

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES**

**PUBLIC**

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

David Charles Weiss

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

United States Attorney for the District of Delaware

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

Office of the United States Attorney  
1007 N. Orange Street, Suite 700  
Wilmington, DE 19801

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

1956; Philadelphia, PA

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.

Widener University School of Law, 1981 – 1984  
J.D., 1984

University of Miami School of Law, August 1979 – December 1979 (no degree received)

Washington University in St. Louis, 1974 – 1979  
B.S. in Political Science and Sociology

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.

Office of the United States Attorney for the District of Delaware  
1007 N. Orange St., Suite 700  
Wilmington, DE 19801

Acting United States Attorney, March 2017 – present  
First Assistant United States Attorney, December 2010 – March 2017  
Acting Chief, Civil Division, March 2012 – May 2015  
Interim United States Attorney, August 2009 – December 2010  
First Assistant United States Attorney, February 2007 – August 2009  
Chief, Civil Division, February 2007 – January 2009 (concurrent)

The Siegfried Group, LLP  
1201 N. Market Street  
Wilmington, DE 19801  
Consultant, July 2006 – January 2007  
Senior Vice President, January 2004 – July 2006  
Vice President and Chief Operating Officer, October 1999 – January 2004

Duane Morris LLP  
1201 N. Market Street  
Wilmington, DE 19801  
Partner, January 1994 – October 1999  
Associate, June 1989 – December 1993

Office of the United States Attorney  
844 N. King Street  
Wilmington, DE 19801  
Assistant United States Attorney, January 1986 – June 1989

Phillips, Goldman & Spence  
1200 N. Broom Street (address for successor firm)  
Wilmington, DE 19806  
Associate, August 1985 – January 1986

Delaware Supreme Court  
405 N. King Street  
Wilmington, DE 19801  
Law Clerk, August 1984 – August 1985

Office of the United States Attorney  
844 N. King Street  
Wilmington, DE 19801  
Summer Intern, Summer, 1983

Philadelphia District Attorney's Office  
Main Office  
Three South Penn Square  
Philadelphia, PA 19107  
Summer Intern, Summer, 1982

Eden Roc Miami Beach Hotel

4525 Collins Avenue  
Miami Beach, FL 33140  
Employee, 1980 – 1981

The Sheraton Royal Biscayne Hotel (this hotel no longer exists)  
555 Ocean Drive  
Key Biscayne, FL 33149  
Employee, January 1980- November 1980 (estimated)

Fell, Spaulding, Goff & Rubin (firm no longer exists)  
100 South Broad Street (address for a successor firm)  
Philadelphia, PA 19110  
Legal Intern, Summer, 1979

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 the selective service.

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

Recognition by Federal Agencies and Business Associations

2010 Judge Caleb R. Layton III Service Award, Judges of the United States District Court for the District of Delaware in recognition of service to the court and the bar  
1989 Letter of Appreciation, United States Secret Service  
1988 Appreciation Award, Internal Revenue Service for largest criminal tax prosecution in the District of Delaware  
1987 Appreciation Award, Delaware Valley Chapter of the International Association of the Credit Card Industry

Widener University School of Law

1984 Recipient, American Jurisprudence Award for Criminal Law  
1984 Recipient, Judge J. Cullen Gainey Criminal Law Award  
1982 – 1983 Member, Phi Delta Phi Legal Honor Fraternity  
1982 – 1983 Member, Moot Court Honor Society  
1982 – 1983 Recipient, Best Student Article Award  
1982 – 1983 Articles Editor, Delaware Journal of Corporate Law

Washington University in St. Louis

Dean's List Honors

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.

Federal Bar Association  
Member (2007 – 2016)

United States District Court Rules Advisory Committee  
Member (2009 – 2015)

American Bar Association  
Member (1985 – 2015)

Delaware Bar Association  
Member (1985 – 2014)

Criminal Justice Act Appointment Panel  
Member (1989 – 1998)

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.

Delaware, admitted 1984  
Pennsylvania, admitted 1988

There have been no lapses in membership.

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

U.S. Court of Appeals for the Third Circuit, 1997, Active  
U.S. District Court for the District of Delaware, 1986, Active  
U.S. District Court for the Eastern District of Pennsylvania, 1993, Active  
Delaware Supreme Court, 1984, Active  
Pennsylvania Supreme Court, 1988, Active

There have been no lapses in memberships.

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.

Rose Tree Homeowners' Association (1995 – 2017)

Fieldstone Country Club (2003 – 2006)

Siegel JCC Delaware (1995 – 2007)

- 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.

To my knowledge, none of these organizations 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.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files, and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following:

Casenote, The Effect of Section 36 (b) of the Investment Company Act of 1940 on the “Demand requirement” of Federal Rules of Civil Procedure 23.1: Weiss v. Temporary Investment Fund, 7 Del. J. Corp. Law 423 (1982). 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.

I have done my best to identify any reports, memoranda, or policy statements I prepared or contributed to, including through a review of my personal files and

searches of publicly available electronic databases. I have not located any reports, memoranda or policy statements responsive to this request.

- 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.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my searches, I have not located any testimony, official statements or other communications responsive to this request.

- 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 a thorough review of my personal files and searches of publicly available electronic databases. My remarks are often extemporaneous, sometimes with brief written notes or an outline. I did not retain the majority of the handwritten notes or outlines, and have attached those that I could find. There may be other materials I have been unable to identify, locate, or remember. I have located the following:

June 19, 2017  
Speaker, Responding to Mass Casualty Events  
Delaware State University  
Dover, DE  
Copy of notes supplied.

