stoneman Project. Together with fellow panelists, Mary Jo White and Karen Seymour, I provided suggestions for young female litigators on developing business. The event was sponsored by the Kate Stoneman Project. No address is available. I have no notes, transcripts, or recording.

November 29, 2012: Narrator, "*The People vs Jimmy Hines: Gangster, Graft and the Runaway Grand Jury (1935)*," New York American Inn of Court. The event was sponsored by the New York American Inn of Court, 100 Broadway, 8th Floor, New York, New York 10005. Script and program summary supplied.

October 18, 2012: Speaker, "Coverage for Sexual Abuse and Molestation Claims," Women in Insurance Network, A Networking and CLE Workshop, American Bar Association. The event was sponsored by the American Bar Association, Section of Litigation, 750 North Lake Shore Drive, Chicago, Illinois 60611. Handout supplied.

September 21, 2012: Speaker, Fall Retreat, Federal Bar Council. As Second Circuit Courts Committee Co-Chair, I made welcoming remarks. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

September 19, 2012: Speaker, Intensive Arbitrator Workshop, ARIAS-U.S. I welcomed conference attendees and provided an overview of the program. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Power point supplied.

May 9, 2012: Speaker, "Survey Says... Arbitration Beats Litigation," Spring Meeting, ARIAS-U.S. I spoke on arbitration as a means to resolve reinsurance disputes. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording.

March 1, 2012: Speaker, "Insurance Implications of Residential Mortgaged Back Securities Litigation," Insurance Coverage Litigation Committee Meeting, American Bar Association. The event was sponsored by the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Power point supplied.

February 23, 2012: Speaker, "Recent Reinsurance Cases," Emerging Insurance Coverage & Allocation Issues, Perrin Conferences. The event was sponsored by

Perrin Conferences, 200 Coldstream Drive, Berwyn, Pennsylvania 19312. Power point supplied.

November 3, 2011: Moderator, "Reinsurance Case Law Update: Recent Reinsurance Case Law," 2011 Fall Conference and Annual Meeting, Finding Solutions: An Industry Task Force on How Companies Can Use Improved Arbitration Procedures for Future Disputes Arising Under Old Contracts, ARIAS-U.S. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Power point and outline supplied.

November 2, 2011: Speaker, "Organizing an Arbitration," Education Committee Seminar, ARIAS-U.S. I spoke about resolving reinsurance disputes through arbitration. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording.

October 30, 2011: Narrator, "Pumpkins, Panic and Perjury: The Trial of Alger Hiss," Fall Retreat, Federal Bar Council. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. Script and program summary supplied.

October 20, 2011: Narrator, "Hero or Villain? 60 Minutes Presents a Special Edition Devoted to the 'Subway Vigilante' and The Trial of Bernard Goetz," New York American Inn of Court. The event was sponsored by the New York American Inn of Courts, 100 Broadway, 8th Floor, New York, New York 10005. Script supplied.

September 27, 2011: Speaker, Intensive Workshop, ARIAS-U.S. I spoke to candidates applying for certification as arbitrators about the nuts and bolts of serving as an arbitrator. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording.

March 31, 2011: Moderator, "Oil in the Gulf: Top Concerns for Insurers and Reinsurers," 18th Annual Insurance Insolvency & Reinsurance Roundtable, HB Litigation Conferences. The event was sponsored by HB Litigation Conferences, Post Office Box 141, Clifton Heights, Pennsylvania 19018. Power point, program agenda, and video supplied.

March 3, 2011: Panelist, "Reinsurance Arbitration," Insurance Coverage Litigation Committee Meeting, American Bar Association. I spoke on current issues in reinsurance arbitrations. The event was sponsored by the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. I have no notes, transcripts, or recording.

February 19, 2011: Speaker, 2011 Winter Bench & Bar Conference, Federal Bar Council. As Conference Co-Chair, I welcomed attendees to conference at opening dinner, gave a daily welcome, and made logistical announcements throughout the

conference. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

November 18, 2010: Narrator, "Pumpkins, Panic and Perjury: The Trial of Alger Hiss," New York American Inn of Court. The event was sponsored by the New York American Inn of Court, 100 Broadway, 8th Floor, New York, New York 10005. Script supplied.

November 4, 2010: Speaker, "Makeup of the Arbitration Panel: The Selection Process, Recusals, and Challenges to the Panel," 2010 Fall Conference and Annual Meeting, Arbitration Without Borders: Lessons We Can Learn from International Arbitration, ARIAS-U.S. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Power point supplied.

October 1, 2010: Speaker, Fall Retreat, Federal Bar Council. As Second Circuit Courts Committee Co-Chair, I made welcoming remarks. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

November 10, 2009: Narrator, "Insane or Insanely Jealous? The Trial of Harvey K. Thaw (1907/1908)," New York American Inn of Court. The event was sponsored by the New York American Inn of Court, 100 Broadway, 8th Floor, New York, New York 10005. Script supplied.

October 23, 2009: Speaker, Fall Retreat, Federal Bar Council. As Second Circuit Courts Committee Co-Chair, I welcomed conference attendees and made opening remarks. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

October 10, 2008: Speaker, "Statutory Framework of an Arbitration," Lloyd's Training Event. The event was sponsored by the Lloyd's Training, 1 Lime Street, London EC3M 7DQ, United Kingdom. Power point supplied.

October 10, 2008: Speaker, "The Arbitration Format," Lloyd's Training Event. The event was sponsored by the Lloyd's Training Center, 1 Lime Street, London EC3M 7DQ, United Kingdom. Power point supplied.

October 9, 2008: Panelist, "Why Arbitration Is Important Today," Lloyd's Training Event. The event was sponsored by the Lloyd's Training Center, 1 Lime Street, London EC3M 7DQ, United Kingdom. Notes supplied.

May 14, 2008: Moderator, "When is Business Interruption Coverage Triggered? The Contours of Civil Authority and Ingress/Egress Coverage, Running the Numbers: Defining the Period of Restoration and Calculating the Loss, Widening

the Net: Contingent Business Interruption Insurance,” Bloomberg Insurance Law Seminar, New York County Lawyers’ Association. I filled in for the scheduled moderator. The event was sponsored by the New York County Lawyers’ Association, CLE Institute, 14 Vesey Street, New York, New York 10007. I have no notes, transcripts, or recording.

March 31, 2008: Panelist, “Electronic Discovery and Briefing Tips,” Unlocking the Mysteries of Federal Courts, West Legal Works. I provide practice pointers regarding electronic discovery issues in litigation and brief writing. The event was sponsored by West Legal Works, 195 Broadway, New York, New York 10007. I have no notes, transcripts, or recording.

March 1, 2008: Speaker, “Reinsurance 2008: Establishing the Rules of the Game – Contract Certainty,” Insurance Coverage 20th Anniversary, American Bar Association. I discussed post-September 11th reforms in the insurance industry with respect to prompt finalization of insurance contracts. The event was sponsored by the American Bar Association, Section of Litigation, 750 North Lake Shore Drive, Chicago, Illinois 60611. Handout supplied.

November 1, 2007: Speaker, “Subpoena Power of a Panel,” 2007 Fall Conference and Annual Meeting, A Convenient Truth: The Future is Now!, ARIAS–U.S. The event was sponsored by ARIAS–U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Power point supplied.

October 12, 2007: Speaker, Fall Retreat, Federal Bar Council. I made welcoming remarks as Retreat Co-Chair. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording.

September 25, 2007: Speaker, “Asbestos Non-Products Claims,” Swiss Re AHP Conference. I spoke regarding recent trends in asbestos litigation. The event was sponsored by Swiss Re America, 55 East 52nd Street, New York, New York 10055. Power point supplied.

March 1, 2007: Speaker, “Stock Drop ERISA Fiduciary Claims: Just When You Thought It Was Safe To Invest In Your Company’s Own Securities,” 2007 Insurance Coverage Litigation Committee CLE Seminar, American Bar Association. I spoke about litigation regarding ERISA claims by employees arising out of drops in price of employer’s stock. The event was sponsored by the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. I have no notes, transcripts, or recording. Brochure supplied.

November 2, 2006: Speaker, “Top Ten Things You Can Do To Win or Lose Your Case,” 2006 Fall Conference and Annual Meeting, the Arbitration Zone: Arbitrations in Other Dimensions, ARIAS–U.S. The event was sponsored by

ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Power point supplied.

October 27, 2006: Speaker, Fall Retreat, Federal Bar Council. As co-chair of the Fall Retreat, I made welcoming remarks. The event was sponsored by the Federal Bar Council, 123 Main Street, Suite L100, White Plains, New York 10601. I have no notes, transcripts, or recording. Agenda supplied.

June 16, 2006: Speaker, "The Claims & Legal Side of Catastrophic Events," Catastrophic Events & Their Impact on the World of Reinsurance, International Reinsurance Summit. The event was sponsored by the International Reinsurance Summit EUROFORUM Schweiz AG, Post Office Box/Förrlibuckstrasse 70, 8021 Zurich, Switzerland. Power point supplied.

March 2, 2006: Speaker, "Not Just An Ordinary Day in Court: The Insurance Coverage Jury Trial," 2006 Insurance Coverage Litigation Committee CLE Seminar, American Bar Association. I provided practice tips for trying an insurance coverage case before a jury. The event was sponsored by the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. I have no notes, transcripts, or recording. Agenda supplied.

December 8, 2005: Speaker, "Emerging Issues in First-Party Disputes," Insurance Coverage and Practice Symposium, Defense Research Institute. The event was sponsored by the Defense Research Institute, 55 West Monroe Street, Suite 2000, Chicago, Illinois 60603. Power point and handout supplied.

June 23, 2005: Speaker, "Overcoming Collection and Complex Allocation Challenges: The Latest Techniques from Global Reinsurance Leaders," REACT 2005, Risk Reward Reinsurance, The Reinsurance Event, American Conference Institute. I spoke about various current issues in reinsurance coverage litigation. The event was sponsored by the American Conference Institute, 45 West 25th Street, 11th Floor, New York, New York 10010. Power point supplied.

May 5, 2005: Speaker, "How Arbitrators & Parties Can Improve the Arbitrator Process – Report on Breakouts," Spring Conference: Avoiding Jackpot Justice ... Improving the Reinsurance Arbitration Process, ARIAS-U.S. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Power point supplied.

