

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

William Joseph Nardini

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

Circuit Judge, United States Court of Appeals for the Second Circuit

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.

U.S. Attorney's Office
District of Connecticut
157 Church Street, 25th Floor
New Haven, Connecticut 06510

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

1969; Glen Ridge, New Jersey

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.

1997 – 1998, European University Institute, Fiesole, Italy; LL.M. in European, Comparative, and International Law, December 15, 1998

1991 – 1994, Yale Law School; J.D., June 9, 1994

1990 – 1991, University of Rome La Sapienza, Rome, Italy; no degree

1986 – 1990, Georgetown University; A.B. (*summa cum laude*), May 26, 1990

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.

2000 – 2010; 2014 – present
U.S. Attorney's Office for the District of Connecticut
157 Church Street, 25th Floor
New Haven, Connecticut 06510
Criminal Chief (2014 – present)
Appeals Chief (2004 – 2010)
Deputy Appeals Chief (2002 – 2004)
Assistant U.S. Attorney (2000 – present)

2010 – 2014
U.S. Department of Justice, Criminal Division, Office of International Affairs
U.S. Embassy
Via Veneto, 119/A
Rome, Italy 00187
U.S. Department of Justice Attaché (on detail from U.S. Attorney's Office)

2005 – 2010
Yale Law School
127 Wall Street
New Haven, Connecticut 06520
Clinical Visiting Lecturer in Law (Prosecution Externship)

1999
Italian Constitutional Court
Palazzo della Consulta
Piazza del Quirinale, 41
Rome, Italy 00187
Visiting Scholar

1996 – 1997
Supreme Court of the United States
1 First Street, N.E.
Washington, D.C. 20543
Law Clerk for Hon. Sandra Day O'Connor

1994 – 1996
United States Court of Appeals for the Second Circuit
141 Church Street
New Haven, Connecticut 06510
Law Clerk for Hon. Guido Calabresi (1995 – 1996)
Law Clerk for Hon. José A. Cabranes (1994 – 1995)

1993

Tyler Cooper & Alcorn
(This firm no longer exists)
205 Church Street
New Haven, Connecticut 06509
Summer Associate

Summer 1993
Aetna Law & Regulatory Affairs
151 Farmington Avenue
Hartford, Connecticut 06156
Summer Associate

Summer 1992
Jerome N. Frank Legal Services Organization
Yale Law School
127 Wall Street
New Haven, Connecticut 06520
Disabilities Clinic, Summer Intern

Summer 1991
Loral Aerospace
(This company no longer exists)
Decimomannu Air Base
(This is no longer a U.S. Air Force Base)
Decimomannu (CA), Sardinia, Italy
Corrosion Control

1990
New Jersey Assembly
855 Valley Road
Clifton, New Jersey 07013
Legislative Aide to Assemblyman Joseph A. Mecca

Other Affiliations:

2018 – present
SS. Aedan & Brendan Church, New Haven, Connecticut
112 Fountain Street
New Haven, Connecticut 06515
Parish Council Member (uncompensated)

2013 – 2014
Santa Susanna Church, Rome, Italy
(now St. Patrick's Church, Rome)
Via Boncompagni, 31
Rome, Italy 00187

Parish Council Member (uncompensated)

Fall 1991

855 Valley Road

Clifton, New Jersey 07013

Campaign Treasurer to New Jersey State Assemblyman Joseph A. Mecca, Jr.
(uncompensated)

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

I have not served in the military. I registered for the Selective Service when I was 18.

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.

Achievement Award, Connecticut Italian-American Bar Association (2014)

Assistant Attorney General's Award for Exceptional Service (2012)

Attorney General's Award for Exceptional Service (2004)

Executive Office for U.S. Attorneys Director's Award (2003)

Connecticut Law Tribune Young Leaders in the Law, Impact Award (2003)

Fulbright Scholar (1997 – 1998)

Yale Law Journal

Executive Editor (1993 – 1994)

Editor (1992 – 1993)

Rotary Foundation Graduate Fellow (1990 – 1991)

Degree conferred *summa cum laude*, Georgetown University (1990)

Government Department Award for best senior thesis, Georgetown University (1990)

Pi Sigma Alpha (Government Honor Society), Georgetown University (1990)

Phi Beta Kappa, Georgetown University (awarded junior year, 1989)

National Eagle Scout Association Scholarship (1986 – 1990)

Knights of Columbus Pro Deo Scholarship (1986 – 1990)

National Elks Foundation Scholarship (1986)

UNICO (Italian-American Service Organization) Scholarship, Passaic Valley, New Jersey (1986)

Valedictorian, Neumann Preparatory High School, Wayne, New Jersey (1986)

Eagle Scout, Troop 26, Totowa, New Jersey (1984)

9. **Bar Associations and Legal Committees:** 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.

Criminal Chiefs Working Group of the Attorney General's Advisory Committee
Member (2018 – present)

Connecticut Italian-American Bar Association
Member (2018 – present)

Criminal Rules Advisory Committee, U.S. District Court for the District of Connecticut
Member (2014 – present)

Advisory Committee to Rules Committee, U.S. Court of Appeals for the Second Circuit
Member (2008 – 2010)

Connecticut Bar Association Professional Ethics Committee
Member (2006 – 2010)

Appellate Chiefs Working Group of the Attorney General's Advisory Committee
Chair (2009 – 2010)
Member (2006 – 2010)

Yale Law School Alumni Association, Executive Committee
Member (2006 – 2008; 1994 – 1997)

New Haven Inn of Court
Member (2001 – 2004)

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.

Connecticut (1994)

District of Columbia (1996)

There have been no lapses in my Connecticut bar membership. I allowed my D.C. bar membership to lapse in 2003, when I decided to remain in Connecticut for my long-term legal career.

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.

Supreme Court of the United States (2003)
U.S. Court of Appeals for the First Circuit (2003)
U.S. Court of Appeals for the Second Circuit (2001)
U.S. District Court for the District of Connecticut (1995)

There have been no lapses in the above bar 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.