May 3, 2017  
Panelist, Hate Crime Discussion  
Siegel Jewish Community Center  
101 Garden of Eden Rd  
Wilmington, DE  
Copy not available.

October 7, 2016

Speaker, Stalking/Cyberstalking Seminar  
Delaware State University  
1200 North DuPont Highway  
Dover, DE  
Copy not available.

September 14, 2016  
Speaker, Reentry Awareness Symposium  
Delaware State University  
1200 North DuPont Highway  
Dover, DE  
Copy not available.

August 2, 2016  
Speaker, Human Trafficking Training  
New Castle County Police Department  
3601 N. Dupont Hwy  
New Castle, DE  
Copy not available.

October 20, 2011  
Speaker, Investiture of United States Magistrate Judge Christopher J. Burke of the  
U.S. District Court for the District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE  
Copy not available.

January 24, 2011  
Speaker, Investiture of Charles M. Oberly as United States Attorney for the  
District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE  
Copy not available.

October 21, 2010  
Speaker, Identity Theft Seminar  
Better Business Bureau of Delaware  
Wilmington, DE  
Copy of notes supplied.

June 23, 2010  
Speaker, Delaware Chapter of the Federal Bar Association Annual Luncheon  
Honoring the Tenure of The Honorable Joseph J. Farnan, Jr.  
Hotel DuPont  
42 West 11th Street

Wilmington, DE  
Copy not available.

February 5, 2010  
Speaker, Human Trafficking Conference  
Delaware Technical Community College  
100 Campus Drive  
Dover, DE  
Copy not available.

January 19, 2010  
Speaker, Money Services Businesses  
Delaware Rotary Club  
1007 N. Orange Street  
Wilmington, DE  
Copy not available.

January 14, 2010  
Speaker, Identity Theft Training  
Delaware Small Business Association  
Wilmington, DE  
Copy of notes supplied.

December 4, 2009  
Speaker, U.S. Attorney Swearing in Ceremony for the District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE  
Copy not available.

October 7, 2009  
Speaker, Identity Theft Training  
New Castle County Police Department  
New Castle, DE  
Copy of notes supplied.

September 10, 2009  
Panelist, Panel Discussion on Strategies for Reducing Gun Violence  
New Destiny Fellowship Church  
906 16th Street  
Wilmington, DE  
Copy not available.

June 23, 2009  
Host and Speaker, United States Attorney Colm F. Connolly Retirement Dinner  
Hotel DuPont  
42 West 11th Street



Wilmington, DE  
Copy not available.

May 7, 2009

Speaker, Naturalization Ceremony before The Honorable Sue. L. Robinson of the  
U.S. District Court for the District of Delaware  
J. Caleb Boggs Federal Building  
844 N. King Street  
Wilmington, DE  
Copy not available.

- 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 given, including through a review of 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:

“Operation Bear Trap' puts 9 drug traffickers behind bars,” *The News Journal*, June 25, 2017. Copy supplied.

“Five Men Sentenced in Record-Breaking Fentanyl Bust,” *US Official News*, June 10, 2017. Copy supplied.

“Drug ring involved secret passages, tunnel in Bear,” *The News Journal*, June 8, 2017. Copy supplied.

“Man pleads guilty to selling 'Trump' heroin,” *The News Journal*, May 19, 2017. Copy supplied.

“Defendant Willie Brothers, Jr. Sentenced to 9 Years for Distributing Fentanyl-Laced Heroin,” *US Official News*, May 6, 2017. Copy supplied.

“Capano gets 21 months in prison,” *The News Journal*, September 1, 2016. Copy supplied.

“Capano pleads guilty to bank fraud, wetland violations,” *The News Journal*, April 3, 2016. Copy supplied.

“Kentucky: Three Family Members Receive Life Sentences for Courthouse Murder Conspiracy,” *US Official News*, February 23, 2016. Copy supplied.

“Matusiewicz siblings get life in prison,” *The News Journal*, February 19, 2016. Copy supplied.

“Court gunman's son, daughter sentenced to life in prison,” *The Associated Press*, February 18, 2016. Copy supplied.

“NCCo drug-area designation will draw more collaboration,” *Governance, Risk & Compliance Monitor Worldwide*, January 9, 2015. Copy supplied.

“New Castle County designated high-intensity drug area,” *Associated Press State & Local*, January 8, 2015. Copy supplied.

“Former bank CEO gets prison for fraud,” *The News Journal*, November 25, 2014. Copy supplied.

“Leader of 30<sup>th</sup> Street Crew Drug Trafficking Organization Sentence to 78 Months in Jail,” *State News Service*, July 25, 2014. Copy supplied.

“Amy Gonzalez to join Matusiewicz kin in jail until courthouse shooting trial,” *The News Journal*, September 18, 2013. Copy supplied.

“Federal indictment hits Matusiewicz,” *The News Journal*, August 9, 2013. Copy supplied.

“Feds: Campaign of harassment preceded Wilmington courthouse killings,” *The Philadelphia Inquirer*, August 9, 2013. Copy supplied.

“3 relatives of Del. courthouse gunman indicted,” *The Associated Press*, August 8, 2013. Copy supplied.

“Three in NCCo Courthouse shooter's family indicted on stalking charges,” *The News Journal*, August 8, 2013. Copy supplied.

“Tearful Tigani gets two years in prison,” *The News Journal*, March 7, 2012. Copy supplied.

“Del. businessman gets two years for violating campaign finance laws,” *Gannett News Service*, March 6, 2012. Copy supplied.

“Officers cleared in civil suit,” *The News Journal*, December 14, 2011. Copy supplied.