December 2, 2004: Speaker, "Remembering the World Trade Center – Lessons Learned from the Coverage Litigation," Insurance Coverage and Practice Symposium, Defense Research Institute. The event was sponsored by the Defense Research Institute, 55 West Monroe Street, Suite 2000, Chicago, Illinois 60603. Power point supplied.

October 4, 2004: Speaker, Reinsurance Law & Practice: Hot Topics, Glasser LegalWorks. As Conference Co-Chair, I welcomed attendees, made opening remarks, introduced speakers and topics, and provided commentary during conference. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Brochure supplied.

June 11, 2004: Speaker, "You Want to Be a Super Arbitrator? The Case Management Wheel of Fortune," Spring Conference, ARIAS-U.S. As conference co-chair, I welcomed guests and I moderated a session on discovery, ethics and case management. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. I have no notes, transcripts, or recording.

April 11, 2003: Speaker, "Cedents' Views on: Summary Disposition Res Judicata/Collateral Estoppel Available Relief," Spring Meeting, ARIAS-U.S. I discussed various procedural issues that arise in reinsurance arbitrations. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Handout supplied.

April 11, 2003: Speaker, "Available Relief in Arbitration," Spring Meeting, ARIAS-U.S. The event was sponsored by ARIAS-U.S., 7918 Jones Branch Drive, McLean, Virginia 22102. Handout supplied.

June 13, 2002: Speaker, "Occurrence and the Pollution Exclusion from the Perspectives of the Policyholder and the Insurer: Latest Developments," Environmental Insurance: Past, Present, and Future. The event was sponsored by the American Law Institute, 4025 Chestnut Street Philadelphia, Pennsylvania 19104 and the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline supplied.

May 16, 2002: Speaker, "Legal Issues from a US Cendant's Perspective," British Insurance Law Association. I discussed various legal issues arising in reinsurance litigation post September 11. The event was sponsored by British Insurance Law Association, 2 Old College Court, 29 Priory Street, Ware, Hertfordshire, SG12 0DE, United Kingdom. I have no notes, transcripts, or recording. Agenda supplied.

May 4, 2002: Panelist, "Obtaining and Preserving Funds to Rebuild and Repair: Insurance Litigation and Other Strategies," Spring Meeting Program, Looking Back on Sept. 11: A Litigator's View, New York State Bar Association. I spoke on a panel regarding the property insurance coverage litigation arising out of the destruction of the World Trade Center on September 11. The event was sponsored by the New York State Bar Association, Commercial and Federal Litigation Section, 1 Elk Street, Albany, New York 12207. I have no notes, transcripts, or recording. Brochure supplied.

April 8, 2002: Speaker, "Reinsurance for Asbestos Claims," Asbestos Litigation, American Conference Institute. I spoke about issues in reinsurance coverage litigation involving asbestos claims. The event was sponsored by the American Conference Institute, 45 West 25th Street, 11th Floor, New York, New York 10010. I have no notes, transcripts, or recording.

February 14, 2002: Speaker, "Application War Risk Terrorism Exclusions," Mealey's Business Interruption Insurance Conference, Mealey's Publications, Inc. I spoke about common exclusions in property insurance policies. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Agenda supplied.

January 24, 2002: Speaker, "The Insurer/Reinsurer Relationship and Its Impact on Allocation Decision," Insurance Allocation Conference, Mealey's Publications, Inc. I spoke about various reinsurance coverage issues regarding allocation of risk between cedents and their reinsurers. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Agenda supplied.

December 6, 2001: Speaker, Mealey's Reinsurance 101 Conference. As conference chair, I welcomed attendees and made opening remarks. The event was sponsored Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Agenda supplied

December 4, 2001: Panelist, "Property-Casualty, Aviation and Reinsurance Coverage," The Insurance Implications of September 11th. The event was sponsored by The Association of the Bar of the City of New York, 42 West 44th Street, New York, New York 10036. I have no notes, transcripts, or recording. Agenda and table of contents for course materials supplied.

November 16, 2001: Speaker, How the London Insurance Market Works, Mealey's Publications, Inc. As conference co-chair, I welcomed conference attendees, introduced the subject matter and speakers, and made opening remarks. The conference was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Agenda supplied.

November 16, 2001: Panelist, "The Unique Issues That Arise In London Market Litigation," How the London Insurance Market Works, Mealey's Publications, Inc. I spoke about the make-up and operation of the Lloyd's and London insurance markets. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Agenda supplied.

June 14, 2001: Speaker, "Occurrence and the Pollution Exclusion from the Perspectives of the Policyholder and the Insurer: Latest Developments," Environmental Insurance: Past, Present and Future. The event was sponsored by the American Law Institute, 4025 Chestnut Street, Philadelphia, Pennsylvania 19104 and the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Power point and notes supplied.

May 1, 2001: Speaker, "Hot Issues in Current Reinsurance Disputes," Mealey's Reinsurance 101 Conference. I spoke about current issues in reinsurance litigation including particularly late notice, coverage for declaratory judgment expenses, and the operation of facultative reinsurance contracts. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Brochure supplied.

April 30, 2001: Speaker, Mealey's Reinsurance 101 Conference, Mealey's Publications, Inc. As Conference Co-Chair, I welcomed attendees, made opening remarks, introduced speakers and provided commentary on topics discussed. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Brochure supplied.

March 10, 2001: Speaker, "London Market Issues and Update," Annual Insurance Coverage Litigation Committee Mid-Year Meeting, American Bar Association. The event was sponsored by the American Bar Association, Section of Litigation, 750 North Lake Shore Drive, Chicago, Illinois 60611. Power point supplied.

November 9, 2000: Speaker, "Reinsurance Allocation Issues," Mealey's Reinsurance Conference. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. Handout supplied.

September 14, 2000: Speaker, "Insurance Allocation," Mealey's Insurance 101 Conference: A Practical Introduction. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. Outline supplied.

June 15, 2000: Speaker, "Occurrence and the Pollution Exclusion from the Perspectives of the Policyholder and the Insurer: Latest Developments," Environmental Insurance: Past, Present, and Future. The event was sponsored by the American Law Institute, 4025 Chestnut Street, Philadelphia, Pennsylvania 19104 and the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline supplied.

November 12, 1999: Speaker, "Reinsurance Allocation," Special Workshop, Allocation of Losses Involving Complex Insurance and Reinsurance Claims, Glasser LegalWorks. To the best of my recollection, I discussed emerging

allocation issues in reinsurance disputes. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Brochure supplied.

October 22, 1999: Speaker, "Disputes with Foreign Reinsurers," 9th Annual Institute, Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. Handout supplied.

October 21, 1999: Speaker, "Future of Class Action Settlements," 9th Annual Institute, Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. I discussed recent cases regarding class action settlements. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Agenda supplied.

March 25, 1999: Speaker, "'Point – Counterpoint' Cedent & Market Viewpoints Regarding Claim Payments," 5th Annual Committee Rendezvous 1999, Brokers & Reinsurance Markets Association. I discussed the handling of reinsurance claims. The event was sponsored by Brokers & Reinsurance Markets Association, Post Office Box 1131, Park Ridge, Illinois 60068. I have no notes, transcripts, or recording. Agenda supplied.

March 6, 1999: Speaker, "Winning Advocacy in Insurance Coverage Cases," 11th Annual Insurance Coverage Litigation Committee Mid-Year Meeting, American Bar Association. I participated in a panel discussion on effective advocacy in insurance coverage cases. The event was sponsored by the American Bar Association, Section of Litigation, 750 North Lake Shore Drive, Chicago, Illinois 60611. I have no notes, transcripts, or recording. Brochure supplied.

January 28, 1999: Speaker, "Environmental Law Update – U.S. Perspective," Environmental and Product Liability Insurance and Reinsurance Coverage, Hawksmere Seminar. I participated on a panel that provided an update on developments in U.S. environmental law. The event was sponsored by Wolters Kluwer, formerly known as Hawksmere Seminar, Post Office Box 1030, 2400 BA, Alphen aan den Rijn, The Netherlands. I have no notes, transcripts, or recording. Program supplied.

January 25, 1999: Speaker, "Proving Allocation at Trial," Mealey's Insurance Allocation Conference. I spoke about the difficulties of dealing with allocation issues at the trial of an insurance coverage case. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording.

January 22, 1999: Speaker, "Actual Trial Experience from the Trenches: Top Ten Tips," Insurance Coverage Litigation, Recovery in the 1990s and Beyond, Practising Law Institute. The event was sponsored by the Practising Law

Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

June 18, 1998: Speaker, "Class Actions and Settlements: The Aftermath and Implication of Amchem, Ahearn, Castano and Matsushita," 8th Annual Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. I spoke about the settlement of class action litigation. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Agenda supplied.

June 18, 1998: Speaker, "Reinsurance Law and Cases," 8th Annual Contemporary Reinsurance and Excess Insurance Issues. I provided an update on recent reinsurance cases on variety of issues. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Agenda supplied.

June 18, 1998: Speaker, "Key Insurance Coverage Issues at the Reinsurance Level from Insurers' and Reinsurers' Standpoint," 8th Annual Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. I spoke about a number of issues in reinsurance coverage cases. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Agenda supplied.

June 18, 1998: Speaker, "Allocation," 8th Annual Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. I spoke about the leading cases involving allocation of coverage issues at the insurance and reinsurance level. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Agenda supplied.

June 11, 1998: Speaker, 8th Annual Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. I do not recall the precise topic of my presentation, but I spoke on recent reinsurance coverage issues. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording.

June 1, 1998: Speaker, "Significant Recent Environmental and Asbestos Insurance Coverage Decisions," Swiss Re Environmental Claims Conference. The event was sponsored by Swiss Re America, 55 East 52nd Street, New York, New York 10055. Outline supplied.

March 20, 1998: Speaker, "Coverage Litigation Involving Lloyds and London Market Companies," Understanding Lloyd's and The London Insurance Market: Update and Outlook, Practising Law Institute. I spoke about unique issues arising in litigation involving Lloyd's or London Market insurers and reinsurers. The event was sponsored by the Practising Law Institute, 1177 Avenue of the

Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording. Brochure supplied.

