

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY
QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES**

PUBLIC

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

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

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

Office: United States Attorney's Office
District of Connecticut
157 Church Street
New Haven, CT 06510

Home: Fairfield, Connecticut
4. **Birthplace:** State date and place of birth.

6/1959; Dublin, Ireland.
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.

New York University Law School; 9/83-5/84.
Georgetown University Law Center; 9/81-5/83; J.D., 5/84.
Dartmouth College; 9/77-6/81; B.A. Philosophy *cum laude*, 6/81.
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.

United States Attorney's Office
District of Connecticut
157 Church Street
New Haven, CT 06510
Acting United States Attorney (since 5/13)
First Assistant United States Attorney (8/10-5/13)

Daly & Pavlis, LLC
107 John Street
Southport, CT 06890
Member (9/01-7/10)

Consolidated Edison
4 Irving Place
New York, NY 10003
Independent Monitor (6/99 (est.)-7/10)

New York City Department of Environmental Protection
59-17 Junction Boulevard, 13th Floor
Flushing, NY 11373
Advisor (6/05-6/09 (est.))

Greens Farms Academy
35 Beachside Avenue
Greens Farms, CT 06838
Trustee (9/01- 6/10)
Co-President (9/07-6/10)
Co-Vice-President (9/03- 6/07)

Gage & Pavlis
120 W. 45th Street
New York, NY 10036
Partner (9/97-9/01)

United States Attorney's Office
Southern District of New York
One Saint Andrew's Plaza
New York, NY 10007
Assistant United States Attorney (10/85- 11/94)
300 Quarropas Street
White Plains, NY 10601
Assistant-In-Charge of White Plains Office (11/94- 9/97)

United States District Court Judge Lloyd F. MacMahon
40 Center Street
New York, NY 10007
Law Clerk (9/84-9/85)

Burke & Burke (now known as Satterlee Stephens Burke & Burke)
230 Park Avenue
New York, NY 10169
Summer Associate (6/83-8/83)

New York County District Attorney's Office
One Hogan Place
New York, NY 10013
Legal Intern (6/82-8/82)

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 U.S. 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.

Director's Award from the Department of Justice for Superior Performance as an Assistant United States Attorney (1992 (est.))

Greens Farms Academy Alumni Award (for service as Trustee and Co-President of the Board of Trustees) (10)

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.

Committee on Admissions and Grievances for the Court of Appeals for the Second Circuit, Member, 2008-2010;
Connecticut Bar Association, 2001-2010;
American Bar Association, 2001-2010.

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, 10/85 (est.)
District of Columbia, 11/98
Connecticut, 2/01

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.

United States Court of Appeals for the Second Circuit, 1/26/87 – present;
United States District Court for the Southern District of New York,
11/12/97 – present;
United States District Court for the Eastern District of New York, 11/20/97
– present;
United States District Court for the District of Connecticut, 11/1/01-
present.

No lapses in membership.

11. **Memberships:**

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

The Kennedy Center, Inc.
Trumbull, CT
1998-present
(Member of intermittent fund-raising committees.)

Country Club of Fairfield
Fairfield, CT
1991- present
(My husband is a member. As a spouse, I have use of the club, but do not have voting rights.)

I have made financial contributions to charitable organizations over the years. I have not included in the list above any organizations to which I gave funds but did not otherwise participate in programmatic activities although the organization may label me as a member by virtue of my contribution.

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

None to my knowledge.

12. Published Writings and Public Statements:

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

None.

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

None.

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

None.

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

speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials I have been unable to identify, find or remember. I have located the following:

Federal Bar Council of Connecticut Association; Panel Discussion re: Government Investigations; Yale University, New Haven CT; 2007 (est.). As a member of the panel with other private practitioners and government representatives, I played the role of an attorney representing a corporate officer in a government investigation. No notes or transcript available.

Federal Practice Committee of Connecticut Bar Association; Remarks at Dinner Meeting; Quinnipiac Club, New Haven, CT; May 17, 2011. I spoke generally regarding the United States Attorney's Office for the District of Connecticut, focusing on how the office is organized, priorities and initiatives within the office, and criminal and civil cases that were recently resolved. No notes or transcript available.