Scouts BSA Troop 63, Woodbridge, Connecticut
Scoutmaster (2019 – present)
Assistant Scoutmaster (2014 – 2019)

SS. Aedan & Brendan Church, New Haven, Connecticut
Parish Council Member (2018 – present)
Religious Education Teacher (2015 – present)
Lector (approximately 2008 – 2010, 2014 – present)

Woodbridge Club (pool club), Woodbridge, Connecticut
Member (2015 – present)

Girl Scouts of America, Troops 60763, 60574 Amity-New Haven, Connecticut
Adult Member/Volunteer (2014 – present)

Friends of Edgewood Park, New Haven, Connecticut
Member (2006 – present)

Westville Village Renaissance Alliance, New Haven, Connecticut
Member (2014 – present)

Cub Scout Pack 902, Woodbridge, Connecticut
Cubmaster (2016 – 2019)
Den Leader (2015 – 2019)

Boy Scout Troop 236, Rome, Italy
Scoutmaster (2013 – 2014)

Santa Susanna Church, Rome, Italy
Parish Council Member (2013 – 2014)
Lector (2010 – 2014)

Cub Scout Pack 236, Rome, Italy
Cubmaster (2012 – 2013)
Assistant Cubmaster (2011 – 2012)

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

In the past, Boy Scouts of America (now known as "Scouts BSA") limited membership to males, although that limitation has since been removed. Girl Scouts of America limits young participants to females, but adults of both genders may participate as adult volunteers. To the best of my knowledge, none of the other organizations listed in response to Question 11a currently discriminates or formerly discriminated on the basis of race, sex, religion or national origin, either through formal membership requirements or the practical implementation of membership policies.

12. **Published Writings and Public Statements:**

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

"District of Connecticut/Former Department of Justice Attaché, Italy," in *Criminal Prosecution*, Yale Law School Career Development Office, 2018 – 2019. Copy supplied.

"District of Connecticut/Former Department of Justice Attaché, Italy," in *Criminal Prosecution*, Yale Law School Career Development Office, 2017 – 2018. Copy supplied.

"District of Connecticut/Former Department of Justice Attaché, Italy," in *Criminal Prosecution*, Yale Law School Career Development Office, 2015 -- 2016. Copy supplied.

The Prosecutor's Toolbox: Investigating and Prosecuting Organized Crime in the United States, 4 J. Int'l Crim. Justice 528 (2006). Copy supplied.

Strumenti di Self-Restraint nella Corte Suprema degli Stati Uniti e nella Corte Costituzionale Italiana, in *Giurisprudenza Costituzionale* 2000, 741. Copy supplied.

Passive Activism and the Limits of Judicial Self-Restraint: Lessons for America from the Italian Constitutional Court, 30 Seton Hall L. Rev. 1 (1999). Copy supplied.

Co-Editor's Letter, *Ye Domesday Booke* (Georgetown University yearbook), 1990. Copy supplied.

The Few, the Proud, the Seminarians, *Ye Domesday Booke* (Georgetown University yearbook), 1990. Copy supplied.

The Wanderer, *Ye Domesday Booke* (Georgetown University yearbook), 1990. Copy supplied.

Letter to the editor, *We Don't Take Ourselves out to Dinner*, *The Georgetown Voice*, Mar. 22, 1990, at 4. Copy supplied.

Year In Review, *Ye Domesday Booke* (Georgetown University yearbook), 1989. Copy supplied.

Letter to the editor, *Two Jobs Are Too Many for Wayne Mayor Newton Miller*, *The Record* (Hackensack, New Jersey), Sep. 10, 1989, at P/M-9. Copy supplied.

Letter to the editor, *Miller Shouldn't Hold Two Offices*, *The Herald & News* (Passaic, New Jersey), Aug. 25, 1989, at 6. 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.

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.

High Court Clerks and Appellate Lawyers Decry Vanity Fair Article, Legal Times, Sept. 27, 2004. Copy supplied.

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

May 9, 2019: Speaker, "Welcoming Remarks," Cyber Summit, Grace Farms, New Canaan, Connecticut. Notes supplied.

July 19, 2018: Speaker, "Criminal Justice Act Panel Training Session," Quinnipiac University Law School, North Haven, Connecticut. I generally spoke about the current criminal docket in the District of Connecticut, and the prosecution priorities of the U.S. Department of Justice, to a panel of defense attorneys. I have no notes, transcript, or recording. The address for the Office of the Federal Defender for the District of Connecticut is 265 Church Street, New Haven, Connecticut 06510.

May 21-23, 2018: Speaker, "Supreme Court Clerk Reminisces," Tauck Tours, National Press Club, Washington, D.C. Notes supplied.

December 1, 2016: Speaker, "Conference on Violence Against Women Act," jointly sponsored by the U.S. Attorney's Office for the District of Connecticut and Grace Farms, New Canaan, Connecticut. I generally spoke about the importance of the private sector working collaboratively with law enforcement agencies to combat human trafficking, particularly in the digital age. I have no notes, transcript, or recording. The address for Grace Farms is 365 Lukes Wood Road, New Canaan, Connecticut 06840. The address for the U.S. Attorney's Office for the District of Connecticut is 157 Church Street, 25th Floor, New Haven, Connecticut 06510.

November 28, 2016: Panelist, "Working in Federal Government as an Administration Changes," Yale Law School, New Haven, Connecticut. I have no notes, transcript, or recording. The address for Yale Law School is 127 Wall Street, New Haven, Connecticut 06520.

November 19, 2015: Panel Moderator, "Ensuring Fair Elections 50 Years After the Voting Rights Act," University of Connecticut School of Law, Hartford, Connecticut. I have no notes, transcript, or recording. The address for the University of Connecticut Law School is 55 Elizabeth Street, Hartford, Connecticut 06105. Press report supplied.

September 21, 2015. Panelist, "Developments in Insider Trading Law," Yale Law School Corporate Law Breakfast, New York, New York. Notes supplied.

June 15, 2015: Panelist, "Federal Criminal Trials," Connecticut Bar Association Annual Conference, Hartford, Connecticut. I have no notes, transcript, or recording. The address for the Connecticut Bar Association is 30 Bank Street, New Britain, Connecticut 06051.

November 21, 2014: Speaker, "Criminal Justice Act Panel Training Session," Quinnipiac University Law School, North Haven, Connecticut. I generally spoke about the current criminal docket in the District of Connecticut, and the prosecution priorities of the U.S. Department of Justice, to a panel of defense attorneys. I have no notes, transcript, or recording. The address for the Office of the Federal Defender for the District of Connecticut is 265 Church Street, New Haven, Connecticut 06510.