“Stopping an epidemic,” *The News Journal*, November 8, 2011. Copy supplied.

“Peddling pain pills,” *The News Journal*, November 7, 2011. Copy supplied.

“An epidemic of painkillers,” *The News Journal*, November 6, 2011. Copy supplied.

“Veasey to lead Tigani probe,” *The News Journal*, June 25, 2011. Copy supplied.

“Tigani may be only the beginning,” *The News Journal*, June 12, 2011. Copy supplied.

“Some say AG Biden should avoid Tigani investigation,” *The News Journal*, June 10, 2011. Copy supplied.

“Records link Tigani's illegal donations to Joe Biden '08 run,” *The News Journal*, June 10, 2011. Copy supplied.

“Bridgeville man sentenced to 15 years for production and possession of child pornography,” *US Fed News*, November 18, 2010. Copy supplied.

“Man gets 15 years in prison for child porn,” *The News Journal*, November 16, 2010. Copy supplied.

“Ex-DuPont researcher gets prison for selling trade secrets,” *The News Journal*, October 21, 2010. Copy supplied.

“Turkish man gets prison for 'mobile fraud service,” *The News Journal*, September 30, 2010. Copy supplied.

“Shadow War: Sting Revealed, Sentence Imposed; For two years, U.S. agents had held an Iranian in secret. Now, it was time to go public and decide his fate,” *The Philadelphia Inquirer*, September 26, 2010. Copy supplied.

“Man gets three years for stock scam,” *The News Journal*, September 13, 2010. Copy supplied.

“Pa. men convicted in fraud scheme,” *The News Journal*, September 8, 2010. Copy supplied.

“William Holley Sentenced to 48 Months Imprisonment After Tax Fraud and Wire Fraud Convictions,” *Targeted News Service*, August 27, 2010. Copy supplied.

“Boggs building renovations aim for better security,” *The News Journal*, May 31, 2010. Copy supplied.

“Court short for 4th year,” *The News Journal*, March 7, 2010. Copy supplied.

“Christiana Care pays \$3 million,” *The News Journal*, March 2, 2010. Copy supplied.

“Man, 37, sentenced for sex with girl, 14,” *The News Journal*, February 6, 2010. Copy supplied.

“30-year prison term for sexual predator,” *The News Journal*, February 4, 2010. Copy supplied.

“Longtime federal judge will step down,” *The News Journal*, February 1, 2010. Copy supplied.

“Agents spring trap on Iranian arms deal,” *The News Journal*. December 3, 2009. Copy supplied.

“Iranian Arms Procurement Agent to be Sentenced,” *Al-Bawaba*, December 3, 2009. Copy supplied.

“Iranian to be sentenced in arms smuggling case,” *The Associated Press*, December 2, 2009. Copy supplied.

“Delaware court unseals records of Iranian arms dealer case,” *The News Journal*, December 2, 2009. Copy supplied.

“Iranian to be sentenced in arms smuggling case,” *Associated Press International*, December 2, 2009. Copy supplied.

“Arms dealer tried to buy U.S. weapons for Iran, officials say,” *CNN.com*, December 2, 2009. Copy supplied.

“Child pornographer gets 30 years,” *The News Journal*, November 19, 2009. Copy supplied.

“Forum aims to reduce gun violence,” *The News Journal*, September 10, 2009. Copy supplied.

“Cops have gotten too powerful, critics say,” *The News Journal*, August 11, 2009. Copy supplied.

“Florida art thief faces wire fraud charge in Delaware,” *The News Journal*, August 7, 2009. Copy supplied.

“5 years in prison for stealing from state,” *The News Journal*, July 27, 2009. Copy supplied.

“Lofink's sentence tossed out,” *The News Journal*, April 30, 2009. Copy supplied.

“A rare look at an intricate -- and defunct -- Del. drug ring,” *The News Journal*, April 17, 2009. Copy supplied.

“Judge tosses out pipe bomb search,” *The News Journal*, April 11, 2009. Copy supplied.

“Back in Mother's arms,” *The News Journal*, March 17, 2009. Copy supplied.

“Police: Del. man's parental kidnap plan detailed,” *The Associated Press*, March 16, 2009. Copy supplied.

“Fed-Up program seeking attorney,” *The News Journal*, March 3, 2009. Copy supplied.

“Judge throws out charge of gun possession,” *The News Journal*, February 19, 2009. Copy supplied.

“Fraud lands Yao 5-year prison term,” *The News Journal*, February 7, 2009. Copy supplied.

“Heart stent maker enters guilty plea,” *The News Journal*, July 31, 2007. Copy supplied.

“Families settle in Fahey-Capano Lawsuit,” *The News Journal*, January 5, 2001. Copy supplied.

“Stay lifted on Faheys’ civil suit,” *The News Journal*, February 27, 1999. Copy supplied.

“Anne Marie’s family; Justice is served,” *Philadelphia Daily News*, January 18, 1999. Copy supplied.

“Corrupting power: Trial tainted lives of victim, participants,” *Philadelphia Daily News*, January 18, 1999. Copy supplied.

“Ex-prosecutor guilty of slaying Del. Mistress,” *The New York Post*, January 18, 1999. Copy supplied.

“Lawyer Convicted in Murder of Mistress,” *The New York Times*, January 18, 1999. Copy supplied.

“Thomas Capano convicted of murdering Anne-Marie Fahey,” *CBS News Transcripts*, January 18, 1999. Copy supplied.

“Thomas Capano Found guilty; He faces life in prison or death,” *The Philadelphia Inquirer*, January 18, 1999. Copy supplied.

