

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY**

**QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES**

**PUBLIC**

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

Andre Damian Williams, Jr. (“Damian”)

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

United States Attorney for the Southern District of New York

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

United States Attorney’s Office  
Southern District of New York  
One St. Andrew’s Plaza  
New York, NY 10007

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

1980; Brooklyn, New York

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

2004-2007, Yale Law School; J.D., May 2007

2002-2003, University of Cambridge; MPhil International Relations, June 2003

1998-2002, Harvard College; A.B. Economics, June 2002

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.

February 2012-Present  
United States Attorney’s Office for the Southern District of New York

One St. Andrew's Plaza  
New York, NY 10007  
Chief (or Co-Chief), Securities and Commodities Fraud Task Force (2018-Present)  
Assistant United States Attorney (General Crimes Unit, Narcotics Unit, Securities and  
Commodities Fraud Task Force) (2012-2018)

July 2009-January 2012  
Paul, Weiss, Rifkind, Wharton & Garrison LLP  
1285 Avenue of the Americas  
New York, NY 10019  
Litigation Associate

July 2008-July 2009  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543  
Law Clerk to Justice John Paul Stevens

July 2007-July 2008  
United States Court of Appeals for the D.C. Circuit  
333 Constitution Avenue, NW  
Washington, DC 20001  
Law Clerk to Judge Merrick B. Garland

June 2006-July 2006  
Davis Polk & Wardwell  
450 Lexington Avenue  
New York, NY 10017  
Summer Associate

July 2006-August 2006  
Jenner & Block  
(Now at) 1099 New York Avenue  
Suite 900  
Washington, DC 20001  
Summer Associate

May 2005-August 2005  
United States Attorney's Office for the Southern District of New York  
One St. Andrew's Plaza  
New York, New York 10007  
Summer Intern

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 have registered for selective service.

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

U.S. Attorney's Office:

Health and Human Services Office of the Inspector General Award (2019)

Director's Award for Superior Performance (2013)

Yale Law School:

Editor, *Yale Law Journal* (2004)

Paul & Daisy Soros Fellowship for New Americans (2003)

University of Cambridge:

Lionel de Jersey Harvard Scholarship (2002)

Harvard College:

*Phi Beta Kappa* (2001)

Detur Prize (1999)

Harris Prize (1999)

John Harvard Scholarship (1998-2002)

Ron Brown Scholarship (1998)

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.

Board of Advisors, Program on Corporate Compliance and Enforcement at New York University School of Law (October 2020-May 2021)

10. **Bar and Court Admission**:

- a. List the date(s) you were admitted to the bar of any state and any lapses in

membership. Please explain the reason for any lapse in membership.

New York Bar (Third Department), 2009.

There has been no lapse in membership.

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

United States Court of Appeals, Second Circuit  
2012-Present

In early 2020, I learned that my Second Circuit membership had lapsed because I had not renewed it. I subsequently applied for readmission, which was granted in October 2020.

United States District Court, Southern District of New York  
2012-Present

Except as noted, there have been no lapses in membership.

#### 11. **Memberships:**

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

Human Rights First, Board of Directors (2010-2012)

City Year New York, Associate Board of Directors (2010-2012)

- 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:

*Reconstructing Section 5: A Post-Katrina Proposal for Voting Rights Act Reform*, 116 Yale L.J. 1116 (2007). Copy supplied.

*Sheltering Deprivations: FEMA, Section 408 Housing, and Procedural Redesign*, 116 Yale L.J. 1883 (2007). Copy supplied.

From 2005-2007, I was an Editor of the *Yale Law Journal*. I do not have a record of the academic articles I helped edit.

- 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.

Not applicable.

- 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.

Not applicable.

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

from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. As Chief of the Securities and Commodities Fraud Task Force, I frequently appear on panels to discuss the latest trends and developments in white collar criminal enforcement. I frequently speak without notes or speak from a handwritten outline. I did not retain the majority of the notes or outlines and have attached the materials I could find. Unless specified below, I was unable to identify, locate, or supply a copy, transcript, recording, press reports, outline or notes.