March 19, 1998: Speaker, "Some Basics Regarding Taking and Defending Depositions," Women As Trial Advocates Conference, American Bar Association. The event was sponsored by the American Bar Association, Tort and Insurance Practice Section, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline supplied.

February 19, 1998: Speaker, "Summary of Certain Issues Surrounding the Allocation of Costs Associated with Liability Insurance Claims," Annual Insurance Coverage Litigation Committee Mid-Year Meeting, American Bar Association. The event was sponsored by the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline supplied.

February 6, 1998: Speaker, "New Developments in Reinsurance," Allocation, Bad Faith, Duty to Defend, Year 2000, Insurance Coverage Disputes, Glasser LegalWorks. I spoke about current issues in reinsurance coverage litigation, focusing on allocation disputes, bad faith allegations and the duty to defend. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording.

January 15, 1998: Speaker, "New Developments in Reinsurance," Allocation, Bad Faith, Duty to Defend, Year 2000, Insurance Coverage Disputes, Glasser LegalWorks. I spoke about current issues in reinsurance coverage litigation, focusing on allocation disputes, bad faith allegations and the duty to defend. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording.

November 17, 1997: Speaker, Environmental Reinsurance Conference, Mealey's Publications, Inc. I spoke about frequently occurring issues in reinsurance coverage disputes arising out of environmental claims. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording.

June 5, 1997: Speaker, "Issues in Reinsurance," 7th Annual Institute Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. Outline supplied.

May 16, 1997: Speaker, "Issues in Reinsurance," 7th Annual Institute Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. Outline supplied.

April 10, 1997: Speaker, "Settlement of Environmental and Other Long-Tail Claims: Dialogue between Ceding and Assuming Carriers," Mealey's Insolvency & Reinsurance Roundtable, Mealey's Publications, Inc. I participated on a panel that discussed constructive dialogue among ceding insurers and their reinsurers regarding resolution of environmental and other long tail claims. The event was sponsored by Mealey's Publications, Inc., Post Office Box 446, Wayne, Pennsylvania 19087. I have no notes, transcripts, or recording. Agenda supplied.

March 26, 1997: Speaker, "Issues in Coverage Litigation Involving Lloyd's," Understanding Lloyd's and the London Insurance Market Update and Outlook, Practising Law Institute. I spoke about unique issues in coverage litigation involving Lloyd's of London. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording. Brochure supplied.

March 14, 1997: Speaker, "The Expected or Intended Defense and Related Defenses Arising Out of the Insured's Knowledge," 9th Annual American Bar Association, Section of Litigation, Annual Insurance Coverage Litigation Committee Mid-Year Meeting. The event was sponsored by the American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline and handout supplied.

January 23, 1997: Speaker, "Issues in Reinsurance," 14th Annual Insurance, Excess and Reinsurance Coverage Disputes, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

November 15, 1996: Speaker, "Issues in Reinsurance," Reinsurance Litigation and Arbitration, New York State Bar Association. The event was sponsored by the New York State Bar Association, Committee on Continuing Legal Education and Torts, Insurance and Compensation Law Section, 1 Elk Street, Albany, New York 12207. Outline supplied.

September 16, 1996: Speaker, "Underlying Coverage Issues: Impact on Reinsurance from Policy Holders and Insurers Standpoint," 6th Annual Institute Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. I spoke about issues arising in direct insurance coverage disputes and the impact of the resolution of those issues on reinsurance recovery. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. Agenda supplied.

September 16, 1996: Speaker, "Allocation," 6th Annual Institute Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Power point and agenda supplied.

June 20, 1996: Speaker, "Underlying Coverage Issues: Impact on Reinsurance from Policy Holders and Insurers Standpoint," 6th Annual Institute Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. I spoke about issues arising in direct insurance coverage disputes and the impact of the resolution of those issues on reinsurance recovery. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. Agenda supplied.

June 20, 1996: Speaker, "Allocation," 6th Annual Institute Contemporary Reinsurance and Excess Insurance Issues, Glasser LegalWorks. The event was sponsored by Glasser LegalWorks, 150 Clove Road, Little Falls, New Jersey 07424. I have no notes, transcripts, or recording. Power point and agenda supplied.

March 25, 1996: Speaker, "Following the Fortunes – "Once Upon a Time," Swiss Re America Environmental Claims Conference. I spoke about the fundamental reinsurance principle of follow the fortunes and recent cases applying the doctrine. The event was sponsored by Swiss Re America, 237 Park Avenue, New York, New York 10017. I have no notes, transcripts, or recording. Agenda supplied.

March 16, 1996: Speaker, "Reinsurance Misrepresentations and Omissions – The Changing Landscape," Annual Insurance Coverage Litigation Committee Mid-Year Meeting, American Bar Association. The event was sponsored by the American Bar Association, Section of Litigation, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline supplied.

January 19, 1996: Speaker, "Coverage Issues Arising Out Of Intentional Tort And Business Tort Claims," 13th Annual Insurance, Excess & Reinsurance Coverage Disputes, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

June 15, 1995: Speaker, "Pre-Trial Motions," Trying Insurance Coverage Disputes, Law Journal Seminars Press. I spoke about the use of pretrial motions to streamline the issues for trial of an insurance coverage case. The event was sponsored by Law Journal Seminars Press, 345 Park Avenue South, New York, New York 10010. I have no notes, transcripts, or recording. Agenda supplied.

May 24, 1995: Speaker, "Reinsurance Arbitration," Reinsurance Arbitration Program, Association of the Bar of the City of New York. I spoke about the use of arbitration to resolve reinsurance coverage disputes and some procedural issues regarding reinsurance arbitrations. The event was sponsored by the Association of the Bar of the City of New York, 42 West 44th Street, New York, New York 10036. I have no notes, transcripts, or recording.

May 12, 1995: Speaker, "Current Trends Regarding Discovery Issues in Environmental Coverage Litigation," Insurance Environmental Litigation Association Seminar on Current Environmental Coverage Issues. The event was sponsored by the Complex Insurance Claims Litigation Association, formerly known as the Insurance Environmental Litigation Association, 1001 Pennsylvania Avenue N.W., Washington, D.C. 20004. Outline and notes supplied.

April 7, 1995: Speaker, "Handling Insurance Coverage Litigation Without Impairing Reinsurance Recoverables," 5th Annual Institute – Contemporary Reinsurance and Excess Insurance Issues, Aspen Law & Business. The event was sponsored by Aspen Law & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Handout supplied.

March 23, 1995: Speaker, "The Expected or Intended Defense and Related Defenses Arising out of The Insured's Knowledge," 12th Annual Insurance, Excess and Reinsurance Coverage Disputes, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline as reprinted in Handbook supplied.

October 21, 1994: Panelist, "Current Reinsurance Issues and Problems," Hot Topics in Insurance and Reinsurance, Association of the Bar of the City of New York Committee on Insurance Law. The event was sponsored by the Association of the Bar of the City of New York Committee on Insurance Law, 42 West 44th Street, New York, New York 10036. I have no notes, transcripts, or recording. Brochure supplied.

October 20, 1994: Speaker, "Issues Relating to Allocation of Coverage Obligations," 8th Annual Insurance Litigation Institute, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Outline supplied.

May 24, 1994: Speaker, Environmental Liability: Reinsurance & Insurance Winning Strategies, Strategic Research Institute. As Conference Chair, I provided concluding remarks at the end of the conference. The event was sponsored by the Strategic Research Institute, 250 Park Avenue, 17th Floor, New York, New York 10017. I have no notes, transcripts, or recording. Brochure supplied.

May 23, 1994: Speaker, Environmental Liability: Reinsurance & Insurance Winning Strategies, Strategic Research Institute. As conference chair, I made opening remarks at the start of the conference. The event was sponsored by the Strategic Research Institute, 250 Park Avenue, 17th Floor, New York, New York 10017. I have no notes, transcripts, or recording. Brochure supplied.

May 23, 1994: Speaker, "The Consequences of Reinsurance and the Notice Requirement," Environmental Liability: Reinsurance & Insurance Winning Strategies. The event was sponsored by the Strategic Research Institute, 250 Park Avenue, 17th Floor, New York, New York 10017. Handout supplied.

May 12, 1994: Conference Co-Chair & Speaker, "Winning Trial Strategies Used in Environmental Insurance Litigation Cases," Insurance and Environmental Liability, Executive Enterprises, Inc. As conference co-chair, I provided an overview of current issues in environmental insurance coverage litigation, and spoke about the trial of an insurance coverage case. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. I have no notes, transcripts, or recording. Brochure supplied.

May 4, 1994: Moderator, "Women in Private Practice," A Celebration of Our Women Graduates, St. John's University Law School Women Alumnae. The event was sponsored by St. John's University Law School Women Alumnae, 8000 Utopia Parkway Queens, New York 11439. I have no notes, transcripts, or recording. Program supplied.

March 7, 1994: Panelist, "Environmental Insurance Coverage Litigation: An Overview of Trends & Developments," 1994 National CLE Conference, Law Education Institute, Inc. I discussed current issues in environmental coverage litigation. The event was sponsored by Law Education Institute, Inc., Suite 204, Coventry Office Building, 250 West Coventry Court, Milwaukee, Wisconsin 53217 and the Bureau of National Affairs, 1801 South Bell Street, Arlington, Virginia 22202. I have no notes, transcripts, or recording.

February 16, 1994: Speaker, "The Expected or Intended Defense and Related Defenses Arising Out of the Insureds Knowledge," Successfully Dealing with the Financial Disclosure of Environmental Liabilities and Other "Long Tail" Casualty Exposures, Business Strategy Network, Inc. The event was sponsored by Business Strategy Network, Inc., 228 East 45th Street, Suite 1801, New York, New York 10017. Outline supplied.

February 7, 1994: Speaker, "The Expected or Intended Defense and Related Defenses Arising Out of the Insured's Knowledge," 11th Annual Seminar on Insurance, Excess and Reinsurance Coverage Disputes, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

January 24, 1994: Speaker, "Strategic Issues in Connection with the Management and Trial of an Insurance Case," 5th Annual Litigation Management Supercourse, Practising Law Institute. This program was scheduled, but may have been cancelled. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

January 13, 1994: Speaker, "Environmental Coverage Litigation: An Overview of Trends and Developments," 8th Annual Insurance Litigation Institute, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Outline supplied.