“Capano Found Guilty in Lover's Slaying; Del. Lawyer May Face Death Penalty,” *The Washington Post*, January 18, 1999. Copy supplied.

“Thomas Capano is found guilty of murdering Anne Marie Fahey in 1996,” *CBS News Transcripts*, January 17, 1999. Copy supplied.

“Capano may fire attorneys,” *The News Journal*, December 8, 1998. Copy supplied.

“Defendant wants to try case,” *Philadelphia Daily News*, December 8, 1998. Copy supplied.

“The Lady Vanishes, And Her Family Sues,” *The American Lawyer*, September 1998. Copy supplied.

“Judge postpones civil lawsuit,” *The Associated Press State & Local Wire*, August 29, 1998. Copy supplied.

“Judge declared Fahey dead,” *The News Journal*, June 19, 1998. Copy supplied.

‘Family: Declare Fahey dead/a lawyer for Anne Marie Fahey’s siblings told a Judge there was enough evidence. A civil suit could follow,” *The Philadelphia Inquirer*, May 21, 1998. Copy supplied.

“Family asks Court to declare Fahey dead/ Anne Marie Fahey’s body has never been found. The action could clear the way for a wrongful-death suit,” *The Philadelphia Inquirer*, April 8, 1998. Copy supplied.

“Capano wants trial moved up/ His attorney has filed a request that the murder trial begin in June, calling the current Oct. 13 date ‘burdensome’,” *The Philadelphia Inquirer*, March 20, 1998. Copy supplied.

“With a Defendant but No Corpse, F.B.I. Looks to the Sea,” *The New York Times*, December 14, 1997. Copy supplied.

“Capano arrested in Fahey slaying: Youngest brother said to link him to crime,” *The Philadelphia Inquirer*, November 13, 1997. Copy supplied.

“Del. Lawyer Charged in Death of Governor's Aide; Cooperation of Suspect's Brother Is Break in Case Involving Secret Affair, Victim's Disappearance,” *The Washington Post*, November 13, 1997. Copy supplied.

“In Delaware, an Unsolved Mystery; Suspect, Missing Woman Moved in Top Political Circles,” *The Washington Post*, June 6, 1997. Copy supplied.

“7-month-old mystery in Delaware still enthralls,” *USA Today*, February 3, 1997. Copy supplied.

“Fahey family blasts Capano’s remarks,” *The News Journal*, January 7, 1997. Copy supplied.

“Court affidavits reveal theory in Fahey case: The missing woman told friends she feared Thomas Capano. He has not been charged,” *The Philadelphia Inquirer*, January 4, 1997. Copy supplied.

“Ex-councilman in Del. gets jail term for extortion,” *The Philadelphia Inquirer*, February 7, 1990. Copy supplied.

“Justice hires Ron Aiello’s prosecutor; Weiss sent councilman to jail for accepting bribe,” *The News Journal*, February 6, 1992. Copy supplied.

“Aiello gets jail term,” *The News Journal*, February 7, 1990. Copy supplied.

“Democrat quits NCCo council seat,” *The News Journal*, December 5, 1989. Copy supplied.

“Federal prosecutor lauds Capano for gutsy act,” *The News Journal*, December 5, 1989. Copy supplied.

“Probe attorney has new job; Weiss will return to prosecute Aiello on extortion charge,” *Sunday News Journal*, June 4, 1989. Copy supplied.

“Grand jury indicts Aiello on extortion as probe continues,” *The News Journal*, June 2, 1989. Copy supplied.

“Del. official is accused of extortion,” *The Philadelphia Inquirer*, May 19, 1989. Copy supplied.

“Prettyman draws six-year sentence on tax charge,” *The Morning News*, August 23, 1988. Copy supplied.

“Prettyman enters guilty plea to tax evasion charges,” *The Morning News*, May 27, 1988. Copy supplied.

“2 Kent County men sentenced,” *The Morning News*, August 21, 1987. Copy supplied.

“Reputed gangster faces array of charges,” *The News Journal*, October 10, 1986. Copy supplied.

“Informant in drug case missing and feared dead,” *The News Journal*, June 27, 1986. Copy supplied.

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.

I have been appointed to the following public offices:

August 2009 – December 2009: Interim United States Attorney, appointed by Acting Attorney General David W. Ogden;

December 2009 – December 2010: Interim United States Attorney, appointed by the Honorable Gregory M. Sleet, Chief Judge, District of Delaware.

- 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 not been a member nor held offices in or rendered services to a political party or election committee.

14. **Legal Career:** Answer each part separately.

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

I served as a clerk to the Honorable Andrew D. Christie, Associate Justice of the Delaware Supreme Court, 1984 – 1985.

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

I have not practiced law alone.

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

Office of the United States Attorney for the District of Delaware  
1007 N. Orange Street, Suite 700  
Wilmington, DE 19801

Acting United States Attorney, March 2017 – present  
First Assistant United States Attorney, December 2010 – March 2017  
Acting Chief, Civil Division, March 2012 – May 2015  
Interim United States Attorney, August 2009 – December 2010  
First Assistant United States Attorney, February 2007 – August 2009  
Chief, Civil Division, February 2007 – January 2009 (concurrent)

The Siegfried Group, LLP  
1201 N. Market Street  
Wilmington, DE 19801

Consultant, July 2006 – January 2007  
Senior Vice President, January 2004 – July 2006  
Vice President and Chief Operating Officer, October 1999 – January 2004

Duane Morris LLP  
1201 N. Market Street  
Wilmington, DE 19801

Partner, January 1994 – October 1999  
Associate, June 1989 - December 1993

Office of the United States Attorney  
844 N. King Street  
Wilmington, DE 19801  
Assistant United States Attorney  
January 1986 – June 1989

Phillips, Goldman & Spence  
1200 N. Broom Street (address for successor firm)  
Wilmington, DE 19806  
Associate



August 1985 – January 1986

Delaware Supreme Court  
405 N. King Street  
Wilmington, DE 19801  
Law Clerk

August 1984 – August 1985

- 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.