An Educational Seminar: Focus on Insider Trading; Sponsored by the Managed Funds Association; Panel Discussion; Hyatt Regency Greenwich; Old Greenwich, CT; May 17, 2011. As a panel member with other government representatives/members of the Connecticut Securities Task Force, I gave brief remarks and answered questions about securities fraud investigations. No notes or transcript available.

2012 CT Conference on White Collar Criminal Defense and Government Investigations; Sponsored by Criminal Justice Section of the Connecticut Bar Association; Panel Member; Anthony's Ocean View, New Haven CT; March 8, 2012. I was on a panel with other Connecticut attorneys and answered general questions regarding government investigations in white collar criminal fraud cases. No notes or transcript available.

In addition, I generally recall speaking on two other panels. In the late 1990s/early 2000s, I participated in a panel discussion about government investigations at a Second Circuit Judicial Conference at The Sagamore Resort in Lake George, Bolton Landing, New York. In the mid-2000s, I discussed corporate monitoring on a panel at a Federal Bar Council event in Stamford, CT. I retained no notes regarding these events.

Further, while Co-President of the Board of Trustees at Greens Farms Academy from 2007-2010, I spoke several times to groups of students, teachers, trustees and parents at convocation and dedication events. My

talks generally recognized the school's achievements and forecast upcoming initiatives and goals. I retained no notes regarding these events.

- 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.

I have done my best to identify all interviews, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other items I have been unable to identify, find, or remember. I have located the following:

Connecticut's US Attorney says shutdown is delaying cases, NEW HAVEN REGISTER, Oct. 14, 2013. Article supplied.
<http://www.nhregister.com/general-news/20131014/connecticuts-us-attorney-says-shutdown-is-delaying-cases>

Federal Courts brace for shutdown impact, CONNECTICUT POST, Oct. 14, 2013. Article supplied.
<http://www.ctpost.com/local/article/Federal-courts-brace-for-shutdown-impact-4895432.php>

'A Difficult Slog' for Federal Judiciary, THE CONNECTICUT LAW TRIBUNE, Oct. 18, 2013. Article supplied.
http://www.ctlawtribune.com/PubArticleCT.jsp?id=1202624369126&A_Difficult_Slog_For_Federal_Judiciary&slreturn=20130922112326

East Haven Officers Found Guilty of Violating Hispanics' Civil Right, WNPR NEWS, Oct. 21, 2013. Article supplied.
<http://wnpr.org/post/east-haven-officers-found-guilty-violating-hispanics-civil-rights>

Condenados dos policias que acosaban a la comunidad latina en Connecticut, NOTICIAS MUNDO FOX, Nov. 11, 2013.
<http://www.youtube.com/watch?v=OzbAVbGDddw>.

Que esta haciendo la policia de East Heaven para mejorar su imagen ante los latinos, NOTICIAS MUNDO FOX, Nov. 8, 2013.
<http://www.youtube.com/watch?v=AWSX7eZvck4>.

In addition, statements made in press releases or in court have occasionally been quoted in newspapers in connection with my work on prosecutions followed by the press.

13.

Public Office, Political Activities and Affiliations:

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

Acting United States Attorney for the District of Connecticut, designated by Attorney General Holder on May 14, 2013; Interim United States Attorney for the District of Connecticut, sworn in by Chief Judge Janet C. Hall, District of Connecticut, on December 10, 2013.

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

None.

14.

Legal Career: Answer each part separately.

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

After graduating from law school in 1984, I was a law clerk for the Honorable Lloyd F. MacMahon, United States District Court Judge for the Southern District of New York ("SDNY"), for one year (9/84-9/85).

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

I never practiced alone.

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

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New Haven, CT 06510-2100

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United States Attorney's Office
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Assistant-In-Charge of White Plains Office (11/94- 9/97)

United States District Court Judge Lloyd F. MacMahon
40 Center Street
New York, NY 10007
Law Clerk (9/84-9/85)

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

I have not served as a mediator or arbitrator.

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

In the Fall of 1985, I was sworn in as an Assistant United States Attorney ("AUSA") in the SDNY and served as an AUSA in the criminal division of that Office for twelve years. While an AUSA, I investigated and prosecuted federal criminal cases as a member of the General Crimes, Narcotics, Major Crimes and White Plains Units. I tried seventeen cases to verdict, which involved charges of murder, racketeering, narcotics distribution, armed robbery, obstruction and police brutality. I also argued nine appeals in the Second Circuit Court of Appeals. From 1994 through 1997, I was the Assistant-In-Charge of the White Plains Office and supervised all federal prosecutions in six New York counties, including cases involving murder, racketeering, organized crime, fraud, public corruption, tax evasion, money laundering, narcotics, child abuse, civil rights and other offenses.