December 3, 2020. Virtual guest speaker: Corporate Crime and Financial Misdealing: Legal and Policy Analysis Seminar, NYU Law School, 40 Washington Square Park South, New York, New York 10012.

November 18, 2020. Virtual panel discussion entitled: “Directors’ Institute on Corporate Governance (Eighteenth Annual),” Practising Law Institute, 1177 6<sup>th</sup> Avenue, New York, New York 10036.

November 6, 2020. Virtual panel discussion entitled: “52nd Annual Institute on Securities Regulation,” Practising Law Institute, 1177 6<sup>th</sup> Avenue, New York, New York 10036. Copy of notes supplied.

September 23, 2020. Virtual panel discussion entitled: “White Collar Crime 2020: Prosecutors and Regulators Speak,” Practising Law Institute, 1177 6<sup>th</sup> Avenue, New York, New York 10036.

September 16, 2020. Virtual panel discussion entitled: “Ethical Considerations for Corporate Investigations in a COVID-19 World,” New York City Bar, 42 West 44<sup>th</sup> Street, New York, New York 10036.

September 15, 2020. Virtual panel discussion entitled: “Hot Trends in DOJ and SEC Enforcement and Litigation,” Sandpiper Partners, 855 Valley Road, Suite 209, Clifton, New Jersey 07013. Copy of notes supplied.

June 17, 2020. Virtual panel discussion entitled: “Institute on White Collar Crime: Securities Enforcement in 2020 and Beyond,” American Bar Association, 321 North Clark Street, Chicago, Illinois 60654. Copy of notes supplied.

April 7, 2020. Virtual panel discussion entitled: “Many Paths: Yale Law School Alumni in the Public Sector,” Yale Law School, 127 Wall Street, New Haven, Connecticut 06511.

February 24, 2020. Guest speaker on accounting fraud: Criminal Securities and Commodities Fraud Seminar (co-taught by Judge Raymond J. Lohier and Steven

Peikin), NYU Law School, 40 Washington Square Park South, New York, New York 10012.

October 2, 2019. Panel discussion entitled: "White Collar Crime 2019: Prosecutors and Regulators Speak," Practicing Law Institute, 1177 6<sup>th</sup> Avenue, New York, New York 10036.

September 18, 2019. Panel discussion entitled: "Ethical Considerations for Corporate Investigations: Views From All Sides," New York City Bar, 42 West 44<sup>th</sup> Street, New York, New York 10036.

May 15, 2019. Panel discussion entitled: "Enforcement 2019: Perspective from Government Agencies," Practicing Law Institute, 1177 6<sup>th</sup> Avenue, New York, New York 10036.

April 1, 2019. Guest speaker on parallel criminal and civil proceedings: Criminal Securities and Commodities Fraud Seminar (co-taught by Judge Raymond J. Lohier and Steven Peikin), NYU Law School, 40 Washington Square Park South, New York, New York 10012.

August 22, 2018. Panel discussion entitled: "Many Paths Through Yale Law School," Yale Law School, 127 Wall Street, New Haven, Connecticut 06511.

- 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 not given media interviews.

**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 not run for public office.

- 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.

From August 2003 to approximately February 2004, I was employed as a field organizer in Iowa and South Carolina for the John Kerry for President campaign. As a field organizer, I was responsible for working with volunteers and other field staffers to make phone calls, knock on doors, and otherwise organize support for then-Senator Kerry's primary campaign. Later that spring, I was hired to serve as the Executive Assistant to the Chairman of the Democratic National Committee. As the Chairman's Executive Assistant, I was responsible for driving the Chairman to events, answering his phone, and helping maintain the Chairman's schedule.

During law school, I briefly volunteered for then-Congressman Harold Ford Jr.'s 2006 U.S. Senate campaign. My responsibilities included organizing and supervising other volunteers in connection with the campaign's get-out-the-vote efforts.