From 1984 to 1985, I served as a judicial law clerk performing legal research and writing and preparing draft orders and opinions.

During the last four months of 1985, while awaiting background clearance to become an Assistant United States Attorney, I worked as an associate in a private law firm. I drafted pleadings, prepared legal memoranda and briefs, drafted discovery, and defended depositions.

From 1986 to 1989, as an Assistant United States Attorney, I handled a wide variety of criminal prosecutions. In this regard, I supervised state and federal investigators, conducted grand jury investigations, and regularly appeared in court on behalf of the United States.

From 1989 to 1999, I worked as an associate (1989–1993) and partner (1994–1999) in private practice. While I handled some white collar criminal defense and compliance work, my practice focused primarily on commercial litigation in state and federal courts.

From 1999 to 2007, I was Chief Operating Officer and Vice President at a financial staffing firm. Most of my work focused on managing and leading the company's business operations. As the company's former attorney when I practiced at Duane Morris LLP, however, I continued to provide legal advice and counsel to the firm and its principals.

Since 2007, I have served in various supervisory capacities for the United States Attorney's Office, including Acting United States Attorney, First Assistant United States Attorney, and Civil Chief. Throughout this time, I have been responsible for managing the Criminal Division, Civil Division,

and administrative operations of the office. I have participated in several cases of strategic importance to the District, and appear in court occasionally. I have developed or contributed to the development of strategic priorities for the District. I have worked extensively with federal, state and local law enforcement agencies and community leaders.

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

During my two stints with the United States Attorney's Office, I have represented the United States and federal agencies, officers and employees. From 1986 to 1989 my work as an Assistant United States Attorney focused exclusively on criminal prosecutions and trial litigation. Upon my return to the office almost 20 years later, my practice expanded to include responsibility for all aspects of civil litigation, including the defense of federal employees in tort and Title VII matters, qui tam litigation, and bankruptcy.

I worked in private practice from 1989 to 1999. My practice focused primarily on commercial litigation and white collar criminal defense. Commercial litigation clients included an international agricultural company, financial institutions, home builders, a financial services firm, and a variety of local businesses and individuals. White collar defense clients tended to be individuals and regional or local businesses.

- 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.

100 percent of my time practicing law has involved litigation, either as a technician or a manager. From 1986 to 1989, as an Assistant United States Attorney, I appeared in court frequently. As a practitioner engaged in private practice, I appeared in court regularly, but not as frequently as I had as an Assistant United States Attorney. From 2007 to the present, I have appeared in court occasionally.

- i. Indicate the percentage of your practice in:
  - 1. federal courts; 80%
  - 2. state courts of record; 20%
  - 3. other courts; 0%
  - 4. administrative agencies 0%
- ii. Indicate the percentage of your practice in:
  - 1. civil proceedings; 45%
  - 2. criminal proceedings. 55%

- 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 have tried 17 cases to verdict, judgment or final decision in state and federal courts. I was sole counsel in seven cases, lead counsel in four cases, co-counsel in five cases, and associate counsel in one case. In addition to the above cases, I tried a number of felony offenses and violations to final judgment before the United States Magistrate.

- i. What percentage of these trials were:

1. Jury: 88%
2. non-jury: 12%

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

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

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. Pamela A. Couden, et. al. v. Scott Duffey, et. al.  
Civil Action No. 03-369-MPT (D. Delaware)  
U.S. District Court for the District of Delaware  
United States Magistrate Judge Mary Pat Thyng  
Date of Representation: 2008 – 2011

Plaintiffs filed civil rights and tort claims against four law enforcement officers participating in a federal fugitive task force. The district court granted defendants' motion to dismiss the complaint. On appeal, the Third Circuit affirmed in part and reversed in part, reinstating Plaintiffs' § 1983 claims and *Bivens* claim for unlawful

search and seizure and use of excessive force. Following a five-day trial, the jury returned verdicts in favor of all defendants. I acted as co-counsel for FBI Agent Scott Duffey at trial.

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Olender Feldman  
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Principal Counsel for Defendant Wilmington Police Officer  
Rosamaria Tassone-DiNardo  
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Principal Counsel for Opposing Parties  
The Honorable Noel E. Primos  
Superior Court for the State of Delaware  
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(302) 674-0140

William D. Fletcher, Jr.  
Schmittinger & Rodriguez, P.A.  
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2. United States v. Allen Tower and NuMED Inc.  
Criminal Action No. 07-128M-JJF (D. Delaware)  
U.S. District Court for the District of Delaware  
United States District Judge Joseph J. Farnan, Jr.  
Date of Representation: 2007

Shortly after my return to the United States Attorney's Office, U.S. Attorney Connolly asked for my assistance with this case, hoping that I might facilitate a resolution.

Defendants were charged with distributing thousands of the company's CP stents in interstate commerce without FDA approval and were also charged with related tax violations. The CP stent is a medical device used to treat coarctation of the aorta. Due to the nature and level of risk associated with these devices, they require the highest level of regulatory scrutiny. However, the proper use of the CP stent offers a less invasive treatment option for adult and pediatric patients suffering from coarctation. After intensive negotiations, the parties entered into a plea agreement. Defendants pled guilty to two counts of distributing the CP stents without FDA approval, in violation of 21 U.S.C. § 331(a), and stipulated to a resolution which included payment of a criminal fine in the amount of \$2,293,451; payment of \$2,230,103 (over three years) to fund the clinical trial of the CP stents at Johns Hopkins University; and the provision of the CP stents to health care providers at no cost for the first five years after FDA approval.