November 5, 2014. Speaker, "Address to the Connecticut Italian-American Bar Association," Prospect, Connecticut. Outline supplied.

June 10, 2014: Speaker, "Cooperazione nella Giustizia tra gli Stati Uniti e l'Italia," High Council of the Judiciary, Rome, Italy. I spoke generally about international cooperation between the United States and Italy in criminal justice. I have no notes, transcript, or recording. The address for the High Council of the Judiciary is Piazza dell'Indipendenza, 6, Rome, Italy 00185.

May 21 – 22, 2014: Speaker, "La Criminalità Organizzata Transnazionale," University of Catania Law School, Catania, Italy. I spoke generally about methods of investigating and prosecuting transnational organized crime groups, both in the United States and Italy. I have no notes, transcript, or recording. The address for the University of Catania Law School is via Gallo, 24, Catania, Italy 95124.

May 20, 2014: Speaker, "La Violenza sui Soggetti Deboli," Milan Tribunal, Milan, Italy. I spoke generally about international cooperation between the United States and Italy in criminal justice, and particularly about how to investigate crimes like child pornography that utilize digital data. I have no notes, transcript, or recording. The address for the Milan Tribunal is via Carlo Freguglia, 1, Milan, Italy 20122.

May 19, 2014: Speaker, "La Giustizia Penale Americana e la Cooperazione nella Giustizia tra gli Stati Uniti e l'Italia," Interpol Rome Office, Rome, Italy. I spoke generally about international cooperation between Italy and the United States in law enforcement. I have no notes, transcript, or recording. The address for the Interpol Rome Office is via Torre di Mezzavia, 9/121, Rome, Italy 00197.

May 13, 2014: Speaker, "The Criminal Justice System in the United States," Tax Police Training Institute, Ostia, Italy. Slides supplied.

February 11, 2014: Speaker, "Press Conference re: Operation New Bridge," National Antimafia Directorate, Rome, Italy. I spoke about a joint criminal investigation between the United States and Italy of a transnational organized crime group. I have no notes,

transcript, or recording. The address of the National Antimafia Directorate is via Giulia, 52, Rome, Italy 00186. Press reports supplied.

October 21, 2013: Speaker, "Assistenza Mutua in Materia Penale tra l'Italia e gli Stati Uniti," Italian Judicial Training Institute, Scandicci (Florence), Italy. Slides supplied.

May 28, 2013: Speaker, "La Giustizia Penale negli Stati Uniti," University of Naples Federico II, Naples, Italy. I spoke generally about the differences in criminal procedure in the United States and Italy. I have no notes, transcript, or recording. The address for the University of Naples Federico II is via Porta di Massa, 1, Naples, Italy 80133.

May 7, 2013: Speaker, "Assistenza Mutua tra l'Italia e gli Stati Uniti nelle Indagini del Narcotraffico," Carabinieri Officer Training School, Rome, Italy. I spoke generally about international cooperation between the United States and Italy in narcotics investigations. I have no notes, transcript, or recording. The address for the Carabinieri Office Training School is via Aurelia, 511, Rome, Italy 00165.

March 8, 2013: Speaker, "Assistenza Mutua in Materia Penale tra l'Italia e gli Stati Uniti," Court of Appeals, Bologna, Italy. See the slides supplied in the above entry dated October 21, 2013.

March 5, 2013: Panelist, "Le Leggi Contro la Corruzione negli Stati Uniti" in panel titled "La Lotta Internazionale Contro la Criminalità Organizzata" Tax Police Academy, Ostia, Italy. Slides supplied.

December 7, 2012: Speaker, "Il Sistema Accusatorio di Giustizia Penale negli Stati Uniti," Pistoia Bar Association, University of Florence, Pistoia, Italy. I spoke generally about the differences between the American and Italian criminal procedure systems. I have no notes, transcript, or recording. The address for the Pistoia campus of the University of Florence is via Sandro Pertini, 358, Pistoia, Italy 51100.

October 11, 2012: Speaker, "Defendants' Rights in United States Criminal Law," Training session for Bahraini judges and prosecutors, International Institute of Higher Studies in Criminal Sciences, Siracusa, Italy. Slides and outline supplied.

October 1, 2012: Speaker, "Assistenza Mutua in Materia Penale tra l'Italia e gli Stati Uniti," Court of Appeals, Genoa, Italy. See the slides supplied in the above entry dated October 21, 2013.

April 18, 2012: Speaker, "La Giustizia Penale negli Stati Uniti," University of Naples Federico II, Naples, Italy. I spoke generally about the differences in criminal procedure in the United States and Italy. I have no notes, transcript, or recording. The address for the University of Naples Federico II is via Porta di Massa, 1, Naples, Italy 80133.

April 17, 2012: Speaker, "Assistenza Mutua in Materia Penale e Sanzioni contro la Criminalità Organizzata," Court of Appeals, Catanzaro, Italy. See the slides supplied in the above entry dated October 21, 2013.

March 21, 2012: Panelist, "The Judge, the Bar, and the Parties: Speed and Persuasiveness of Judicial Decisions," University of Macerata, Ancona, Italy. I spoke generally about the different structures in the United States regarding the distinction between judges and prosecutors. I have no notes, transcript, or recording. The address for the University of Macerata is via Crescimbeni, 30/32, Macerata, Italy 62100.

March 8, 2012: Panelist, Book Presentation of Antonello Mura and Antonio Patrono, *La Giustizia Penale in Italia: Un Processo da Sbloccare. La Lezione Americana* (CEDAM 2011), Centro Studi Americani, Rome, Italy. Outline supplied. A video of the panel is available at <http://www.radioradicale.it/scheda/347490/presentazione-del-libro-la-giustizia-penale-in-italia-un-processo-da-sbloccare-la>.

March 1 – 2, 2012: Speaker, "La Giustizia Penale negli Stati Uniti," High Council of the Judiciary, Rome, Italy. I spoke generally about the differences between criminal procedure in the United States and Italy. I have no notes, transcript, or recording. The address for the High Council of the Judiciary is Piazza dell'Indipendenza, 6, Rome, Italy 00185.

December 1, 2011: Speaker, "Indagini di Narcotraffico Sottocopertura nell'Ordinamento Americano," Central Directorate of Antidrug Services, Rome, Italy. I spoke generally about undercover drug trafficking investigations under American law. Slides supplied.