December 2, 1993: Speaker, "Insurance and Antitrust Issues – The McCarron Ferguson Debate," Environmental Insurance Coverage Litigation, Executive Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Handout supplied.

November 5, 1993: Conference Co-Chair & Speaker, "Recent Court Activities in Insurance and Antitrust," Environmental Insurance Coverage Litigation, Executive Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Handout supplied.

November 5, 1993: Speaker, "Successful Settlement Strategies," Environmental Insurance Coverage Litigation, Executive Enterprises, Inc. I spoke about strategies for settling environmental coverage disputes. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. I have no notes, transcripts, or recording. Agenda supplied.

November 4, 1993: Speaker, "Strategic Issues in connection with Trial of an Environmental Insurance Coverage Case," Environmental Insurance Coverage Litigation, Executive Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Outline supplied.

June 8, 1993: Speaker, "Interpretation of Insurance Policies," Comprehensive General Liability Policies: Insurance Claims and Coverage Litigation, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Handout supplied.

May 13, 1993: Speaker, "Environmental Coverage Litigation: An Overview of Trends and Developments," 17th Annual Environmental Insurance Law Institute – Resolving Environmental Insurance Claims, Executive Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Outline supplied.

May 4, 1993: Speaker, "Interpretation of Insurance Policies," Comprehensive General Liability Policies: Insurance Claims and Coverage Litigation, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Handout supplied.

January 22, 1993: Speaker, "Environmental Coverage Litigation: An Overview of Trends and Developments," 10th Annual Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

November 9, 1992: Speaker, "Environmental Coverage Litigation: An Overview of Trends and Developments," Controlling Costs and Developing Trial and Litigation Strategies for Environmental Insurance Claims, Executive Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Outline supplied.

June 29, 1992: Panelist, "CERCLA (Superfund)," CLE Program, Association of the Bar of the City of New York. I likely spoke about insurance coverage issues arising out of CERCLA liability cases. The event was sponsored by the Association of the Bar of the City of New York, 42 West 44th Street, New York, New York 10036. I have no notes, transcripts, or recording.

June 10, 1992: Speaker, "Environmental Coverage Litigation: An Overview of Trends and Developments," 3rd Annual Joint Conference – Environmental Aspects of Corporate and Real Estate Transactions, American Bar Association. The event was sponsored by the American Bar Association, Section of Litigation, 750 North Lake Shore Drive, Chicago, Illinois 60611. Outline supplied.

February 6, 1992: Speaker, "Insurance Coverage Issues Arising Out of Environmental Litigation," Practising Law Institute Conference. I spoke about current insurance coverage issues with respect to environmental claims. The event was sponsored by Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

January 23, 1992: Speaker, "Insurance Coverage Issues Arising Out of Environmental Litigation," Practising Law Institute Conference. I spoke about current insurance coverage issues with respect to environmental claims. The event was sponsored by Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

December 12, 1991: Speaker, "Insurance Coverage Issues Arising Out of Environmental Litigation," 6th Annual Insurance Litigation Institute, Prentice Hall Seminar, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Article supplied.

November 7, 1991: Speaker, "Litigating the Expected or Intended Defense in Environmental Coverage Cases," The Environmental Law Institute, Executive

Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Outline supplied.

October 21, 1991: Speaker, "Environmental Coverage Litigation: The Old vs. The New," Environmental Claims Conference, North American Reinsurance Corp. The event was sponsored by North American Reinsurance Corp., 237 Park Avenue, New York, New York 10017. Outline supplied.

May 17, 1991: Speaker, "Environmental Coverage Issues Arising Out of the Occurrence Definition," Environmental Coverage: the Cutting Edge, Complex Insurance Claims Litigation Association. I spoke about the expected or intended defense and other coverage issues arising from the fortuity requirement. The event was sponsored Complex Insurance Claims Litigation Association (formerly Insurance Environmental Litigation Association), 1001 Pennsylvania Avenue, N.W., Washington, D.C. 20004. Outline supplied.

April 27, 1991: Speaker, "The Doctrine of Judicial Estoppel: Myths and Reality," Managing Modern Litigation, American Bar Association. The event was sponsored by American Bar Association, 750 North Lake Shore Drive, Chicago, Illinois 60611. Handout supplied.

April 16, 1991: Speaker, "Environmental Claims Update," 1991 Insurance Contract and Coverage Briefing, Executive Enterprises, Inc. The event was sponsored by the Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Outline supplied.

March 21, 1991: Speaker, "Insurance Issues," Insurance Seminar, Institute for International Research. I gave a speech on insurance coverage litigation. The event was sponsored the Institute for International Research, 708 Third Avenue, New York, New York 10017. I have no notes, transcripts, or recording.

January 18, 1991: Speaker, "Insurance Issues," Conference, Practising Law Institute. I gave a speech on insurance coverage litigation. The event was sponsored by Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

December 3, 1990: Speaker, "Insurance Coverage Issues Arising Out of Environmental Litigation," 5th Annual Insurance Institute, Prentice Hall Seminar, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Outline supplied.

November 30, 1990: Speaker, "Insurance Coverage Issues Arising Out of Environmental Litigation," 5th Annual Insurance Institute, Prentice Hall Seminar, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall &

Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Outline supplied.

November 28, 1990: Speaker, "Multi-Tortfeasor Issues in Environmental Disputes," Environmental Claims Conference, North American Reinsurance Corp. The event was sponsored by North American Reinsurance Corp., 237 Park Avenue, New York, New York 10017. Outline supplied.

November 26, 1990: Speaker, "Fortuitous Issues," Environmental Claims Conference, North American Reinsurance Corp. I spoke about the expected or intended defense and other coverage issues arising from the fortuity requirement. The event was sponsored by North American Reinsurance Corp., 237 Park Avenue, New York, New York 10017. I have no notes, transcripts, or recording. Agenda supplied.

October 26, 1990: Speaker, Prentice Hall Insurance Coverage Seminar, Prentice Law Hall & Business. I gave a speech on insurance coverage litigation. The event was sponsored Prentice Law Hall & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. I have no notes, transcripts, or recording.

June 14, 1990: Speaker, "Litigating the Expected/Intended Defense," The Environmental Insurance Law Institute, Executive Enterprises, Inc. I spoke about the expected or intended defense and other coverage issues arising from the fortuity requirement. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. I have no notes, transcripts, or recording. Brochure supplied.

January 25, 1990: Speaker, "Occurrence-Based Coverage: Coverage for Business Torts," Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. I spoke about the meaning of the "occurrence" definition in liability insurance policies. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording. Agenda supplied.

January 18, 1990: Speaker, "Occurrence-Based Coverage: Coverage for Business Torts," Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. I spoke about the meaning of the "occurrence" definition in liability insurance policies. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording. Agenda supplied.

January 11, 1990: Speaker, "Insurance Coverage Arising Out of Environmental Litigation," 4th Annual Insurance Litigation Institute, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Outline supplied.

December 11, 1989: Speaker, "Insurance Coverage Arising Out of Environmental Litigation," 4th Annual Insurance Litigation Institute, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 270 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. Outline supplied.

November 10, 1989: Speaker, "Litigating the 'Expected/Intended' Defense," The Environmental Law Institute, Executive Enterprises, Inc. I spoke about the expected or intended defense and other fortuity-based insurance coverage issues. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. I have no notes, transcripts, or recording. Agenda supplied.

October 17, 1989: Speaker, "Litigating the 'Expected/Intended' Defense," The Environmental Law Institute, Executive Enterprises, Inc. I spoke about the expected or intended defense and other fortuity-based insurance coverage issues. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. I have no notes, transcripts, or recording. Agenda supplied.

June 29, 1989: Speaker, "Insurance Issues with Respect to Lender Liability Claims," Lender Liability Conference, Bowring Financial and Professional Brokers, Ltd. The event was sponsored by Bowring Financial and Professional Brokers, Ltd., The Bowring Building, Tower Place, London EC3P 3BE, United Kingdom. Handout supplied.

June 6, 1989: Speaker, "Litigating the 'Expected/Intended' Defense," The Environmental Law Institute, Executive Enterprises, Inc. I spoke about the expected or intended defense and other fortuity-based insurance coverage issues. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. I have no notes, transcripts, or recording. Agenda supplied.

May 12, 1989: Speaker, "Duty to Defend," Bad Faith Litigation and Insurer vs. Insurer Disputes, Practising Law Institute. I spoke about recent cases involving the duty to defend under comprehensive general liability insurance policies. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

February 2, 1989: Speaker, "CERCLA Actions and Administrative Procedures – Effect on Coverage: Insurance Coverage Arising Out of Environmental Litigation," 3rd Annual Insurance Litigation Institute, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 855 Valley Road, Clifton, New Jersey 07013. Outline supplied.

January 27, 1989: Speaker, "The 'Expected or Intended' Defense," Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. I spoke about the expected or intended defense and other fortuity-based insurance coverage issues. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

January 27, 1989: Speaker, "Mega-Coverage Cases," Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. I spoke about complex insurance coverage litigation. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

January 23, 1989: Speaker, "CERCLA Actions and Administrative Procedures — Effect on Coverage: Insurance Coverage Arising Out of Environmental Litigation," 3rd Annual Insurance Litigation Institute, Prentice Law Hall & Business. The event was sponsored by Prentice Law Hall & Business, 855 Valley Road, Clifton, New Jersey 07013. Outline supplied.

January 13, 1989: Speaker, Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

December 13, 1988: Speaker, "Insurance Coverage Issues Arising Out of Environmental Litigation," Environmental Insurance Litigation Institute, Executive Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Outline supplied.

October 31, 1988: Speaker, "Insurance Coverage Issues Arising Out of Environmental Litigation," Environmental Insurance Litigation Institute, Executive Enterprises, Inc. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. Outline supplied.

September 29, 1988: Speaker, Lloyd's Seminar, Practising Law Institute Conference. I spoke about the workings of the London insurance market and unique issues that arise in litigations against Lloyd's and London Market insurers. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

June 7, 1988: Speaker, "Perspectives on Litigating the Mega Case," Environmental Insurance Litigation Institute, Executive Enterprises, Inc. I spoke about trying a large, complex environmental coverage case. The event was sponsored by Executive Enterprises, Inc., 22 West 21st Street, New York, New York 10010. I have no notes, transcripts, or recording. Agenda supplied.