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;

July 2007-July 2008  
United States Court of Appeals for the D.C. Circuit  
333 Constitution Avenue, NW  
Washington, DC 20001  
Law Clerk to Judge Merrick B. Garland

July 2008-July 2009  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543  
Law Clerk to Justice John Paul Stevens

- 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.

July 2009-January 2012  
Paul, Weiss, Rifkind, Wharton & Garrison LLP  
1285 Avenue of the Americas



New York, New York 10019  
Litigation Associate

February 2012-Present

United States Attorney's Office for the Southern District of New York  
One St. Andrew's Plaza

New York, New York 10007

Chief (or Co-Chief), Securities and Commodities Fraud Task Force (2018-Present)

Assistant United States Attorney (General Crimes Unit, Narcotics Unit, Securities and Commodities Fraud Task Force) (2012-2018)

- 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 2007 to 2008, as a law clerk at the U.S. Court of Appeals for the D.C. Circuit, I conducted legal research, prepared legal memoranda and draft opinions, and helped Judge Merrick B. Garland prepare for oral argument.

From 2008 to 2009, as a law clerk at the Supreme Court of the United States, I conducted legal research, prepared legal memoranda and draft opinions, and helped Justice John Paul Stevens prepare for oral argument.

From 2009 to 2012, as an Associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP, I maintained a diverse litigation practice, including complex civil, white collar and *pro bono* matters.

From 2012 to 2018, as an Assistant United States Attorney, I investigated and prosecuted federal crimes. As a member of the Task Force from 2014 to 2018, my primary focus was on investigating and prosecuting white collar offenses. I was also seconded to the Public Corruption Unit to prosecute former Speaker Sheldon Silver.

As Chief of the Securities and Commodities Fraud Task Force at the U.S. Attorney's Office for the Southern District of New York, I supervise more than 20 senior prosecutors handling securities and commodities fraud investigations and prosecutions. Those matters include insider trading,

accounting fraud, market manipulation, investment adviser fraud, money laundering, Ponzi schemes and other forms of fraud.

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

As an Associate in private practice, my clients typically were corporations and individuals. Since 2012, my client has been the United States of America.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

- i. Indicate the percentage of your practice in:

- 1. federal courts; (100%)
- 2. state courts of record;
- 3. other courts;
- 4. administrative agencies

- ii. Indicate the percentage of your practice in:

- 1. civil proceedings; (10%)
- 2. criminal proceedings. (90%)

As an Associate at Paul, Weiss, I appeared in federal court once and did not appear at all in state court. I estimate that my practice was 85 percent civil in nature and 15 percent criminal.

As an Assistant United States Attorney, I appeared in federal court frequently, typically multiple times a week and sometimes multiple times a day. My practice was entirely criminal in nature.

As Chief of the Securities and Commodities Fraud Task Force, I no longer frequently appear in federal court, although I continued to appear on behalf of the Government in *United States v. Christopher Collins*.

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

- i. What percentage of these trials were:

- 1. jury; (93%)
- 2. non-jury. (7%)

I have tried 14 cases to verdict as an Assistant United States Attorney. In eleven trials, I tried the case with a partner or two as co-counsel. In two trials, I was the sole counsel. In one trial, I was the senior prosecutor assigned to supervise a junior Assistant United States Attorney.

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

I have not practiced before the Supreme Court.

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

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

**1. United States v. Christopher Collins**

Case No. 18-cr-567-VSB

United States District Court for the Southern District of New York

The Honorable Vernon S. Broderick

2018-2020

I participated in the criminal prosecution of then-Congressman Christopher Collins and others who participated in an insider trading scheme and then lied to the FBI. Congressman Collins sat on the Board of Directors of a pharmaceutical company and, in that capacity, he obtained material, nonpublic information about a failed clinical drug trial. Congressman Collins, while attending the Congressional Picnic at the White House, shared that confidential information with his son, who then shared the information with others. When Congressman Collins and others were questioned by the FBI, they lied about their conduct. I participated in all aspects of the investigation and prosecution, including interviewing witnesses, gathering and reviewing documentary evidence, presenting evidence to the grand jury, drafting pretrial motions, and negotiating the plea agreements. All defendants pled guilty. Congressman Collins was sentenced to 26 months' imprisonment; his son Cameron Collins was sentenced to 5 years' probation; Cameron Collins's father-in-law Stephen Zarsky was sentenced to 4 years' probation.