Co-Counsel

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Principal Counsel for Opposing Parties

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Chief Administrative Officer for New Castle County  
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3. State of Delaware v. Thomas J. Capano  
Case ID#9711006198 (Del. Super. Ct.)  
Superior Court of Delaware  
William Swain Lee

In the Matter of the Presumed Death of Anne Marie S. Fahey

No. 116912 (Del. Ct. Chancery)  
Delaware Court of Chancery  
Myron T. Steele

Kathleen Fahey-Hosey, et. al. v. Thomas Capano, et. al.

Docket No. SN98C-06-299 (Del. Super. Ct.)  
Delaware Superior Court  
Susan Del Pesco  
Date of Representation: 1996 – 2001

Anne Marie Fahey, the scheduling secretary for then Delaware Governor Tom Carper, vanished in June 1996. Hundreds of people searched for her in the weeks and months that followed. Federal and state authorities conducted a 16-month investigation, ultimately charging and convicting prominent local attorney Thomas Capano of first-

degree murder. I was hired by Anne Marie's family to shadow the government's investigation, provide advice and counsel regarding investigative developments, and help the family navigate the substantial media attention generated by the case. In 1998, the Fahey family and Anne Marie's estate filed suit in Delaware Superior Court against Thomas Capano, his brothers (who assisted in the cover-up of the murder), and various business entities for wrongful death and related tortious conduct. The case settled in 2001. Because Anne Marie's body was never recovered, prior to filing the wrongful death complaint, the Plaintiffs were required to prove that Anne Marie was exposed to a "specific peril of death" and have her declared legally dead in the Delaware Court of Chancery. I was primary counsel to the Fahey family throughout the criminal investigation and during the chancery court proceeding. I drafted the wrongful death complaint for the state superior court action. I left my law firm in 1999, but continued to represent the Fahey family on a part-time basis through settlement.

Co-Counsel

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4. W.H. Rhinehart v. Helena Chemical Co., et. al.  
4\_94\_cv-40216-MP-WCS (N.D. Florida) (May 12, 1994)  
U.S. District Court for the Northern District of Florida  
United States District Judge Maurice M. Paul  
Date of Representation: 1994 – 1996

This was a class action brought against Zeneca, Inc. and two of its distributors alleging Sherman Act violations. Plaintiff claimed that the prices he paid for agricultural chemicals purchased under a Zeneca, Inc. rebate program were unlawfully raised as a result of a conspiracy between Zeneca, Inc. and its distributors. Defendant Zeneca, Inc. succeeded in persuading the court that Plaintiff's Motion for Class Certification should be denied. I represented Zeneca, Inc. and assisted in drafting pleadings, motions practice, briefing, and the discovery process.

Co-Counsel  
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5. Wilmington Savings Fund Society, FSB v. Nugelt Inc., Mybev Associates, et. al  
CA12743 (Del. Ch. Ct.)  
Delaware Court of Chancery  
Judge Carolyn Berger

In re Mybev Associates, et. al.  
Case # 1:92-bk-01587 (Bankr. D. Del)

U.S. Bankruptcy Court, District of Delaware  
Judge Helen Balick

In re Nugelt, Inc, et al

Civil Action No. 1:93cv442 (D. Delaware)  
U.S. District Court for the District of Delaware  
United States District Judge Sue L. Robinson  
Date of Representation: 1992 – 1993

These three cases represent one piece of ongoing litigation. Wilmington Savings Fund Society (WSFS) sought to collect more than six million dollars of virtually unsecured debt from Nugelt, Inc. and Mybev Associates, owners of several Delaware restaurants. The litigation originated in Delaware's Court of Chancery where WSFS sought the appointment of a receiver and the issuance of a TRO/Preliminary Injunction. WSFS continued its pursuit of the restaurant entities in Bankruptcy Court, where we tried an adversary proceeding against the debtors, ultimately prompting the debtors to move to liquidate under chapter 7 of the Bankruptcy Code. First Federal, one of the secured creditors, moved to withdraw the reference in U.S. District Court to facilitate the continued operation of the restaurants. Following extensive negotiations with the Chapter 7 trustee and the two secured creditors, WSFS successfully acquired the assets of the bankruptcy estate pursuant to section 363(f) of the Bankruptcy Code. This transaction raised a number of complicated bankruptcy issues and federal and state tax problems, and a host of additional practical complications, such as keeping the restaurants with 200 employees running after the owners were forcibly removed from the premises. I was primarily responsible for the litigation in Chancery Court, tried the adversary proceeding in Bankruptcy Court, and worked with bankruptcy co-counsel in our litigation/negotiations with the Chapter 7 trustee and secured creditors in U.S. District Court.

Co- Counsel

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Principal Counsel for Opposing Parties in Bankruptcy Court

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Principal Counsel for Trustee in U.S. District Court

Mark Minuti  
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6. CPM Industries v. ICI Americas, Inc  
Docket No. SN86C-04-037J (Del. Super. Ct.)  
Superior Court for the State of Delaware  
Vincent J. Poppiti  
Date of Representation: 1989 – 1990

CPM Industries brought claims of breach of contract and tortious interference with a prospective business opportunity against ICI. The crux of CPM's claim was that the parties had contractually agreed that CPM would act as ICI's exclusive agent for the sale of aniline to Monsanto, and that ICI interfered with CPM's exclusive agency rights. The case was tried to a Delaware jury. Relying extensively on testimony from adverse witnesses employed by ICI, we secured a jury verdict in excess of 1 million dollars. Our firm represented CPM. I prepared the case for trial and acted as co-counsel at trial.