I then entered private practice, first as a partner at Gage & Pavlis, New York, New York from 1997 to 2001, and then as a founding member of Daly & Pavlis, LLC, Southport, CT from 2001 to 2010. Both firms were devoted to corporate and commercial litigation, white collar criminal matters, corporate internal investigations and monitoring, and SEC enforcement actions. My practice focused on federal criminal defense work primarily in the white collar area, internal corporate investigations and monitoring. From 1999 through 2010, I also served as the Independent Monitor for Con Edison Inc., conducting internal investigations of potential environmental, health and ethical violations. I reported to the Chairman of the company. From 2005 through 2009, I also served as an advisor to the New York City Department of Environmental Protection.

In August of 2010, I returned to public service as the First Assistant United States Attorney in the District of Connecticut. On May 13, 2013, United States Attorney David Fein resigned and I became the Acting United States Attorney. In that capacity, I currently oversee the management of the Office and all federal criminal investigations, prosecutions and civil cases in Connecticut. In addition, I have been actively involved in certain criminal cases, including as lead counsel in a recent homicide trial, and co-counsel in the investigation of civil rights violations committed by officers in the East Haven Police Department.

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

While in private practice from 1997-2010, I generally represented

corporations and businesses as well as officers and employees of corporations, usually in federal criminal investigations. Although I sometimes appeared in court for bail hearings, guilty pleas and sentencing proceedings, much of my practice was devoted to representing individuals who were under investigation, subpoenaed to testify before federal grand juries and/or interviewed by federal prosecutors. Additionally, as a monitor for Con Edison from 1999-2010 and advisor to the NYC Department of Environmental Protection from 2005-2009, I focused on environmental and safety compliance. I did not represent Con Edison or the DEP as counsel, but rather provided the leadership of both organizations with advice concerning the implementation of their environmental and safety programs.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.
- i. Indicate the percentage of your practice in:
1. federal courts;
 2. state courts of record;
 3. other courts;
 4. administrative agencies

Virtually all of my practice while working in both the public and private sectors has been in litigation. I frequently appeared in federal court in the SDNY when I was an AUSA from 1985-1997. From 8/2010 to the present, initially as First Assistant United States Attorney and currently as Acting United States Attorney in Connecticut, I have appeared in the United States District Court in Connecticut. In sum, while in government service, 100% of my practice was in federal courts.

While in private practice from 1997-2010, I appeared occasionally in federal court in the SDNY, EDNY and District of CT. During that time, I also appeared in Connecticut State Court in two criminal cases, one in Danbury and one in Norwalk, and in one criminal case in New York State Court in Westchester. With respect to private practice, I would estimate that 90% was in federal courts and 10% was in state courts.

I have not appeared in any other courts or before any administrative agencies.

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

In government service, approximately 85% of my practice has been in criminal proceedings. The remaining 15% generally relates to my oversight and supervision of the Civil Division of the United States Attorney's Office in the District of Connecticut, initially as the FAUSA of that Office and currently as the Acting United States Attorney.

Similarly, in private practice, I would estimate that 85% of my practice was in criminal proceedings and 15% was in civil proceedings.

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

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

As a federal prosecutor, I have tried 18 criminal cases to verdict. In all cases, I was either sole counsel, lead counsel or I partnered with another AUSA. All of my trials were before juries.

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

I have not practiced before the Supreme Court.

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

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

- 1) *United States v. Hector Natal et al*, 3:12 Cr 164 (JBA): The most recent

matter is the *Natal* case, a four-week criminal trial before United States District Court Judge Janet B. Arterton in which two defendants were charged with an arson that resulted in the death of two women and a young boy. I oversaw the grand jury investigation and was the lead prosecutor at trial. The trial began on March 25, 2013 and concluded on April 18, 2013 in federal court in Connecticut. I conducted half of the direct examinations of Government witnesses and the cross examinations of defense witnesses, and delivered two jury addresses, the opening statement and the rebuttal argument. The jury convicted both defendants of all charges including attempted arson, arson resulting in death, narcotics conspiracy and several obstruction counts. The defendants are awaiting sentencing.