November 28, 2011: Speaker, "Assistenza Mutua in Materia Penale tra l'Italia e gli Stati Uniti," Court of Appeals, Milan, Italy. See the slides supplied in the above entry dated October 21, 2013.

November 21, 2011: Speaker, "Assistenza Mutua in Materia Penale tra l'Italia e gli Stati Uniti," Court of Appeals, Rome, Italy. See the slides supplied in the above entry dated October 21, 2013.

November 14, 2011: Speaker, "Assistenza Mutua in Materia Penale tra l'Italia e gli Stati Uniti," Court of Appeals, Naples, Italy. See the slides supplied in the above entry dated October 21, 2013.

October 13, 2011: Speaker, "Enforcing Foreign Asset Forfeiture/Seizure Orders in the United States," Antimafia Investigative Directorate, Naples, Italy. Slides supplied.

May 18, 2011: Speaker, "Assistenza Mutua in Materia Penale tra l'Italia e gli Stati Uniti," European Electronic Crime Task Force, Rome, Italy. Slides and outline supplied.

January 28 – 29, 2011: Speaker, "Prove Digitali e Cooperazione Investigativa tra gli Stati Uniti e l'Europa" and "La Circolazione della Prova in Europa: Analisi di Problemi

Concreti," at Symposium: Transmission of Evidence within the European Union and Protection of the European Union's Financial Interests, Milan, Italy. Slides and outline supplied.

October 28 – 30, 2010: Panelist, "Il Ruolo dell'Europa: Comparazioni con Altri Sistemi Giuridici," Bari Prosecutor's Office, Bari, Italy. I spoke generally about differences between the criminal procedure systems in the United States and Italy. I have no notes, transcript, or recording. The address for the Bari Prosecutor's Office is via Dioguardi, 1, Bari, Italy, 70123.

May 11 – 13, 2010: Speaker, "La Lotta Contro la Criminalità Organizzata negli Stati Uniti," University of Catania, Catania, Italy. Notes supplied.

March 26, 2010: Panelist, "Corporate Criminal Liability," Yale Law School Center for the Study of Corporate Law, New Haven, Connecticut. I spoke in general terms about the DOJ Guidelines for corporate prosecution. I have no notes, transcript, or recording. The address for Yale Law School is 127 Wall Street, New Haven, Connecticut 06515.

September 14, 2009: Panelist, "Prosecutorial Discretion," Yale Federalist Society, Yale Law School, New Haven, Connecticut. I have no notes, transcript, or recording. The address for Yale Law School is 127 Wall Street, New Haven, Connecticut 06515.

July 2009: Speaker, "Prosecuting Terrorism Cases in the United States," Yale University Summer School, New Haven, Connecticut. I spoke about *United States v. Abu-Jihaad*, a terrorism trial which had recently taken place in the District of Connecticut. I have no notes, transcript, or recording. The address for Yale University is 127 Wall Street, New Haven, Connecticut 06515.

April 20 – 23, 2009: Speaker, "Prosecuting Organized Crime in the United States," University of Catania, Catania, Italy. Notes supplied.

October 2008: Panelist, "Search and Seizure of Digital Evidence: A Discussion with Prof. Orin Kerr and Prof. Tracy Meares," Yale Federalist Society, Yale Law School, New Haven, Connecticut. I spoke generally about Fourth Amendment issues arising in connection with the search and seizure of computer evidence. I have no notes, transcript, or recording. The address for Yale Law School is 127 Wall Street, New Haven, Connecticut 06520.

September 19, 2008: Panelist, "Developments in White-Collar Crime," Connecticut Bar Association, Federal Practice Section, Portland, Connecticut. I spoke generally about white-collar crime issues, including recent prosecutions in Connecticut, and the United States Sentencing Guidelines. I have no notes, transcript, or recording. The address for the Connecticut Bar Association is 30 Bank Street, New Britain, Connecticut 06051.

October 12, 2007: Speaker, "Current DOJ Priorities and Initiatives," and Panelist, "Sentencing Forum," Connecticut Criminal Justice Act Lawyers Training Session, Westbrook, Connecticut. Set of outlines supplied.

September 26, 2007, Panelist, "Appellate Advocacy," Connecticut Bar Association, Appellate Advocacy Section, Meriden, Connecticut. I have no notes, transcript, or recording. The address for the Connecticut Bar Association is 30 Bank Street, New Britain, Connecticut 06051.

May 7, 2007: Panelist, "Second Circuit Appellate Practice," Connecticut Bar Association, Appellate Advocacy Section. I have no notes, transcript, or recording. The address for the Connecticut Bar Association is 30 Bank Street, New Britain, Connecticut 06051.

December 7, 2005: Panelist, "Pursuing a Career in a U.S. Attorney's Office," Yale Career Development Office, Yale Law School, New Haven, Connecticut. I have no notes, transcript, or recording. The address for Yale Law School is 127 Wall Street, New Haven, Connecticut 06520.

September 30, 2005: Panelist, "Sentencing in the Post-*Booker* World," Training Session for the Criminal Justice Act Panel, Federal Defender's Office, Westbrook, Connecticut. Outline supplied.

March 8, 2005: Panelist, "Sentencing in the Post-*Booker* World," Connecticut Bar Association, Federal Practice Section, Portland, Connecticut. Outline supplied.

October 18, 2004: Panelist, "Introduction to Federal Criminal Practice," Connecticut Bar Association, Young Lawyers Section, Meriden, Connecticut. I have no notes, transcript, or recording. The address for the Connecticut Bar Association is 30 Bank Street, New Britain, Connecticut 06051.

March 9 – 12, 2004: Speaker, "La Prova e il Contro-Esame negli Stati Uniti," University of Catania Law School, Catania, Italy. Outline supplied.

March 3, 2004: Panelist, "Using Deposition Testimony at Trial," New Haven Inn of Court, New Haven, Connecticut. Outline supplied.

April 1 – 4, 2003: Speaker, "La Giustizia Minorile negli Stati Uniti," University of Catania Law School, Catania, Italy. I spoke generally about American criminal law approaches to handling juvenile justice issues, primarily in state courts. I have no notes, transcript, or recording. The address for the University of Catania Law School is via Gallo, 24, Catania, Italy 95124.