January 28, 1988: Speaker, "Occurrence Policy Coverage for Tort Claims," Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. I spoke about the expected or intended defense and other fortuity-based insurance coverage issues. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

March 20, 1987: Speaker, "Insurer vs. Insurer Disputes Concerning Allocation of Defense Obligations," PLI Insurance Week: Bad Faith Litigation and Insurer vs. Insurer Disputes, Practising Law Institute. I spoke about intra-insurer disputes with respect to the duty to defend. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Handout supplied.

May 27, 1986: Speaker, "Triggers of Coverage for Asbestos Liability Claims and Workshop for Insurance Professionals," Produkthaftung (International Conference on Product Liability). I spoke about the trigger of coverage for asbestos insurance claims. The event was sponsored by Institute for Management GMBH (Management Forum), Vangerowstraße 18, 69115 Heidelberg, Germany. I have no notes, transcripts, or recording.

January 27, 1986: Speaker, "Occurrence Policy Coverage for Tort Claims," Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. I spoke about the expected or intended defense and other fortuity-based insurance coverage issues. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

April 12, 1984: Speaker, "Hazardous Waste Seminar," Hazardous Waste Seminar, Practising Law Institute. I spoke about various insurance coverage issues with respect to environmental liability claims. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. I have no notes, transcripts, or recording.

1984 approximately: Speaker, "Reinsurance Claims," Insurance, Excess, and Reinsurance Coverage Disputes, Practising Law Institute. I spoke about current issues in connection with reinsurance coverage claims. The event was sponsored by the Practising Law Institute, 1177 Avenue of the Americas, 2nd Floor, New York, New York 10036. Outline supplied.

- 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.

Mary Kay Vyskocil – *Top Women in Law*, N.Y. L.J., Nov. 14, 2016. Copy supplied.

Lori Herz, *Alumni Spotlight – Mary Kay Vyskocil '83 Takes the Bench*, DeNovo Mag., Sept. 2016. Copy supplied.

Aebra Coe, *Trial Ace: Weil Gotshal's Diane Sullivan*, Law360.com, Sept. 28, 2015. Copy supplied.

Gavin Broady, *Insurance MVP: Simpson Thacher's Mary Kay Vyskocil*, Law360.com, Dec. 12, 2012. Copy supplied.

Michael Y. Park, *Indefatigable*, N.Y. Metro Super Lawyers, Sept. 2012. Copy supplied.

Stewart Bishop, *Top Female Trial Attorney: Simpson's Mary Kay Vyskocil*, Law360.com, May 24, 2012. Copy supplied.

David Barrio, *Litigator of the Week: Mary Kay Vyskocil of Simpson Thacher & Bartlett*, Am. Law Litig. Daily, Jan. 26, 2012. Copy supplied.

Mary Kay Vyskocil, *Mary C. Daly Obituary*, N.Y. Times, Dec. 3, 2008. Copy supplied.

June D. Bell, *Top Defense Wins of 2004: Defending WTC Insurer Near Ground Zero*, The Nat'l L. J., Mar. 28, 2005. Copy supplied.

Alison Frankel, *The Full Treatment: Bearing Simple Story Lines and Elaborate Stagecraft, Simpson Litigators Know Their Way to the Courthouse*, Am. Law., Jan. 2002. Copy supplied.

Lisa Tischler, *Faith and Justice: Manhattan Lawyer Works Overtime for Church, Community*, Catholic New Yorkers, Oct. 1, 1992. Copy supplied.

Insurer Tries to Drop Porter Liability Church, Alleged Victims Angry After Firm Withdraws from Mediation, Providence J., Aug. 20, 1992. Copy Supplied.

Dick Lehr, *Porter Case on Table, Church Insurer Backs Out*, Boston Globe, Aug. 20, 1992. Copy supplied.

Stacy Adler, *Defense Bar, Insurers See Widening Rift*, Bus. Ins., Nov. 19, 1990. Copy supplied.

Stacy Adler, *Insurers Take Offensive in Coverage Disputes*, Bus. Ins., Feb. 5, 1990. Copy supplied.

Travelers Loses Key Case in Appeals Court, AP Online, Fin. News, Oct. 20, 1989. Copy supplied.

Stacy Adler, *Shell Seeks Reversal of Coverage Verdict*, Bus. Ins., Mar. 6, 1989. Copy supplied.

Stacy Adler, *Shell Has No Coverage for Cleanup, Jury Says*, Bus. Ins., Dec. 26, 1988. Copy supplied.

Stacy Adler, *Pollution Suits Widen Courtroom Chasm*, Bus. Ins., Nov. 21, 1988. 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.

I have served as a United States Bankruptcy Judge for the Southern District of New York from April 7, 2016 to the present. I was appointed to this position by the Judicial Council of the United States Court of Appeals for the Second Circuit.

Before my appointment to the Bankruptcy Court, while in private practice, I served as a Referee for the Disciplinary Committee of the New York State Supreme Court Appellate Division First Department. I was appointed by the New York State Appellate Division in 2009 and served until I resigned upon being informed of my nomination to the Bankruptcy Court. During the period of my service, I issued a (confidential) Report and Recommendation in two cases after conducting multi-day evidentiary hearings in those matters. The first matter one involved 45 separate charges against the respondent, arising out of 12 different client matters. The evidentiary hearing in October 2010 lasted for three days, with seven live witnesses and over 120 exhibits. The second matter involved five separate charges relating to mishandling of an attorney's fiduciary account. I conducted a two-day hearing in February 2012, one day on liability and one on sanctions and mitigation.

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

Since my appointment to the bankruptcy court in April 2016 through May 31, 2018, I have closed 1040 bankruptcy cases (105 Chapter 11 cases, 11 Chapter 15 cases, 3 miscellaneous proceeding, and 810 Chapter 7 cases) and 111 adversary proceedings.

- i. Of these, approximately what percent were:

jury trials:	0 %
bench trials:	100% [total 100%]
civil proceedings:	100%

criminal proceedings: 0 % [total 100%]

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

Renco Group v. Wilmington Trust, N.A. (In re Magnesium Corp. of Am.), 583 B.R. 637 (Bankr. S.D.N.Y. Mar. 30, 2018), *appeal pending*, 18-cv-3435 (PAC) (S.D.N.Y. filed April 13, 2018).

Geltzer v. Salzman (In re ContinuityX, Inc.), 582 B.R. 124 (Bankr. S.D.N.Y. 2018).

In re Poymanov, No. 17-10516, 2017 WL 6607392, 2017 Bankr. LEXIS 4402 (Bankr. S.D.N.Y. Dec. 27, 2017), *appeal dismissed*, 17-cv-7755, ECF No. 35 (LGS) (S.D.N.Y. May 23, 2018).

In re Taberna Preferred Funding IV, Ltd., No. 17-11628, 2017 WL 5713203, 2017 Bankr. LEXIS 4054 (Bankr. S.D.N.Y. Nov. 27, 2017).

1111 Myrtle Ave. Grp. LLC v. Myrtle Prop. Holdings LLC (In re 1111 Myrtle Ave. Grp. LLC), 575 B.R. 567 (Bankr. S.D.N.Y. 2017), *appeal pending*, No. 17-cv-8198 (AT) (S.D.N.Y. filed Oct. 24, 2017).

In re Poymanov, 571 B.R. 24 (Bankr. S.D.N.Y. 2017), *appeal dismissed*, 17 cv-7755, ECF No. 35 (LGS) (S.D.N.Y. May 23, 2018).

In re Poymanov, No. 17-10516, 2017 WL 3207742, 2017 Bankr. LEXIS 2107 (Bankr. S.D.N.Y. July 27, 2017), *appeal dismissed*, 17 cv-7755, ECF No. 35 (LGS) (S.D.N.Y. May 23, 2018).

In re Red Bull Taxi Inc., No. 16-13153, 2017 WL 1753234, 2017 Bankr. LEXIS 1209 (Bankr. S.D.N.Y. May 3, 2017).

In re Soundview Elite Ltd., 565 B.R. 534 (Bankr. S.D.N.Y. 2017).

Geltzer v. Fleck (In re ContinuityX, Inc.), 569 B.R. 29 (Bankr. S.D.N.Y. 2017), *appeal dismissed*, Stipulation and Order to Dismiss, No. 17-cv-03283, ECF No. 5 (PKC) (S.D.N.Y. July 15, 2017).

In re Ancona, No. 14-10532, 2016 WL 7868696, 2016 Bankr. LEXIS 4114 (Bankr. S.D.N.Y. Nov. 30, 2016), *aff'd*, Order, No. 16-cv-08804, ECF No. 39 & 40, (KBF) (S.D.N.Y. Mar. 16, 2017).

Ball v. Soundview Composite Ltd. (In re Soundview Composite Ltd.), 2016 Bankr. LEXIS 4090 (Bankr. S.D.N.Y. Nov. 28, 2016), *see also* Order (adopting Bankr.

Decision in its entirety), 16-cv-9780, ECF. No. 4, *judgment entered*, 16-cv-9780, ECF. No. 5 (AJN) (S.D.N.Y. Feb. 6, 2017).

- 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. *In re ChinaCast Educ. Corp.*, Case No. 16-13121 (Bankr. S.D.N.Y. filed Nov. 9, 2016).

This is a Chapter 11 case involving a debtor that provided college-level education to students in China, both on-campus and on the internet. The debtor was forced into bankruptcy after it was discovered that its founder had looted and transferred control of interests in certain assets. Following the looting of the debtor's assets, the debtor was left with no substantial assets other than litigation claims against various wrongdoers and unauthorized recipients of value from the debtor. I preside over the Chapter 11 case and have entered numerous orders, including rulings on disputed claims against the debtor, the consensual resolution of a disputed motion by a secured creditor to lift the stay to permit it to pursue recovery against the debtor's insurers, and confirmation of a Plan of Reorganization. Although I did not issue any written opinions in the case, I have ruled on a number of motions throughout the case.

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2. *In re Collavino Constr. Co., Inc.*, Case Nos. 14-12908 & 15-10344 (Bankr. S.D.N.Y. filed Oct. 17, 2014) (Jointly Administered).