Congressman Collins also resigned from Congress in advance of his guilty plea. In December 2020, President Trump pardoned Congressman Collins.

Co-counsel:

Max Nicholas  
now of Spears & Imes LLP  
51 Madison Avenue  
New York, NY 10010  
212-213-1715

Scott Hartman  
Assistant United States Attorney  
One Saint Andrew's Plaza  
New York, NY 10007  
212-637-2357

Opposing Counsel:

**Christopher Collins:**

Jonathan R. Barr  
Baker & Hostetler LLP  
1050 Connecticut Avenue, NW  
Suite 1100  
Washington, DC 20036  
202-861-1534

Jonathan New  
Baker & Hostetler LLP  
45 Rockefeller Plaza  
New York, NY 10111  
212-589-4650

**Cameron Collins:**

Thomas Hanusik  
Crowell & Moring LLP  
1001 Pennsylvania Avenue, NW  
Washington, DC 20004  
202-624-2530

Rebecca Ricigliano  
Crowell & Moring LLP  
590 Madison Avenue  
New York, NY 10022  
212-895-4268

**Stephen Zarsky:**  
Mauro Wolfe  
Duane Morris LLP  
1540 Broadway  
New York, NY 10036  
212-692-1017

**2. United States v. Sheldon Silver**

Case No. 15-cr-93-VEC  
United States District Court for the Southern District of New York  
The Honorable Valerie E. Caproni  
2013, 2017-2020

I participated in the prosecution of Sheldon Silver, the former Speaker of the New York State Assembly, for bribery and extortion. Silver was indicted for using his official position as Speaker of the Assembly to receive nearly \$4 million in bribes from people and businesses in exchange for official acts. I participated in the initial stages of investigation. My work largely consisted of gathering and reviewing grand jury materials. Silver was convicted on all counts in his first trial. His conviction was overturned in light of *McDonnell v. United States*. I subsequently represented the Government during Silver's retrial, at which he was convicted on all charges. Silver was sentenced to 78 months' imprisonment.

Co-counsel:

Tatiana Martins  
(now of) Davis Polk & Wardwell LLP  
450 Lexington Avenue  
New York, NY 10017  
212-450-4085

Daniel C. Richenthal  
(now of) U.S. Department of Justice  
Criminal Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
202-305-3978

Opposing Counsel:

Michael Feldberg  
(now of) Reichman Jorgensen LLP  
750 3<sup>rd</sup> Avenue  
Suite 2400  
New York, NY 10017  
212-381-4970

Meir Feder  
Jones Day  
250 Vesey Street  
New York, NY 10281  
212-326-7870

James Loonam  
Jones Day  
250 Vesey Street  
New York, NY 10281  
212-326-3808

**3. United States v. Blaszcak**

Case No. 17-cr-357-LAK  
United States District Court for the Southern District of New York  
The Honorable Lewis A. Kaplan  
2014-2017

I participated in the criminal prosecution of two hedge fund portfolio managers, a so-called “political intelligence” consultant, and a government insider at the United States Center for Medicare and Medicaid Services (CMS), for insider trading. The defendants were alleged to have engaged in a scheme in which confidential reimbursement rate information was passed by the CMS employee to the political intelligence consultant, who then sold the information to healthcare-focused hedge funds that traded profitably on the information. I participated in all aspects of the investigation, including interviewing witnesses, gathering and reviewing documentary evidence, seeking court orders, and presenting evidence to the grand jury. (I ceased representing the Government prior to trial because I was asked by the then-Acting United States Attorney to try *United States v. Sheldon Silver*.)