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7. United States v. Ronald J. Aiello  
Docket No. 89 - 00040  
U. S. District Court for the District of Delaware  
United States District Judge Jane R. Roth  
Date of Representation: 1988 – 1990

From 1987 to 1989, the United States Attorney's Office, in conjunction with the FBI, conducted an investigation into allegations of corruption in the New Castle County land use process. Virtually all available overt and covert investigative tools were utilized during the investigation. The investigation culminated in the arrest of New Castle County Councilman Ronald J. Aiello, after he was videotaped accepting a \$25,000 cash down payment (toward his demand of \$100,000) in return for Aiello's promise to support a rezoning request from a prominent Delaware real estate developer. Councilman Aiello ultimately pled guilty to attempted extortion under color of official right, in violation of 18 U.S.C. § 1951 and was sentenced to 33 months' incarceration, a \$10,000 fine, and

three years of supervised release. I led the investigation on behalf of the United States Attorney's Office and negotiated the terms of defendant's plea agreement.

Co-Counsel

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Principal Opposing Counsel

Eugene J. Maurer, Jr.  
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8. United States v Charles Michael Kemp, et. al.  
Criminal Action No. 87-34-JJL  
U.S. District Court for the District of Delaware  
United States District Judge Joseph J. Longobardi, Jr.  
Date of Representation: 1986 –1987

From 1979 to 1985, Defendant Charles Michael Kemp and his brother, sister, and other confederates were responsible for distributing substantial quantities of cocaine and marijuana throughout the state of Delaware. In 1987, Kemp and five others were charged with conspiracy to distribute and to possess with intent to distribute cocaine and marijuana in violation of 21 U.S.C. §§ 841 and 846. Four defendants, including Charles Michael Kemp and his brother Glen, proceeded to trial. The unique challenge in this prosecution was that this was a “dry conspiracy”, that is, the government recovered no controlled substances during the investigation. Nor did we have the benefit of any recorded conversations. As a result, the government proved its historical case exclusively through the testimony of witnesses and cooperators. Following a two-week trial, the four defendants were convicted on all counts. The sentences imposed ranged from five years to 16 years. I represented the United States as lead counsel at trial.

Co-Counsel

The Honorable Kent A. Jordan  
U.S. Court of Appeals for the Third Circuit  
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Principal Opposing Counsel for Defendant Charles Michael Kemp  
Arlen Mekler (deceased)

Principal Opposing Counsel for Defendant Charles Russum  
The Honorable William N. Nicholas

Family Court of the State of Delaware  
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Principal Opposing Counsel for Defendant Joseph Vogel  
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Knepper & Stratton  
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9. United States v. Joseph H. Prettyman, Jr.  
Criminal Action No. 88-20-MMS (D. Delaware)  
U.S. District Court for the District of Delaware  
United States District Judge Murray M. Schwartz  
Date of Representation: 1987 – 1988

In 1987, the IRS and United States Attorney's Office conducted an undercover operation in which IRS agents posed as Florida real estate investors looking to invest in a cash business. The agents were introduced to Joseph "Jay" Prettyman, the owner of the popular Rusty Rudder restaurant located in Dewey Beach, Delaware. During recorded conversations, Prettyman described how, using two sets of books, he had skimmed more than 1.6 million dollars from the business between 1979 and 1987. Agents subsequently searched the restaurant and located the two sets of books, corroborating Prettyman's statements. Prettyman pled guilty to conspiring to defraud the federal government and filing a false tax return. At the time, this was the largest tax case in the district's history. Prettyman was sentenced to six years in prison. I led the investigation and the prosecution on behalf of the United States Attorney's Office.

Principal Opposing Counsel  
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La Cheen Wittels & Greenberg  
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10. United States v. Arthur Cooper, Sr.  
Criminal Action Nos. 87-73-JRR, 87-89-JRR (D. Delaware)  
U.S. District Court for the District of Delaware

United States District Judge Jane R. Roth  
Case Nos. 88-3185, 88-3186, 860 F. 2d 1076 (Table) (3d Cir. September 7, 1988)  
U.S. Court of Appeals for the Third Circuit  
Date of Representation: 1987 – 1988

The FBI and United States Attorney's Office conducted a multi-year investigation into corruption at the Port of Wilmington. Arthur Cooper, Sr., as timekeeper for one of the stevedoring companies, was responsible for recording the names, port numbers, pay rates, and hours worked for each of the laborers hired by the stevedoring company and transmitting that information to the company's corporate headquarters. The government charged Cooper, his wife, and his son with numerous counts of wire fraud for the falsification of these records. Cooper was also charged with obstruction of justice. Following a two-week trial, Cooper was convicted on all counts. His wife and son were acquitted of the charges. Cooper was sentenced to concurrent one-year terms of imprisonment on the wire fraud counts and four years of imprisonment for obstruction of justice, five years of probation, and a fine in the amount of \$19,500. Cooper appealed to the Third Circuit, relying in part on the Supreme Court's decision in McNally v. United States, 107 S. Ct. 2875 (1987) (holding that the mail fraud statute did not proscribe interfering with intangible rights such as citizens' rights to good government). The convictions were affirmed. I assisted in steering the government's investigation of corruption at the Port of Wilmington, participated as co-counsel at trial and shared briefing responsibilities on the appeal.