These jointly administered Chapter 11 bankruptcy cases concerned two related construction companies that were retained to do construction work on the rebuilding of the World Trade Center site. I also presided over the discovery and pre-trial proceedings relating to an objection to the claim of a subcontractor against the debtors, and ruled on several issues throughout. The subcontractor's claim was a major obstacle to the reorganization of the debtors. On the eve of trial on the claim objection, the parties settled, and I subsequently confirmed the Plan of Reorganization of the Debtors. This case has been closed.

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Counsel to Claimant Harris Rebar Atlantic, Inc.:

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3. *In re Dacco Transmissions Parts (NY) Inc.*, Case Nos. 16-13245-13290 (Bankr. S.D.N.Y. filed Nov. 20, 2016, terminated Feb. 5, 2018) (Jointly Administered).

These were “mega” Chapter 11 bankruptcy cases involving 46 debtors, each of which filed separate petitions for bankruptcy and whose cases were jointly administered. The cases were initially filed as a “pre-packaged” bankruptcy, but it quickly became clear that there were serious conflicts issues with respect to counsel for the debtors. I appointed an examiner to investigate and report on the conflicts questions and other issues relating to the debtors’ finances that had been raised by the U.S. Trustee, ultimately leading to substitution of new counsel for the debtors. After several hearings relating to the issues raised by the U.S. Trustee, I entered an order approving the debtor’s Disclosure Statement and Plan of Reorganization. I have ruled on all of the claims objections in the case and, at the end of January, granted the debtors’ motion to close each of the cases.

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Jennifer J. Hardy
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4. *In re K&H Rest.*, Case No. 16-13151 (Bankr. S.D.N.Y. filed Nov. 13, 2016).

This Chapter 11 case involves a debtor that operates a restaurant business in a hotel in New York City. The landlord has a judgment against the debtor for unpaid rent, union obligations and other costs that constitute rent under the lease. I have ruled on numerous motions, including a disputed motion by the

debtor to assume the lease for the premises in which it operates its restaurant business. I recently granted a motion to convert the case to a chapter 7 (liquidation) case. The district court recently denied a motion by defendants to withdraw the reference with respect to a related adversary proceeding brought by the debtor against the landlord, the hotel, and its owner, alleging that the defendants breached certain critical provisions of the lease.

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5. *In re Magnesium Corp. of Am.*, Case No. 01-14312 (Bankr. S.D.N.Y. filed Aug. 2, 2001) (Jointly Administered).

These cases were initially filed under Chapter 11, but subsequently were converted to cases under Chapter 7 of the Bankruptcy Code. Significant claims asserted by the debtors against their parent company and certain officers alleging fraudulent transfers were tried to verdict in the district court,

resulting in a judgment for the debtors of approximately \$213 million. While the judgment was on appeal (by both sides) to the Second Circuit, the Chapter 7 Trustee moved to sell a portion of the judgment to a third party. I entered an order approving the bidding procedures for the sale of the judgment. Thereafter, I heard extensive oral argument and conducted an evidentiary hearing on the sale motion and entered an order approving the sale and denying the objector's application for a stay of my order pending appeal. The motion for a stay was also denied by the district court and all appeals from my order have been dismissed. I continue to preside over the resolution of claims, entering numerous orders on claims objections and other contested issues. There remain a number of sizeable claims, including a claim by the Department of Justice for environmental liabilities.

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Counsel to Judgment Debtor Renco Metals:

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Adam L. Shiff
Shai Schmidt
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Counsel to Jefferies LLC & Wilmington Trust, N.A.:

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Brian T. Rice
Brown Rudnick LLP
One Financial Center
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6. *In re Organic Ave. LLC*, Case No. 15-12787 (Bankr. S.D.N.Y. filed Oct. 15, 2015).

This is a Chapter 7 case of a debtor that was in the business of producing and retailing “grab and go” organic or all natural juices, cleanses, and food items. Just prior to filing the petition, the debtor terminated more than one hundred employees. The employees filed an adversary proceeding against the debtor, asserting WARN Act claims on behalf of a purported class. I oversaw the Chapter 7 proceedings, ruled on resolution of several claims against the debtor’s estate, certified the class for settlement purposes, and approved a settlement resolving the WARN Act claims.

Debtor’s Counsel:

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Chapter 7 Trustee:

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Counsel to Class Action Plaintiffs:

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(212) 868-6300

7. *In re Poymanov*, Case No. 17-10516 (Bankr. S.D.N.Y. filed Mar. 3, 2017).

This is a case brought under Chapter 15 of the Bankruptcy Code by a representative of a debtor in a foreign proceeding, seeking recognition of a Russian insolvency proceeding and a declaration that the automatic stay under

the Bankruptcy Code applies to certain claims pending against the foreign debtor in the district court. I have issued several decisions in this hotly contested case. After a two day evidentiary hearing and partial denial of a motion to re-open the record to introduce additional evidence, I ruled that the Russian insolvency case should be granted recognition under Chapter 15 of the Bankruptcy Code. I subsequently ruled that the claims in a case pending in the Southern District of New York are stayed pursuant to the Bankruptcy Code to the extent they are claims against the foreign debtor (as opposed to debtor's ex-wife). The case remains pending.

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8. *In re Soundview Elite, Ltd.*, Case No. 13-13098 (Bankr. S.D.N.Y. filed Sept. 24, 2013) (Jointly Administered).

These were six difficult and contentious jointly administered Chapter 11 “mega” cases, pending since 2013, in which the debtors are various investment funds, located in the U.S. and in the British Virgin Islands. There are related liquidation proceedings pending in the Cayman Islands that are coordinated with this case pursuant to a Cross-Border Insolvency Protocol. I presided over the Chapter 11 cases and issued an opinion on competing motions to lift and to enforce the automatic bankruptcy stay. I also presided over many of the remaining related adversary proceedings, ultimately approved the settlement of the largest contested adversary proceeding, and confirmed a Plan of Reorganization.

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9. *In re Taberna Preferred Funding IV, Ltd.*, Case No. 17-11628 (MKV), 2017 WL 5713203, 2017 Bankr. LEXIS 4054 (Bankr. S.D.N.Y. filed Nov. 27, 2017).

This is an involuntary chapter 11 bankruptcy case, filed by several senior noteholders against Taberna Preferred Funding IV, Ltd., a structured-finance entity known as a collateralized debt obligation or a “CDO.” Taberna, its collateral manager, and several creditors have challenged the involuntary petition on various grounds. After denying partial summary judgment, I conducted a multi-day trial on various issues pertaining to the eligibility of Petitioning Creditors under the Bankruptcy Code, and other alleged grounds for dismissal of the case in the event it is determined that the Petitioning Creditors are eligible to file an involuntary case.

Counsel for the Petitioning Creditors:

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10. *In re Wonder Works, Inc.*, Case No. 16-13607 (Bankr. S.D.N.Y. filed Dec. 29, 2017).

This is a Chapter 11 case of a not-for-profit charity that provided surgeries for children and adults who are blind, severely burned, or crippled. In late 2016, an arbitrator entered a significant award against the debtor and the debtor thereafter sought bankruptcy protection. Early in the case, the holder of the arbitration award moved to appoint a Chapter 11 trustee. I denied the motion, but, based on a number of serious issues with respect to the Debtor's management, its classification of donations as restricted or non-restricted, and

its inability to complete its year-end audit, I appointed an examiner to investigate the Debtor's finances and business, and requested that the New York State Attorney General participate in the proceedings. After issuance of the examiner's report, I, with the Debtor's consent, appointed a Chapter 11 trustee. The Trustee has recently filed a proposed plan of reorganization and the motion for confirmation of the plan is scheduled for hearing.

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Court Appointed Examiner:

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Statutory Representative of the Ultimate Charitable Beneficiaries:

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Emily Stern, Co-Chief of Enforcement Section
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- 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. *Ball v. Soundview Composite Ltd. (In re Soundview Composite Ltd.)*, 2016 Bankr. LEXIS 4090 (Bankr. S.D.N.Y. Nov. 28, 2016); *see also* Order (adopting Bankr. Decision in its entirety), 16-cv-9780, ECF No. 4, *judgment entered*, 16-cv-9780, ECF. No. 5 (AJN) (S.D.N.Y. Feb. 6, 2017).

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2. *In re Ancona*, No. 14-10532, 2016 WL 7868696, 2016 Bankr. LEXIS 4114 (Bankr. S.D.N.Y. Nov. 30, 2016), *aff'd*, Order, No. 16-cv-08804, ECF No. 39 & 40 (KBF) (S.D.N.Y. Mar. 16, 2017).

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3. *Geltzer v. Fleck (In re ContinuityX, Inc.)*, 569 B.R. 29 (Bankr. S.D.N.Y. 2017), *appeal dismissed*, Stipulation and Order to Dismiss, No. 17-cv-03283, ECF No. 5 (PKC) (S.D.N.Y. July 15, 2017).

Counsel for Plaintiff Robert Geltzer, as Trustee:

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Defendant Robert Fleck *pro se*:

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(630) 664-9335

4. *In re Soundview Elite Ltd.*, 565 B.R. 534 (Bankr. S.D.N.Y. 2017).

Special Litigation Counsel for Chapter 11 Trustee & BVI Joint Liquidators:

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5. *In re Red Bull Taxi Inc.*, No. 16-13153, 2017 WL 1753234, 2017 Bankr. LEXIS 1209 (Bankr. S.D.N.Y. May 3, 2017).

Counsel for Capital One Equipment Finance Corp:

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Counsel for the Debtor:

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6. *In re Poymanov*, No. 17-10516, 2017 WL 3207742, 2017 Bankr. LEXIS 2107 (Bankr. S.D.N.Y. July 27, 2017), *appeal dismissed*, 17-cv-7755, ECF No. 35 (LGS) (S.D.N.Y. May 23, 2018).

Counsel for Petitioner:

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7. *In re Poymanov*, 571 B.R. 24 (Bankr. S.D.N.Y. 2017), *appeal dismissed*, 17-cv-7755, ECF No. 35 (LGS) (S.D.N.Y. May 23, 2018).