Co-counsel:

Ian McGinley  
Assistant United States Attorney  
One Saint Andrew’s Plaza  
New York, NY 10007  
212-637-2257

Joshua Naftalis  
Assistant United States Attorney  
One Saint Andrew’s Plaza  
New York, NY 10007  
212-637-2310

Opposing Counsel:

**David Blaszczak:**

David E. Patton  
Federal Defenders of New York  
52 Duane Street  
10th Floor  
New York, NY 10007  
212-417-8738

**Theodore Huber:**

Barry H. Berke  
Kramer Levin Naftalis & Frankel, LLP  
1177 Avenue of the Americas  
New York, NY 10036  
212-715-7560

**Robert Olan:**

David C. Esseks  
Eugene E. Ingoglia  
Allen & Overy, LLP  
1221 Avenue of the Americas  
New York, NY 10020  
212-610-6326 (Esseks)  
212-610-6369 (Ingoglia)

**Christopher Worrall:**

Stephen Fishbein  
John Nathanson  
Shearman & Sterling LLP  
599 Lexington Avenue  
New York, NY 10022  
212-848-4424 (Fishbein)  
212-848-8611 (Nathanson)

**4. United States v. Stefan Lumiere**

Case No. 16-cr-483-JSR  
United States District Court for the Southern District of New York  
The Honorable Jed S. Rakoff  
2015-2018

I participated in the criminal prosecution of a hedge fund portfolio manager who was accused of defrauding investors by mismarking, or overvaluing, his illiquid bond portfolio through a series of deceptive means. The objective of the scheme was to inflate the fund's net asset value and to mislead investors about the liquidity of the fund's holdings. I participated in all aspects of the investigation and prosecution, including

interviewing witnesses, gathering and reviewing documentary evidence, seeking court orders, presenting evidence to the grand jury, drafting pretrial motions, and serving as co-counsel at the week-long trial and subsequent sentencing proceeding. The defendant was convicted after trial and sentenced to 18 months' imprisonment.

Co-counsel:

Ian McGinley  
Assistant United States Attorney  
One Saint Andrew's Plaza  
New York, NY 10007  
212-637-2257

Joshua Naftalis  
Assistant United States Attorney  
One Saint Andrew's Plaza  
New York, NY 10007  
212-637-2310

Opposing Counsel:

Eric M. Creizman  
(now of) Armstrong Teasdale LLP  
919 Third Avenue  
37th Floor  
New York, NY 10022  
212-209-4358

**5. United States v. Gordon Johnston**

Case No. 16-cr-406-ALC  
United States District Court for the Southern District of New York  
The Honorable Andrew L. Carter  
2015-2018

I participated in the criminal prosecution of a former senior FDA employee, who became a "political intelligence" consultant, for insider trading. The defendant was accused of misappropriating confidential information about generic drug approvals at FDA and passing it to a hedge fund portfolio manager for trading. I participated in all aspects of the investigation and prosecution, including interviewing witnesses, gathering and reviewing documentary evidence, seeking court orders, and negotiating the plea agreement. The defendant pled guilty pursuant to a cooperation agreement, which led to charges against the hedge fund portfolio manager. In light of his cooperation, the Court sentenced the defendant to time served.



Co-counsel:

Ian McGinley  
Assistant United States Attorney  
One Saint Andrew's Plaza  
New York, NY 10007  
212-637-2257

Joshua Naltalis  
Assistant United States Attorney  
One Saint Andrew's Plaza  
New York, NY 10007  
212-637-2310

Opposing Counsel:

Christopher Mead  
London & Mead  
1225 19th Street NW  
Suite 320  
Washington, DC 20036  
202-331-3334

**6. United States v. Rajat Gupta**

Case No. 11-cr-907-JSR  
United States District Court for the Southern District of New York  
The Honorable Jed S. Rakoff  
2012-2019