March 3 – 8, 2002: Speaker, "La Giustizia Penale e Costituzionale negli Stati Uniti," University of Catania Law School, Catania, Italy. Outline supplied.

January 2000: Speaker, "La Costituzionalizzazione del Diritto Penale," "La Corte

Suprema degli Stati Uniti,” and “Il Reclutamento degli Avvocati e dei Giudici negli Stati Uniti,” University of Urbino Law School, Urbino, Italy. Set of notes supplied.

September 15, 1998: Speaker, “History of the Italian Constitutional Court,” Georgetown University, Villa le Balze, Fiesole, Italy. Notes supplied.

June 4, 1986: Valedictorian speech, Neumann Preparatory High School, Wayne, New Jersey. Outline supplied.

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Evan Thomas, First: Sandra Day O’Connor (2019). Copy of excerpt containing quotations supplied.

Justin Scheck, *Corporate Crime Prosecutor Plays Hard*, law.com, Apr. 12, 2007. Copy supplied.

Anu Garg, *Another Word A Day: An All-New Romp Through Some of the Most Unusual and Intriguing Words in English* 104 (2005). Copy of excerpt containing quotations supplied.

Bob Levey, *From Martha and Bill (a Sometime Sunday-nambulist, a Neologistic Victory)*, The Washington Post, Oct. 4, 1996, at E1. Copy supplied.

Eva Freeman, *Law Students Endure Tense Interviews*, Yale Daily News, Oct. 19, 1992, at 5. Copy supplied.

Lisa Young, *YG&B: Turning a Page in History*, The Hoya, Feb. 27, 1990, at 5. Copy supplied.

Folk Festival Offers Exotic Fare, Ye Domesday Booke (Georgetown University yearbook), 1989. Copy supplied.

Jessica Snyder, *Neumann Prep’s Star Pupil Makes Grade in Many Ways*, North Jersey Herald-News, June 4, 1986, at B-8. Copy supplied.

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

I have not held judicial office.

a. Approximately how many cases have you presided over that have gone to verdict

or judgment? _____

i. Of these, approximately what percent were:

jury trials:	_____%
bench trials:	_____% [total 100%]
civil proceedings:	_____%
criminal proceedings:	_____% [total 100%]

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

c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).

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

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

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

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

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

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

14. **Recusals as judge:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before

you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

I have not held judicial office.

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

15. **Public Office, Political Activities, and Affiliations:**

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

U.S. Department of Justice Attaché in Rome, Italy (2010 – 2014)
Special Attorney on the Justice Task Force (2003 – 2008)

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.

During the fall of 1991, I served for several months as the unpaid campaign treasurer for New Jersey State Assemblyman Joseph A. Mecca, Jr. I do not recall engaging in any activities in that capacity other than filling out paperwork.

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

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

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

From 1994 to 1995, I served as a law clerk to the Hon. José A. Cabranes of the U.S. Court of Appeals for the Second Circuit.

From 1995 to 1996, I served as a law clerk to the Hon. Guido Calabresi of the U.S. Court of Appeals for the Second Circuit.

From 1996 to 1997, I served as a law clerk to the Hon. Sandra Day O'Connor of the Supreme Court of the United States.

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

I have not 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:

1999

Italian Constitutional Court
Palazzo della Consulta
Piazza del Quirinale, 41
Rome, Italy 00187
Visiting Scholar

2005 – 2010

Yale Law School
127 Wall Street
New Haven, Connecticut 06520
Clinical Visiting Lecturer in Law (Prosecution Externship)

2010 – 2014

U.S. Department of Justice, Criminal Division, Office of International Affairs
U.S. Embassy
Via Veneto, 119/A
Rome, Italy 00187
U.S. Department of Justice Attaché (on detail from U.S. Attorney's Office)

2000 – 2010; 2014 – present

U.S. Attorney's Office for the District of Connecticut
157 Church Street, 25th Floor
New Haven, Connecticut 06510
Criminal Chief (2014 – present)
Appeals Chief (2004 – 2010)
Deputy Appeals Chief (2002 – 2004)
Assistant U.S. Attorney (2000 – present)

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 in alternative dispute resolution proceedings.

b. Describe:

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

Since joining the U.S. Department of Justice as an Assistant U.S. Attorney in 2000, I have worked primarily in federal criminal law. From 2000 to 2002, I was a line Assistant U.S. Attorney handling a broad variety of federal criminal cases, ranging from violent crimes and narcotics to white-collar matters. I appeared regularly in the U.S. District Court for the District of Connecticut in matters such as initial appearances, detention hearings, motion hearings, jury trials, and sentencing. Starting in 2002, I became the Deputy Appeals Chief in the U.S. Attorney's Office, and divided my time roughly 50% in district court work, and 50% in appellate work, both authoring my own briefs and reviewing and editing other AUSAs' briefs. From 2004 to 2010, I served as Appeals Chief, and my work became more heavily weighted toward appeals (approximately 70%), including oral arguments before the U.S. Court of Appeals for the Second Circuit (and twice before the First Circuit).

From 2010 to 2014, I was appointed Department of Justice Attaché at the U.S. Embassy in Rome, Italy. There, I represented the United States in all criminal justice-related matters, including extraditions of fugitives and mutual legal assistance in criminal matters.

From 2014 to the present, I have served as the Criminal Chief for the U.S. Attorney's Office in the District of Connecticut, where I am responsible for all criminal matters.

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

I have spent my entire career as a practicing attorney at the U.S. Department of Justice, where my only client has been the United States of America. Although I have worked on virtually every type of criminal case at the U.S. Department of Justice, I have spent considerable time working on public corruption matters, involving state and local officials, as well as national security matters. Additionally, beginning shortly after my arrival at the U.S. Attorney's Office, I began developing particular expertise in appellate litigation. I have argued 19 cases in the U.S. Courts of Appeals; supervised approximately 350 civil and

criminal appeals; served as Deputy Appeals Chief for two years and Appeals Chief for six years; was named to the Appellate Chiefs Working Group of the Attorney General's Advisory Committee for four years (including two as chair); served on the Attorney Advisory Committee to the Rules Committee of the U.S. Court of Appeals for the Second Circuit; and successfully argued two cases in the Italian Supreme Court on behalf of the United States.

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.