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Principal Counsel for Opposing Parties  
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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.)

There are just a few significant legal activities that have not been fairly described in my prior responses.

From 1989 to 1999, I practiced at Duane Morris LLP. Part of my practice consisted of white collar criminal defense work, and I represented a number of individuals and businesses in the context of federal grand jury investigations. These investigations included inquiries focused on antitrust violations, ERISA fraud, and telemarketing fraud. In these three instances, upon consideration of the legal and factual presentations submitted on behalf of the defendants, prosecutors chose not to pursue criminal charges.

As Acting United States Attorney and/or First Assistant United States Attorney from 2007 to the present, I have been responsible for the management of more than 40 employees at the United States Attorney's Office for the District of Delaware. I have either set or substantially contributed to setting the office's priorities during this time. For instance, in 2014 and 2015, I led our efforts to establish the New Castle County HIDTA, the first HIDTA in this district. This collaboration has significantly enhanced working relationships with federal, state, and local partners and has improved information gathering and sharing practices. Not surprisingly, these improvements have also led to substantial prosecutions. Two recent examples are U.S. v. Flores-Lopez, 15-45-SLR and U.S. v. Omar Morales Colon – 17-47-GMS. The Flores-Lopez prosecution resulted in the seizure of 2.5 kilograms of cocaine, approximately one kilogram of crystal methamphetamine, nine firearms and more than \$1,000,000 in cash. Eight defendants received sentences ranging from one year to twelve years. The prosecution of Omar Colon and his co-defendants included the seizure of 17 kilograms of cocaine, approximately \$1,000,000 in cash and multiple firearms. The Colon investigation continues.

In 2012, I helped establish the U.S. District Court's first Reentry Court. The Reentry Court is managed by U.S. Magistrate Judge Christopher J. Burke, with assistance from the Public Defender's Office, the United States Attorney's Office, and the United States Probation Office. The program offers intensive supervision of program participants, including employment counseling, social services, and regular interactive sessions with the court and ex-offenders who have made a successful transition to a law-abiding lifestyle.

Finally, I have had an opportunity to participate in cases of strategic importance to the District. During the last several years, I have worked extensively with prosecutors in the investigation of securities fraud and bank fraud at one of Delaware's preeminent financial institutions. To date, the office has secured guilty pleas from defendants in the following cases: United States v. Brian Bailey, No. 14-05-RGA; United States v. Joseph Terranova, No. 13-39-GMS; United States v. Peter Hayes, No. 14-39-RGA; United States v. James Ladio, No. 13-133-RGA; and United States v. Salvatore Leone, No. 13-95-GMS. We are scheduled to proceed to trial against the financial institution and four of its chief executives in October of this year.

I have not performed lobbying activities on behalf of any clients or organizations.

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 courses at any educational institution. I have participated in the teaching opportunities described below.

From 2008 to 2014, I participated in an annual program called Bridge the Gap, sponsored by the Supreme Court of Delaware. The program is held at the Widener University School of Law. It is designed for lawyers who have recently passed the Delaware Bar but have not yet been admitted to practice. My presentations, made in conjunction with a member of the federal judiciary, focused on federal practice in the U.S. District Court for Delaware. I do not have a syllabus for this course.

In 2010, U.S. District Court Judge Joseph J. Farnan, Jr., with limited input from U.S. Magistrate Judge Christopher J. Burke and me, developed the Federal Trial Practice Seminar. The seminar is designed to teach trial skills to inexperienced lawyers who have had limited opportunities to practice in federal court. The course consists of lectures from nationally recognized trial lawyers and practical training sessions, with critiques from experienced trial practitioners (mentors) and district court judges. The course was offered annually through 2013, and now occurs every other year. Magistrate Judge Burke, District Judge Farnan, and I review candidate applications, participate in candidate interviews, and select the participants. Magistrate Judge Burke plans the course, secures the speakers, and prepares the materials. Judge Farnan and I serve as permanent program mentors. Forty-four attorneys have participated in this program. The 2017 seminar schedule is supplied.

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).

See my SF-278 as 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).

A copy of my Net Worth Statement is attached.

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 conflict 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 official.

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

I will seek advice from the Department of Justice's Designated Agency Ethics Officials and take any appropriate steps to resolve any potential conflicts.

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.

I have served as a board member for the March of Dimes and Make-a-Wish Foundation. From approximately 1989 through 1998, I volunteered to participate in the Criminal Justice Act appointment program administered by the U.S. District Court, representing indigent defendants at substantially reduced rates prescribed by statute.

As noted in my responses to Question 17, I have taught lawyers who have recently passed the Delaware Bar about practicing law in the United States District Court. Since 2012, I have mentored young lawyers participating in Delaware's Federal Trial Practice Seminar. I have also served as a moot court judge at the Widener School of Law.

Finally, a significant portion of my legal career has been dedicated to public service.

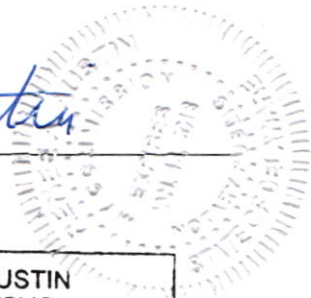
AFFIDAVIT

I, DAVID C. WEISS, do swear  
that the information provided in this statement is, to the best  
of my knowledge, true and accurate.

11/27/17  
(DATE)

[Signature]  
(NAME)

[Signature]  
(NOTARY)



**RENEE A. AUSTIN**  
**NOTARY PUBLIC**  
**STATE OF DELAWARE**  
My Commission Expires Jan. 13, 2018