Counsel for Petitioner:

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8. *1111 Myrtle Ave. Grp. LLC v. Myrtle Prop. Holdings LLC (In re 1111 Myrtle Ave. Grp. LLC)*, 575 B.R. 567 (Bankr. S.D.N.Y. 2017), *appeal pending*, No. 17-cv-8198 (AT) (S.D.N.Y. filed Oct. 24, 2017).

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9. *In re Taberna Preferred Funding IV, Ltd.*, No. 17-11628, 2017 WL 5713203, 2017 Bankr. LEXIS 4054 (Bankr. S.D.N.Y. Nov. 27, 2017).

Counsel for the Petitioning Creditors:

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10. *In re Poymanov*, No. 17-10516, 2017 WL 6607392, 2017 Bankr. LEXIS 4402 (Bankr. S.D.N.Y. Dec. 27, 2017), *appeal dismissed*, 17-cv-7755, ECF No. 35 (LGS) (S.D.N.Y. May 23, 2018).

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

None.

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

None of my opinions, orders or decisions have been reversed or criticized by a reviewing court.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

The overwhelming majority of my decisions are rulings from the bench on the day of the hearing, which are subsequently memorialized in orders entered on the docket in the case. All opinions, judgments and orders are publicly available on CM/ECF.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

I have not ruled on any federal or state constitutional issues.

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

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

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

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

As a federal bankruptcy judge, I have sought to comply with 28 U.S.C. § 455, recusing myself in specific circumstances mandated by the statute. I am also guided by the Code

of Conduct for U.S. Judges, the guiding principle of which is that “a judge shall disqualify [herself] in a proceeding in which the judge’s impartiality might reasonably be questioned.” No litigant or party has requested that I recuse myself in any of my cases. Consistent with 28 U.S.C. § 455 and the Code of Conduct for United States Judges, I have recused myself in the following cases:

In two cases, *In re Avaya*, No. 17-10089 (SMB), and *In re Runway Liquidations Holdings*, No. 17-10466 (SCC), I recused myself *sua sponte* in consultation with the Chief Judge. My former firm represented a private equity client that either owned a major equity stake in the debtor or represented a party in a transaction central to the bankruptcy case.

I also recused myself *sua sponte* in a miscellaneous proceeding arising out of a bankruptcy case in Maryland, in which creditors served a subpoena seeking documents from a non-party that had provided financing to a debtor. The non-party resisted discovery on the ground that the documents sought were protected by attorney-client privilege based on advice rendered by my former firm and which the party seeking discovery argued had been waived when my former firm shared the documents with a third party.

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.

I have never held public office.

I was nominated twice, on December 1, 2014 and June 1, 2017, by the New York Commission on Judicial Nominations for a seat on the New York Court of Appeals.

- 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 been a member or an officer of, or rendered services to, a political party or an election committee.

16. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation

from law school including:

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

I have never served as a clerk to a judge.

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

I have never practiced law as a solo 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.

October 1983 – March 2016
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
Associate (October 1983 – December 1990)
Partner (January 1991 – March 2016)

April 2016 – present
United States Bankruptcy Court
Southern District of New York
Alexander Hamilton Custom House
One Bowling Green
New York, New York 10004
U.S. Bankruptcy Judge

- 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.

While in private practice, I was asked to serve as a party-appointed arbitrator in an insurance coverage matter. Before the panel was fully constituted, I learned that I was to be appointed to the bankruptcy court and therefore resigned from the arbitration engagement. During my career in private practice, I was heavily involved, both as a member and as an officer, in ARIAS–U.S., an organization dedicated to training and certifying arbitrators and improving the arbitration process in the insurance and reinsurance markets. I served as Chairman of ARIAS–U.S. and for many years, served on and later chaired its Education Committee. In these roles, I actively worked to train prospective arbitrators and design education programs aimed at improving the arbitration process.

I never served as a mediator while in private practice.

b. Describe:

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

From October 1983 until March 2016 when I was at my former law firm, I had a diverse litigation practice, which was largely (99%) civil. Over the years, I handled cases involving a wide range of contract and tort issues, major insurance and reinsurance disputes, securities and antitrust law, some bankruptcy-related issues, and other complex commercial cases.

Throughout my career, my practice was concentrated in insurance and reinsurance litigation, securities cases, and other cases involving the financial services industry. While the mix of my cases varied somewhat from year to year, my practice always consisted of complex commercial cases. At one time, I had more M&A and tender offer cases than in the later years of my practice, and prior to the last five years in private practice, I handled tort cases for the Archdiocese of New York.

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

My typical clients were Fortune 500 corporate clients and were predominantly insurance companies and large institutional banking clients.

- 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.

Prior to my appointment to the bench in April 2016, my practice was entirely a litigation practice. Throughout my career, I appeared in court fairly regularly, as cases required. I had extensive trial experience as lead or co-lead counsel, and argued many appeals in courts throughout the country. In addition to my court cases, I handled many cases that were resolved through arbitration. My practice was fairly evenly divided between federal and state court cases. I did not have any matters before administrative agencies. Many of my cases were resolved in arbitration.

- i. Indicate the percentage of your practice in:

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

ii. Indicate the percentage of your practice in:

1. civil proceedings: 99+%
2. criminal proceedings: less than 1%

- 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.

Over the years, I tried approximately fifteen complex commercial cases that, in the aggregate, involved years of actual trial time. I tried four major cases to verdict or judgment, three jury and one non-jury trial, including the WTC property insurance case and a case in California state court that lasted almost two years. I was co-chief counsel in each of the cases tried to verdict. In addition, I handled several trials that resulted in favorable settlements after months of trial, acting as chief or co-chief counsel in each case. I also conducted evidentiary hearings in approximately fifteen arbitrations, acting as chief counsel.

i. What percentage of these trials were:

1. jury: 93%
2. non-jury: 7%

- 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.

Two cases on which I worked as counsel were argued successfully in the United States Supreme Court: *Hartford Fire Insurance Company v. California*, 509 U.S. 764 (1993) and *Epstein v. Matsushita Electrical Industries*, 516 U.S. 367 (1996). I did not argue either case, but was "second chair" at counsel's table in the *Matsushita* case, and worked extensively on the briefing in each case. I also worked at various points over the years on the case that reached the Supreme Court as *Travelers Indemnity Co. v. Bailey*, 557 U.S. 137 (2009), but was not involved in the briefing to the Supreme Court in that case. Copies of the briefs in *Hartford Fire* and *MEI* are provided.

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

- a. the date of representation;
 - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
 - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
1. *Shell Oil Co. v. Accident & Cas. Ins. Co. of Winterthur*, 12 Cal. App. 4th 715, 15 Cal. Rptr. 2d 815 (1st Dist. 1993)

I was co-lead counsel for the main defendant insurer throughout several years of discovery, at trial and on appeal. I supervised all discovery, briefed numerous pretrial motions, and together with co-lead counsel, successfully represented the primary insurer as trial co-counsel in a 16-month trial in California state court. The jury returned a verdict denying plaintiff's claim for insurance coverage for \$2 billion remediation of environmental pollution at the Rocky Mountain Arsenal. The insurers had argued that the pollution was not "unexpected and unintended" and coverage was barred by the pollution exclusion.

Dates of Representation: October 1983 – January 1989

Judge: Hon. F. William Lanam (Deceased)

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Counsel for Co-Defendant (Chubb):

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2. *Matsushita Electric Indus. Co. v. Epstein*, 516 U.S. 367 (1996).

As “second chair” lead counsel, I represented Matsushita Electric Industrial Co. Ltd. and Matsushita Holdings Corporation, in state and federal court class action litigations. These actions arose out of the tender offer by Matsushita for the shares of MCA Inc., and included a successful appeal to the United States Supreme Court. The Supreme Court held that a federal court may not withhold full faith and credit from a final state court judgment approving a class action settlement that released federal securities claims.

Dates of Representation: Fall 1990 – October 2003

United States Supreme Court: Justice Thomas delivered the opinion of the Court, in which Chief Justice Rehnquist and Justices O'Connor, Scalia, Kennedy, Souter and Breyer joined; Justice Stevens filed a separate opinion, concurring in part and dissenting in part; Justice Ginsburg joined in part and filed a separate opinion concurring in part and dissenting in part in which Justice Stevens joined and Justice Souter joined in part

Counsel for Respondent Walter Minton:

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3. *Chase Manhattan Bank v. Motorola, Inc.*, 184 F. Supp. 2d 384 (S.D.N.Y. 2002).

I supervised discovery and motion practice and was trial co-counsel for the plaintiff lenders in a multi-week bench trial of a breach of contract action against the guarantor of an \$800 million syndicated loan. The guarantor refused to pay on the guarantee after the borrower had defaulted on the loan and filed for bankruptcy. At the conclusion of the trial, the court entered judgment (\$370 million) for my client.

Dates of Representation: December 2000 – March 2003

Judge: Hon. Alvin K. Hellerstein

Opposing Counsel:

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4. *SR Int'l Bus. Ins. Co. v. World Trade Center Props. LLC*, 467 F.3d 107 (2d Cir. 2006).

I represented the Swiss Re Group and its affiliated companies SR International Business Insurance Co. Ltd. ("Swiss Re") as co-lead counsel in a declaratory judgment action initiated by Swiss Re against the lessee of the World Trade Center. The claim arose out of the September 11th tragedy and the lessee's demand for double recovery under its \$3.54 billion property insurance coverage for the destruction of the World Trade Center. I played a significant role in drafting the complaint, conducted an internal investigation in Zurich and London with respect to Swiss Re's \$887 million underwriting of WTC Risk, supervised all documentary discovery and multi-track depositions around the world in a compressed time-frame, and was a lead trial counsel for Swiss Re. At trial, I conducted the three-day trial examination of the lead Swiss Re underwriter and the cross-examination of the WTC lessee. After two years of discovery and motion practice and a three-month jury trial, the jury found that Swiss Re had bound coverage on the insurance policy form that resulted in a declaration that the World Trade Center attack constituted one occurrence for insurance coverage purposes, not two as defendants contended.

Date of Representation: September 2001 – 2006

Judges: Hon. Michael B. Mukasey (Retired) and Hon. John S. Martin (Retired)

Opposing Counsel:

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5. *U.S. Fid. & Guar. Co. v. Am. Re-Ins. Co.*, 93 A.D.3d 14, 939 N.Y.S.2d 307 (N.Y. Sup. Ct. 2012), *affirmed as modified and remanded for trial*, 20 N.Y.3d 407, 985 N.E.2d 876 (N.Y. 2013).