As an Assistant U.S. Attorney, I frequently appear in the U.S. District Court at every stage of criminal matters, including initial appearances, detention hearings, status conferences, plea hearings, trials, sentencing, and habeas proceedings. During my time at the U.S. Attorney's Office, I have prosecuted dozens of criminal cases from investigation through conviction, sentencing and appeal, including ten cases that were tried to verdict before a jury. While Appeals Chief from 2004 to 2010, my work load was divided roughly 30% in the District Court and 70% in the U.S. Court of Appeals for the Second Circuit. I continued to appear frequently in both courts, arguing 19 appeals (including two in the First Circuit). From approximately 2004 to 2008, there was a surge in the number of civil appeals handled by the U.S. Attorney's Office, primarily in the immigration area. Overall, I supervised approximately 350 appeals before the Second Circuit, divided approximately 40% civil and 60% criminal. Currently as Criminal Chief since 2014, I appear primarily in criminal cases in the District Court, as reflected below.

i. Indicate the percentage of your practice in:

- | | | |
|----|--------------------------|------|
| 1. | federal courts: | 100% |
| 2. | state courts of record: | 0% |
| 3. | other courts: | 0% |
| 4. | administrative agencies: | 0% |

ii. Indicate the percentage of your practice in:

- | | | |
|----|-----------------------|-----|
| 1. | civil proceedings: | 10% |
| 2. | criminal proceedings: | 90% |

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 handled ten jury trials to verdict. Of those, I was sole counsel in three trials; co-counsel in six trials; and associate counsel in one trial.

i. What percentage of these trials were:

- | | | |
|----|-----------|------|
| 1. | jury: | 100% |
| 2. | non-jury: | 0% |

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.

None.

16. **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. Connolly*, Criminal No. 99-CR-10428-JLT (D. Mass.) (Tauro, J.).

Dates of Representation: 2002 – 2009

I was appointed by Attorney General John Ashcroft to serve as a Special Attorney on the Justice Task Force, led by now-U.S. Attorney John H. Durham and now-First Assistant U.S. Attorney Leonard C. Boyle of the U.S. Attorney's Office for the District of Connecticut. The Task Force was charged with investigating the alleged corrupt relationship between law enforcement officers in Boston, Massachusetts, with James "Whitey" Bulger, Stephen "The Rifleman" Flemmi, and other members of the Irish mob known as the Winter Hill Gang. The investigation resulted in the indictment and conviction of former FBI Supervisory Special Agent John Connolly on racketeering and obstruction of justice charges and the indictment and conviction of former Massachusetts State Police Lt. Richard Schneiderhan on obstruction of justice charges. On September 16, 2002, Connolly was sentenced to a period of 10 years imprisonment.

I served as co-counsel assisting three prosecutors at Connolly's 2002 jury trial, handling some written and oral motion practice. I also briefed and argued two appeals before the U.S. Court of Appeals for the First Circuit. *See* 341 F.3d 16 (1st Cir. 2003) (Lipez, Howard, Porfilio, J.J.) (affirming conviction and sentence); 504 F.3d 206 (1st Cir. 2007) (Lipez, Selya, Howard, J.J.) (affirming denial of new trial based on claims of new evidence).

Co-counsel:

John H. Durham
Leonard C. Boyle
U.S. Attorney's Office
157 Church Street, 25th Floor
New Haven, Connecticut 06510
203-821-3700

Cynthia M. Shepherd Torg
(formerly a Trial Attorney at the U.S. Department of Justice)
Immigration Judge
Executive Office for Immigration Review
1901 South Bell Street, Suite 200
Arlington, Virginia 22202
703-603-1359

Defense counsel:

R. Robert Popeo (counsel for Defendant Connolly)
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111
617-348-1716

Tracy Miner (counsel for Defendant Connolly)
Miner Orkand Siddall LLP
470 Atlantic Avenue, 4th Floor
Boston, Massachusetts 02210
617-273-8421

2. *United States v. Schneiderhan*, Criminal No. 1:00-CR-10412-REK (D. Mass.) (Keeton, J.).

Dates of Representation: 2003 – 2005

As a Special Attorney on the Justice Task Force, I served as co-counsel with another prosecutor at the trial of a former Massachusetts State Police officer, who was charged with disclosing to a Bulger associate information about electronic surveillance, in an effort to obstruct Bulger's apprehension. The defendant was convicted, and I briefed and argued the appeal. *See* 2005 WL 845167 (1st Cir. Apr. 13, 2005) (Torruella, Coffin, Stahl, J.J.).

Co-counsel:

John H. Durham
U.S. Attorney's Office
157 Church Street, 25th Floor

New Haven, Connecticut 06510
203-821-3700

Defense counsel:

James Duggan (deceased)

3. *United States v. Abu-Jihaad*, Criminal No. 3:07-CR-57 (MRK) (D. Conn.) (Kravitz, J.).

Dates of representation: 2007 – 2010

This case involved a former U.S. Navy sailor who disclosed national security information to a London-based group that provided material support to international terrorists. The case required extensive pretrial motion practice involving the Classified Information Protection Act and the Foreign Intelligence Surveillance Act, as well as extensive expert testimony about on-line support of terrorism and electronic evidence. I was one of two lead prosecutors at a three-week jury trial in April 2008, which ended with the defendant's conviction for unlawfully disclosing national security information. I jointly briefed and argued the appeal before the U.S. Court of Appeals for the Second Circuit, which affirmed the conviction. *See* 553 F. Supp. 2d 121 (D. Conn. 2008), *aff'd*, 630 F.3d 102 (2d Cir. 2010) (Raggi, Hall, Chin, J.J.).

Co-counsel:

Stephen B. Reynolds
(formerly an Assistant U.S. Attorney)
Senior Managing Counsel, Director of Ethics and Compliance Investigations
CIGNA
900 Cottage Grove Road
Bloomfield, Connecticut 06002
203-658-4289

Alexis Collins
(formerly a Trial Attorney, National Security Division, U.S. Department of Justice)
Cleary Gottlieb
2112 Pennsylvania Avenue
Washington, D.C. 20037
202-974-1519

Defense counsel:

Dan LaBelle
Halloran & Sage
315 Post Road West
Westport, Connecticut 06880
203-222-4303

Robert Golger
Russo & Rizio, LLC
One Post Road
Fairfield, Connecticut 06824
203-255-9928

4. *United States v. Pickerstein*, Criminal No. 3:16-CR-9 (VAB) (D. Conn.) (Bolden, J.).