Co-counsel:

AUSA Michael Gustafson
United States Attorney's Office ("USAO") District of Connecticut
157 Church Street
New Haven, CT;
(203) 821-3738

Counsel for Defendant Hector Natal:

Federal Defender Paul F. Thomas
CT Federal Defenders' Office
265 Church St, Suite 702
New Haven, CT 06510;
(203) 498-4200

Counsel for Hector Morales:

William Paetzold, Esq.
2230 Main St.
Glastonbury, CT 06033;
(860) 657-1010

- 2) *United States v. John Miller et al*, 3:12 CR 17 (AWT): Starting in 2011, as co-counsel with another prosecutor, I conducted the grand jury investigation that resulted in the indictment of four police officers in the East Haven Police Department for various civil rights violations, including allegations of illegal arrests and the use of unreasonable force against members of the community. The indictment charged the defendants with a conspiracy to deprive individuals of their constitutional rights, three counts of use of unreasonable force, three counts of false arrests and three counts of obstruction and was filed on January 12, 2012. The case was assigned to Chief Judge Alvin W. Thompson, United States District Court Judge in Connecticut. Two of the four charged officers, John Miller and Jason Zullo, have pled guilty. The remaining defendants, David Cari and Dennis Spaulding, went to trial in September 2013.

The trial was initially set for a date that conflicted with the *Natal* trial. As a result, AUSA Richard Schechter joined the team and represented the government at trial with co-counsel AUSA Krishna Patel. The jury convicted the defendants of all charges. The four defendants were sentenced to terms of imprisonment as follows: Zullo, two years; Spaulding, five years; Cari, 30 months; and Miller, four months.

AUSAs Richard Schechter and Krishna Patel
USAO, District of CT
1000 Lafayette Blvd.
Bridgeport, CT 06604;
(203) 696-3000

Counsel for Defendant Miller:
Donald Cretella, Esq.
1087 Broad Street
Bridgeport, Connecticut 06604;
(203) 367-0442

Counsel for Defendant Zullo:
Norm Pattis, Esq.
649 Amity Road
Bethany, CT 06524;
(203) 393-3017

Counsel for Defendant Cari:
Alex Hernandez, Esq.
850 Main Street
Bridgeport, CT 06601-7006;
(203) 674-7952

Counsel for Defendant Spaulding:
Frank Riccio, Esq.
923 E Main St.
Bridgeport, CT 06608;
(203) 333-6135

- 3) *United States v. Ziv Hendel*, 3:07 Cr. 92 (EBB): In 2007, I represented Ziv Hendel after he was arrested on charges of copyright infringement. During the course of this representation, I appeared in court at the defendant's bail proceedings and ultimately at his guilty plea and sentencing. The case was prosecuted by the USAO in the District of Connecticut and the case was assigned to United States District Court Judge Ellen B. Burns. Mr. Hendel pled guilty to conspiracy to commit criminal copyright infringement and was sentenced to a term of five years of probation.

The Government was represented by:
AUSA Edward Chang
USAO, District of Connecticut
450 Main Street
Hartford, CT 06103;
(860) 947-1101

- 4) *United States v. Ace & Co., Inc.*, 3:06 Cr 225 (EBB): In 2006, I represented Ace & Co., Inc. in a fraud investigation conducted by the USAO in the District of CT. I appeared in court representing the company at the plea proceeding and at the sentencing before Judge Ellen B. Burns. The Company pled guilty to one count of wire fraud and was sentenced to probation and ordered to pay restitution.

The Government was represented by:
Former AUSA John A. Marella
Now counsel to Knights of Columbus
1 Columbus Plaza
New Haven, CT 06510;
(203) 752-4000

- 5) *United States v. William McKenzie*, 1:01 Cr 1187 (JG): In 2002: I represented William McKenzie for purposes of sentencing after he had pled guilty to false statements on a tax return in federal court in the EDNY. The case was assigned to United States District Court Judge John Gleason. I submitted a sentencing memorandum and appeared at the sentencing proceeding on behalf of Mr. McKenzie. On May 3, 2002, Judge Gleason sentenced him to 14 months imprisonment.