I represented plaintiffs as lead counsel in a breach of contract case under a reinsurance treaty, seeking to recover approximately \$450 million dollars in connection with a settlement in a bankruptcy proceeding of a claim by an insured with respect to insurance coverage for thousands of underlying asbestos bodily injury claims. I was active throughout all trial court proceedings, including supervising eight years of discovery, supervised briefing, argued summary judgment motions, and argued numerous interlocutory appeals and a summary judgment appeal in the Appellate Division First Department and in the New York Court of Appeals. On remand, I supervised two years of expert discovery (over a dozen experts) and appeared at numerous pre-trial hearings, including briefing over two dozen *in limine* motions. I prepared the case for trial on the two discreet issues remanded for trial by the New York Court of Appeals.

Dates of Representation: June 2002 – March 2016

Trial Judge: Hon. Richard B. Lowe III

Trial Judge on Remand: Hon. Eileen Bransten

Appellate Division, First Department Panel: Hon. Peter Tom, Hon. David Saxe (Retired), Hon. Rolando Acosta, Hon. Helen E. Freedman (Retired), and Hon. Sheila Abdus-Salaam (Deceased)

New York Court of Appeals Panel: Hon. Jonathan Lippman (Retired), Hon. Susan Read (Retired), Hon. Eugene F. Pigott Jr. (Retired), Hon. Robert S. Smith (Retired), and Hon. Victoria Graffeo (Retired)

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6. *Travelers Cas. & Surety Co. v. Gerling Glob.*, 419 F.3d 181 (2d Cir. 2005).

I represented the plaintiff as lead counsel throughout this breach of a reinsurance contract case, including discovery, summary judgment motion practice in the district court, and in connection with briefing and oral argument in the Second Circuit. After oral argument, the Second Circuit reversed summary judgment against my client and directed entry of summary judgment in favor of my client in an important and precedential reinsurance coverage case involving the doctrine of “follow the fortunes.”

Dates of Representation: July 2001 – 2006

Second Circuit Panel: Hon. Chief Judge John Walker, Hon. Rosemary Pooler, and Hon. Richard Wesley

Opposing Counsel:

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7. *In Re Washington Mut. Inc. Secs., Derivatives & ERISA Litig.*, Lead Case No. C08-0387 (W.D. Ct. Wash.); *In Re Washington Mut., Inc. Secs. Litig.*, Case No. 2:08-md-1919 (MJP) (W.D. Ct. Wash.); *FDIC v. Killinger*, Case No 2: 11-cv-00459 (MJP) (W.D. Ct. Wash.).

I was co-counsel for certain former officers of Washington Mutual in a series of cases alleging securities violations, fraud, and ERISA violations.

Dates of Representation: January 2009 – June 2013

Judge: Hon. Marsha Pechman

Opposing Counsel:

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Counsel for Deloitte & Touche LLP:

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505 Montgomery Street, Suite 2000
San Francisco, California 94111
(415) 391-0600

8. *DISH Network LLC v. ESPN Inc.*, Case No. 09-Civ-6875 (S.D.N.Y.).

I was co-counsel for plaintiff at trial, defended pre-trial depositions, and conducted trial examinations of key executives and our damages witness during a three-week jury trial. This was a breach of contract case arising under the “most favored nations” provision of a licensing agreement between a provider of satellite television services and a company that licenses programming content to cable and satellite television providers. The jury awarded \$5 million to my client.

Dates of Representation: December 2011 – March 2014

Judge: Hon. John Koeltl

Opposing Counsel:

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David L. Yohai
Weil, Gotshal & Manges LLP
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9. *Sioux Honey Assoc. v. Hartford Fire Ins. Co.*, 672 F.3d 1041 (Fed. Cir. 2012).

I represented a defendant as lead counsel in a case brought against numerous surety insurers by U.S. producers of certain goods who claimed entitlement to anti-dumping” duties under U.S. trade laws and sought to collect under bonds securing the importers of the allegedly offending goods. I took the lead on briefing for my client in the Court of International Trade and on appeal, and argued the appeal on behalf of all (except one) of the surety defendants in the Federal Circuit. The issues in the case were (a) whether the Court of International Trade had jurisdiction over claims against the sureties, (b) whether plaintiffs were beneficiaries under the bonds issued by the surety insurers such that they had standing to pursue their claims, and (c) whether claims for unjust enrichment and negligent underwriting were proper. The CIT granted the motion by defendant insurers, dismissing all claims against them. The Federal Circuit affirmed.

Dates of Representation: April 2009 – May 2012

Judge: Hon. Timothy C. Stanceu

Federal Circuit Panel: Hon. Chief Judge Randall R. Rader (Retired), Hon. Alan D. Lourie, and Hon. Sharon Prost

Opposing Counsel:

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10. *Utica Mutica Ins. Co. v. Munich Reins. Am., Inc.*, 594 Fed. App'x 700, 2014 WL 6804553 (2d Cir. 2014).

I was counsel for appellant in connection with an appeal from an adverse summary judgment ruling in a reinsurance coverage action. The case involved an important issue of reinsurance law involving whether a ceding company can recover under a facultative reinsurance contract for defense costs paid on behalf of its policyholder in addition to the indemnity payments by the reinsurer, or whether all payments by the reinsurer are capped by the limits on the face of the facultative certificate. The Second Circuit vacated summary judgment against my client and ordered that the case be remanded for further discovery with respect to issues of fact regarding the proper interpretation of the facultative reinsurance certificate at issue.

Dates of Representation: November 2013 – March 2016

Second Circuit Panel: Hon. Debra Livingston, Hon. Raymond Lohier, and Hon. Robert Sack

Opposing Counsel:

Bruce M. Friedman
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New York, New York 10017
(212) 953-2381

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

I have never performed lobbying activities of any kind.

I served as a referee for the Disciplinary Committee of the New York State Supreme Court Appellate Division First Department, as detailed above.

For almost a decade, from May 1993 to early 2001, I represented the Archdiocese of New York in connection with several dozen claims and lawsuits alleging sexual abuse by priests of the Archdiocese. All but one of those claims were settled, some after litigation and discovery. The only case that was litigated to conclusion involved a statute of limitation issue that was resolved in favor of the Archdiocese through an appeal to the Appellate Division and denial of leave for further appeal by the New York Court of Appeals.

I had an active practice in the area of insurance and reinsurance coverage disputes between policyholders and their insurers and between insurers and their reinsurers. Frequently throughout my career, I provided coverage advice to insurers regarding matters that did not end up in litigation. Over many years of my practice, I provided coverage advice in a significant number of matters, but not did not handle litigation, for a Japanese insurer that wrote product and other liability coverage for entities facing liability in the United States.

For more than a decade, I was a member and officer of ARIAS-U.S., an organization dedicated to training and certifying arbitrators and improving the arbitration process in the insurance and reinsurance markets. I served as Chairman of ARIAS-U.S. and for many years, served on and later chaired its Education Committee. In that capacity, I supervised the development of training programs for people interested in being certified to serve as reinsurance arbitrators.

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

I have not held any teaching positions and have not taught any semester-long courses. From time to time, I have been a “visiting professor” at classes at St. John’s Law School, typically judging students’ mock oral arguments and providing critiques.

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 am entitled to retirement benefits from my prior law firm Simpson Thacher & Bartlett LLP, including both an equity portion (7-year payout) and a pension portion (paid annually for life). There is no possibility of a lump sum payment for the unfunded retirement plan.

The Firm has estimated that I am entitled to an equity payment of approximately \$975,000 per year for seven years (of which I am currently at the end of the second year), and a pension of approximately \$875,000 on average per year for life. These amounts could be reduced by operation of a cap on total retirement benefits contained in the Firm’s Partnership Agreement.

In addition, I am a participant in a Cash Balance Plan of Simpson Thacher & Bartlett LLP. My notional balance is estimated at \$550,000.

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

If confirmed, I hope to continue my involvement with bar associations and potentially continue service on certain boards of not-for-profit organizations consistent with the Code of Judicial Ethics. I have made no commitments to do so, and have no other plans to pursue outside employment during my service with the court.

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

See attached.

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.

Given that I receive a pension from my former law firm, I will recuse myself from any case in which Simpson Thacher & Bartlett LLP is a party or represents a party. I will also recuse in any litigation where I have ever played a role. I will evaluate any other real or potential conflict, or relationship that could give rise to appearance of conflict, on a case-by-case basis and determine appropriate action with the advice of parties and their counsel including recusal where necessary.

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

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

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.

I have a strong commitment to giving back to my community, working to improve the judicial system to make it more efficient, fair, and accessible, and in working to improve the lives of those in need. Throughout my career, I have committed significant time, energy, and financial resources to the support of organizations that provide pro bono services, including Sanctuary for Families, Legal Aid, The Family Center, Mobilization for Justice, the National Center for Law and Economic Justice, Judges & Lawyers Breast Cancer Alert, and others. I have served on several committees whose mission is to improve the judicial process, including the S.D.N.Y. Judicial Improvements Committee Advisory Group, the Second Circuit Task Force on Racial, Ethnic and Gender Fairness, the S.D.N.Y. Merits Selection Panel (for Magistrate Judges), and the New York State Commercial Division Advisory Council. I am a member of the Lawyers Division of the Inner-City Scholarship Fund and support its mission of providing a quality education to those in need.

Throughout my career at Simpson Thacher, I devoted many hours to pro bono legal services. From 2009 until my retirement (the time period in which pro bono hours were tracked by the firm), I averaged in excess of fifty hours of pro bono service per year, qualifying for the Empire State Counsel designation. Most specifically, over the years, I have expanded my personal commitment to Sanctuary For Families (SFF), including joining its Board in 2016, and, prior to my appointment to the bench, handled several cases (working with SFF) involving domestic violence and immigration issues.

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.

To the best of my knowledge, there is not a selection commission in my jurisdiction.

On April 4, 2017, I received a telephone call from the Office of White House Counsel regarding a potential nomination for a judgeship. On April 28, 2017, I interviewed with officials from the Office of White House Counsel and from the Office of Legal Policy. I have been in touch with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice since that time. On May 15, 2018, 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.