Dates of representation: 2016

I was sole counsel prosecuting a defense lawyer (and former U.S. Attorney) who embezzled over \$600,000 from the trust account of an incarcerated client. The defendant pled guilty to committing mail fraud, and was sentenced to a term of imprisonment.

Defense counsel:

Andrew Bowman
1804 Post Road East
Westport, Connecticut 06880
203-259-0599

William F. Dow III
Jacobs & Dow, LLC
350 Orange Street
New Haven, Connecticut 06503-0606
203-772-3100

5. *United States v. Andrews*, Criminal No. 3:00-CR-217 (EBB) (D. Conn.) (Burns, J.).

Dates of representation: 2001 – 2011

I served as co-counsel with another prosecutor in a jury trial before Judge Ellen Burns, arising out of the bribery of former Connecticut State Treasurer Paul Silvester, which ended with the conviction of Ben Andrews, former candidate for Connecticut Secretary of State, for bribery, fraud, money laundering, and false statements. I also briefed and argued the appeal, in which the Court of Appeals affirmed in all respects. *United States v. Triumph Capital Grp., Inc. (Andrews)*, 487 F.3d 124 (2d Cir. 2007) (Calabresi, Pooler, Parker, J.J.).

Co-counsel:

David Ring
(formerly an Assistant U.S. Attorney)
Wiggin and Dana
One Century Tower
265 Church Street
New Haven, Connecticut 06510

203-498-4377

Defense counsel:

Jeremiah Donovan
123 Elm Street, Unit 400
Post Office Box 554
Old Saybrook, Connecticut 06475
860-388-3750

6. *United States v. Claywell*, Criminal No. 3:03-CR-103 (SRU) (D. Conn.) (Underhill, J.).

Dates of representation: 2001 – 2003

I was sole counsel prosecuting the owner of a major electrical contractor on Connecticut State projects. The defendant committed hundreds of thousands of dollars in tax evasion and mail fraud, based on his diversion of corporate receipts to pay personal expenses. The defendant was indicted on multiple counts, and ultimately pled guilty and was sentenced to a term of imprisonment.

Defense counsel:

Stanley A. Twardy
Day Pitney LLP
One Stamford Plaza, 7th Floor
263 Tresser Boulevard
Stamford, Connecticut 06901
203-977-7368

7. *United States v. Chuang*, Criminal No. 3:03-CR-22 (AVC) (D. Conn.) (Covello, J.).

Dates of representation: 2001 – 2003

From 2001 to 2003, I was lead counsel in an investigation that led to the guilty plea of the owner of a major transportation contractor for Connecticut highway projects for tax fraud and false claims. The defendant was indicted on multiple counts, and ultimately pled guilty and was sentenced to a term of imprisonment. As part of a joint civil and criminal resolution, the United States and four states recovered \$8.7 million in civil penalties, criminal fines, and restitution.

Co-counsel:

Hon. Maria A. Kahn
(formerly an Assistant U.S. Attorney)
Associate Justice
Connecticut Supreme Court
231 Capitol Avenue

Hartford, Connecticut 06106
203-804-7496

Defense counsel:

Austin McGuigan (retired)

James Wade
Robinson + Cole
280 Trumbull Street
Hartford, Connecticut 06103
860-275-8270

8. *United States v. Robinson*, Criminal No. 3:01-CR-37 (JCH) (D. Conn.) (Hall, J.).

Dates of representation: 2001 – 2011

In July 2001, I was sole counsel in a jury trial against a defendant for a firearms offense, which resulted in a conviction and prison sentence. I briefed and argued the appeal, and the U.S. Court of Appeals for the Second Circuit affirmed in all respects. *See* 54 F. App'x 705 (2d Cir. 2003) (Calabresi, Parker, Raggi, J.J.). I continued to handle subsequent hearings on supervised release, including a contempt proceeding. *See United States v. Robinson*, 399 F. App'x 635 (2d Cir. 2010) (Miner, Katzmann, Cote, J.J.).

Defense counsel:

Hon. Gerald Harmon
(now a Judge of the Connecticut Superior Court)
Meriden Judicial District
54 West Main Street
Meriden, Connecticut 06541
203-768-0441

9. *United States v. Markey and Simpson*, Criminal No. 3:99-CR-156 (AWT) (D. Conn.) (Thompson, J.).

Dates of representation: 2000 – 2003

In November 2000, I served as co-counsel with another prosecutor at a five-week jury trial that resulted in fraud convictions of two defendants charged with a \$4.8 million Ponzi scheme. I briefed and argued the appeals, and the U.S. Court of Appeals for the Second Circuit affirmed in all respects. *See* 69 F. App'x 492 (2d Cir. 2003) (McLaughlin, Leval, Katzmann, J.J.).

Co-counsel:

James Genco (retired)

(formerly an Assistant U.S. Attorney)

Defense counsel:

Jeremiah Donovan (counsel for Defendant Markey)
123 Elm Street, Unit 400
Post Office Box 554
Old Saybrook, Connecticut 06475
860-388-3750

Michael Hillis (standby counsel for *pro se* Defendant Simpson)
Dombroski Hillis, LLC
129 Whitney Avenue
New Haven, Connecticut 06510
203-624-9096

10. *United States v. Litvak*, Criminal No. 3:13-CR-19 (JCH) (D. Conn.) (Hall, J.).

Dates of representation: 2016 – 2018

In 2017, I was co-counsel with two prosecutors at the re-trial of a bond trader who was charged with lying to customers about the price at which he bought or sold bonds. The jury convicted the defendant of one count of securities fraud, and acquitted him of nine counts. The Court of Appeals subsequently granted a new trial based on an evidentiary ruling, and the U.S. Attorney's Office declined to re-try the case. *United States v. Litvak*, 889 F.3d 56 (2d Cir. 2018) (Winter, Chin, Korman, J.J.).