The Government was represented by:
AUSA Paul Weinstein
USAO, Eastern District of New York
271 Cadman Plaza East
Brooklyn, NY 11201;
(718) 254-6237

- 6) *United States v. Rita Gluzman*, 154 F. 3d 49 (2d Cir. 1998). In 1997, I was co-counsel in the trial of Rita Gluzman, the first murder case to be tried under The Violence Against Women Act. The trial began on April 30, 1997 before Judge Barrington D. Parker, then a United States District Court Judge in the SDNY and now a judge on the Second Circuit Court of Appeals. After a three-week trial, the defendant was convicted of killing and dismembering her husband, and thereafter attempting to evade

responsibility for the crime by disposing of his body parts. At trial on behalf of the Government, I conducted half of the direct and cross examinations and delivered the summation and rebuttal arguments to the jury. The defendant was sentenced to life imprisonment and her conviction was affirmed by the Second Circuit. I did not work on the appeal as I was no longer working in the USAO at the time of the appeal.

Co-counsel:
Former AUSA Cathy Seibel
Now United States District Court Judge for the Southern District of New York
300 Quarropas St.
White Plains, NY 10601;
(914) 390-4271

Counsel for Defendant Gluzman:
Lawrence Hochheiser, Esq.
15 Maiden Lane
New York, NY 10038;
(212) 689-4343

- 7) *United States v. Joseph Giampa et al*, S 92 Cr. 437 (PKL): In 1992, I investigated and prosecuted Joseph Giampa and Santo Giampapa for murder, conspiracy to commit murder and conspiracy to assault in aid of a racketeering enterprise known as the Luchese Organized Crime Family. The case was assigned to United States District Court Judge Peter K. Leisure in the SDNY. The trial began on October 13, 1992. The jury found the defendants not guilty of all charges.

Co-counsel:
Former AUSA David Kelley
Now partner at Cahill Gordon & Reindel LLP
88 Pine Street
New York, NY 10005;
(212) 701-3050

Counsel for Defendant Giampa:
James LaRossa, Esq.
1790 Broadway
New York, NY 10019;
(212) 397 7900

Counsel for Defendant Giampapa:
George Santangelo, Esq.
111 Broadway

New York, NY 10006;
(212) 269-4488

- 8) *United States v. Paccione et al.*, 949 F. 2d 1183 (2d Cir. 1991): In 1989, while an AUSA in the SDNY, I conducted the grand jury investigation that resulted in the indictment of Angelo Paccione, three other individuals and seven entities on racketeering charges relating to the fraudulent operation of a large environmentally hazardous landfill in Staten Island. The case was assigned to United States District Court Judge Constance Baker Motley in the SDNY. I was unable to participate in the trial as it began at the same time our first son was born. On June 8, 1990, after a twelve week trial, the lead defendants and related entities were convicted of racketeering and agreed to a consent judgment of \$22 million. The Second Circuit affirmed their convictions on appeal. With other AUSAs, I worked on the appellate brief. Judges Amalya L. Kearse, Joseph M. McLaughlin and Thomas J. Meskill of the United States Court of Appeals for the Second Circuit heard the appeal.

Co-counsel:

Former AUSA Elliot Peters
Now a partner at Kecker & Van Nest
633 Battery Street
San Francisco, CA 94111;
(415) 676-2273

Former AUSA Jeffrey Sklaroff
Now a partner at Greenberg Traurig
200 Park Avenue
New York, NY 10166;
(212) 801-9200

Counsel for Defendant Paccione:

Gustave Newman, Esq.
950 Third Avenue
New York, NY 10022;
(212) 308-7900

Counsel for Defendant Vulpis:

Ben Brafman, Esq.
767 Third Avenue
New York, NY 10017;
(212) 750-7800

- 9) *United States v. Parker et al.*, 903 F. 2d 91 (2d Cir. 1990): In 1989, I prosecuted multiple defendants on charges relating to the armed robbery of

a check cashing firm in which two guards were shot and \$247,000 was stolen. Three defendants were tried on violations of interstate robbery, transportation and receipt of stolen property and use of firearms. After a three-week trial before United States District Court Judge Charles S. Haight, Jr., two defendants were convicted of all charges and the jury was unable to reach a verdict as to the third defendant. Thereafter, the third defendant Gary Phillips was re-tried before United States District Court Judge Lloyd F. MacMahon and convicted of all charges. I was the sole counsel for the prosecution at both trials.