Co-counsel:

Jonathan Francis
Heather Cherry
U.S. Attorney's Office
157 Church Street, 25th Floor
New Haven, Connecticut 06510
203-821-3700

Defense counsel:

Dane Butswinkas
Adam Harber
C.J. Mahoney
Williams & Connolly
725 12th Street, N.W.
Washington, D.C. 20005
202-434-5000

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

As an Assistant U.S. Attorney, I have personally handled numerous investigations that led to convictions after guilty pleas and trials. These matters included an array of offenses, including gun possession and narcotics distribution; white-collar fraud; national security violations; and public corruption. Currently, as the Chief of the Criminal Division, I supervise all criminal matters, including all charging decisions, in the District of Connecticut. Of the approximately 350 civil and criminal appeals that I supervised at the U.S. Attorney's Office, I argued 19 in the U.S. Courts of Appeals for the First and Second Circuit.

From 2010 to 2014, I was assigned to the U.S. Embassy in Rome, Italy, as U.S. Department of Justice Attaché and coordinated all matters involving extradition and mutual legal assistance in criminal matters between the United States and Italy. I served as a liaison between U.S. prosecutors (state and federal) and Italian judicial authorities, including the Ministry of Justice, prosecutors, and judges. I also served as the legal adviser on criminal justice matters to the U.S. Ambassador and to federal law enforcement agencies based at the U.S. Embassy in Rome.

I have not engaged in any lobbying activities.

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

From 2005 to 2010, over ten semesters, I taught the Prosecution Externship at Yale Law School. Each class consisted of approximately 10 to 15 students who worked at the offices of the State's Attorney or the U.S. Attorney in New Haven. Every Tuesday evening, the class featured an academic seminar to complement the hands-on work that the students encountered during the day. The first class meeting provided students with an overview of criminal procedure, to provide a framework for their semester. Subsequent classes moved through the life cycle of a case—from investigation to charging, and from plea or trial to sentencing. Guest speakers included judges, defense attorneys, law enforcement agents, and probation officers to provide students with distinct perspectives from the different actors in the criminal process. Syllabi are supplied for each semester.

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

In my capacity as an Assistant United States Attorney, I participate in the Thrift Savings Program and have a Thrift Savings account, and I contribute to the Federal Employee Retirement System.

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

I do not have any such plans.

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

When my nomination is formally submitted to the Senate and I file my Financial Disclosure Report, I will supplement this Questionnaire with a copy of the Report.

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

Please see attached financial net worth statement.

24. **Potential Conflicts of Interest:**

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

I do not foresee significant conflicts of interest relating to family members or other persons. I would recuse myself from any matters involving family or financial interests, consistent with the Code of Conduct for United States Judges and any other relevant statutes, ethical canons, and rules. Because of my current position at the U.S. Department of Justice, I would also recuse myself from any cases that were pending during my tenure at the Department in which I had any direct participation or supervisory authority.

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

If confirmed, I would handle any matters involving actual or potential conflicts of interest in conformity with the Code of Conduct for United States Judges and any other relevant statutes, ethical canons, and rules. Further, upon learning of any situation that a party or

observer might perceive or identify as an actual or potential conflict of interest, I would alert the parties to the situation in question and solicit their views. I would also consult with my judicial colleagues on these issues. For cases from the U.S. Attorney's Office in the District of Connecticut that were randomly assigned to me by the Clerk's Office, I would require that the U.S. Attorney's Office file a certification that the case was not pending during my tenure there.

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

As an Assistant United States Attorney, I am limited in my ability to practice law outside the Department of Justice. I have, however, participated in a range of pro bono activities that have not involved direct client representation.

First, from 2006 to 2010, I was a member of the Professional Ethics Committee of the Connecticut Bar Association, which prepares advisory opinions for attorneys regarding ethical matters, and which drafts and reviews proposals for amendments to the ethical standards governing Connecticut attorneys.

Second, from 2008 to 2010, I served on the Attorney Advisory Committee to the Rules Committee of the U.S. Court of Appeals for the Second Circuit at the invitation of Chief Judge Dennis Jacobs. During this period, the Advisory Committee helped to completely re-write the Local Rules of Appellate Procedure, and I served on the three-member subcommittee with Judge Gerard Lynch and Attorney Ira Feinberg that was responsible for the rules on motions, briefs, appendices, and electronic filing.

Third, I currently serve on the Advisory Committee on the Local Criminal Rules for the U.S. District Court for the District of Connecticut at the invitation of Chief Judge Janet C. Hall. The Committee recently undertook comprehensive revisions to the local rules governing criminal discovery, as well as sealed documents and proceedings.

Fourth, I am an active community volunteer, most recently as an adult leader for the Cub Scouts and Scouts BSA both in Connecticut and Italy (Scoutmaster from 2013 to 2014 and from 2019 to the present; Assistant Scoutmaster from 2014 to 2019; Cubmaster from 2012 to 2013 and 2014 to 2019; Assistant Cubmaster from 2011 to 2012; and Den Leader from 2014 to 2019). I am also an adult leader with the Girl Scouts of America. In addition, I serve as a lector, religious education teacher, and Parish Council member at our local parish of SS. Aedan and Brendan Church in New Haven, Connecticut.

From 1992 to 1994, I was a Student Director in the Disabilities Clinic at Yale Law School. Over five semesters and one summer, I represented adult clients with mental health and disability issues. My role was to work with family members, psychiatrists, nurses, and other care providers from Connecticut state social service agencies to draft an individualized treatment

plan, including residential placements and other community-based services, for clients who had previously been relegated to large institutional settings.

26. **Selection Process:**

a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On April 15, 2019, I received a telephone call from the White House Counsel's Office about a recently announced vacancy on the U.S. Court of Appeals for the Second Circuit. On May 3, 2019, I interviewed with attorneys from the White House Counsel's Office and the Office of Legal Policy at the Executive Office Building in Washington, D.C.

On May 17, 2019, Senators Blumenthal and Murphy announced that they had appointed an advisory panel to assist in evaluating potential candidates, and solicited application materials. On May 30, 2019, I submitted an application to Senators Blumenthal and Murphy. On July 23, 2019, the White House Counsel's Office informed me that Senators Blumenthal and Murphy wished to interview me. On July 31, 2019, I met with attorneys from the White House Counsel's Office at the Executive Office Building in Washington, D.C. Also on July 31, 2019, I met with Senators Blumenthal and Murphy, and their aides.

On August 9, 2019, I was asked by the White House Counsel's Office to complete paperwork for an FBI background check and the Senate Judiciary Committee Questionnaire. Since that time, I have periodically communicated with the Office of Legal Policy regarding the required paperwork.

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

No.