Counsel for Defendant Gary Phillips:
Howard L. Jacobs, Esq.
401 Broadway
New York, NY 10013;
(212) 431-3710

Counsel for Defendant Eric Parker:
Mitchell A. Golub, Esq.
225 Broadway
New York, NY;
(212) 693-1000

Counsel for Defendant Keith Moon:
Jonathan Rosenbluth, Esq.
76 S Orange Avenue
South Orange, NJ 07079;
(973) 761-5333

- 10) *United States v. D'Ottavio*, 888 F. 2d 126 (2d Cir. 1989): In 1988, I prosecuted Salvatore D'Ottavio for perjury in connection with his testimony before a federal grand jury investigating the activities of the Bonanno organized crime family. The case was assigned to United States District Court Judge John E. Sprizzo in the SDNY. I represented the Government at trial. The defendant was convicted of six counts of perjury and sentenced to a term of imprisonment of five years on January 26, 1989. His conviction was affirmed by the Second Circuit.

Counsel for Defendant D'Ottavio:
Louis Diamond, Esq.
358 Saint Mark's Place
Staten Island, NY 10301;
(718) 448-4800

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your

participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

For over ten years from 1999-2010, I was an environmental and safety monitor at Consolidated Edison, Inc. ("Con Ed"), the electric company for Manhattan and the five neighboring counties in New York. This appointment arose from the company's criminal conviction for failing to properly report a significant release of asbestos. Employees were directed to contact me, confidentially and free from retaliation, to report their concerns regarding potential violations of environmental or safety laws. I was authorized to investigate such incidents and had full and free access to all Con Ed employees and facilities, including power plants, work-out locations and street operations, as well as all relevant documents. With such access, I conducted numerous investigations and issued multiple written and oral reports to groups of employees and upper level management. One of the primary goals of the program was to change the culture of the company so that all employees understood the importance of complying with all environmental and safety regulations. Serving as the Independent Monitor during the tenure of two Con Ed Chairmen, I reported directly to the Chairmen, met with them regularly and provided them with my reports and recommendations. By several measures, the company made significant progress in the field of environmental and safety compliance.

Further, while in the private sector from 1997-2010, the bulk of my criminal defense practice focused on representing individuals in various governmental and grand jury investigations. Most of these individuals were never charged criminally. Some of them were employees or officers of large corporate entities; others owned or worked at smaller companies. The allegations which were the focus of these investigations included tax fraud, health care fraud, securities and investor fraud, antitrust violations, embezzlement, bank fraud and mail/wire fraud. As charges were not filed against most of these clients, these matters were neither litigated in court nor assigned to judges.

I have performed no lobbying activities.

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

I have not taught any courses.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all

anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

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

No.

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

I earn a salary from my employment for the United States. For additional information, see my SF-278 provided by the Office of Government Ethics.

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

See attached net worth statement.

22. **Potential Conflicts of Interest:**

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

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

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

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

23.

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

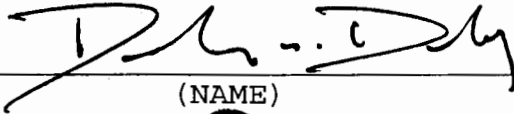
Although my contributions were not legal pro bono work, I have been an active volunteer for The Kennedy Center, Inc., a local community rehabilitative organization that provides residential, vocational, educational and recreational assistance to approximately 2000 clients with various physical and mental disabilities. Over the last twenty years, I have served in various capacities assisting the organization in fund-raising and other activities.

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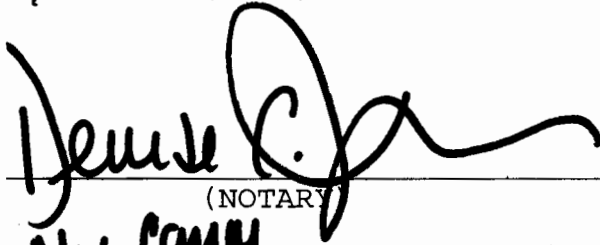
I, Deirdre M. Daly do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

3/13/14

(DATE)



(NAME)



(NOTARY)

My Comm.
Expires
9/30/14