I participated in the criminal prosecution of Rajat Gupta, the former Chairman of McKinsey & Co. and member of the Goldman Sachs Board of Directors, for insider trading. The defendant was charged with repeatedly disclosing material, nonpublic information that he acquired in his capacity as a member of the Board of Directors of Goldman Sachs. The defendant passed that information to his co-conspirator, Raj Rajaratnam, who would use the information to purchase and sell securities. The defendant was convicted after trial and sentenced to 24 months' imprisonment. I drafted briefs on evidentiary issues during Gupta's trial. I drafted briefs during Gupta's sentencing and direct appeal. I drafted briefs and delivered oral arguments during Gupta's post-conviction proceedings before the district court and the Second Circuit.

Co-counsel:

Richard Tarlowe  
(now of) Paul, Weiss, Rifkind, Wharton & Garrison LLP  
1285 Avenue of the Americas  
New York, NY 10019

212-373-3035

Reed Brodsky  
(now of) Gibson Dunn & Crutcher, LLP  
200 Park Avenue  
New York, NY 10166  
212-351-5334

Opposing Counsel:

Gary P. Naftalis  
Kramer Levin Naftalis & Frankel, LLP  
1177 Avenue of the Americas  
New York, NY 10036  
212-715-9253

**7. United States v. Gregory Gray**

Case No. 15-cr-297-SHS  
United States District Court for the Southern District of New York  
The Honorable Sidney H. Stein  
2014-2015

I participated in the criminal prosecution of Gregory Gray, the managing director of Buffalo-based Archipel Capital, for defrauding Archipel investors and perjuring himself in SEC testimony. Among other illicit activity, the defendant fraudulently induced an investor to invest \$5 million in a fund he controlled, based on the false representation that the defendant would invest that money, through the fund, in pre-IPO Uber shares. In fact, the defendant did not invest any of the \$5 million in Uber, and instead used that \$5 million investment to repay other investors who the defendant had defrauded. I participated in all aspects of the investigation and prosecution, including interviewing witnesses, gathering and reviewing documentary evidence, presenting evidence to the grand jury, and negotiating the plea agreement. The defendant pled guilty to securities fraud and perjury and was sentenced to 24 months' imprisonment.

Co-counsel:

Michael Ferrara  
(now of) Kaplan Hecker & Fink LLP  
350 Fifth Avenue  
Suite 7110  
New York, NY 10118  
212-763-0883

Opposing Counsel:

Carrie Cohen

Morrison & Foerster LLP  
250 West 55th Street  
New York, NY 10019  
212-468-8049

Edward Sapone  
Sapone & Petrillo, LLP  
One Penn Plaza  
Suite 5315  
New York, NY 10119  
212-349-9000

**8. United States v. Louis Martin Blazer**

Case No. 17-cr-563-ER  
United States District Court for the Southern District of New York  
The Honorable Edgardo Ramos  
2014

I participated in the criminal prosecution of L. Martin Blazer, the owner of Blazer Capital Management, for defrauding investors, including professional athletes. The defendant was accused of misappropriating money from the accounts of several of his professional athlete clients in order to invest in movie projects without their consent and to repay other clients, in Ponzi-like fashion. I participated in all aspects of the securities fraud investigation in 2014, including interviewing witnesses and gathering and reviewing documentary evidence. I subsequently referred Blazer to SDNY's Public Corruption Unit for potential cooperation. Blazer pled guilty pursuant to a cooperation agreement, which led to charges in connection with the NCAA basketball corruption cases.

Opposing Counsel:

Lee M. Rothman  
Difenderfer, Rothman & Haber  
304 Ross Street  
Suite 400  
Pittsburgh, PA 15219  
412-338-9990

**9. United States v. Michael Lucarelli**

Case No. 14-cr-632-JMF  
United States District Court for the Southern District of New York  
The Honorable Jesse M. Furman  
2014

I participated in the criminal prosecution of Michael Lucarelli, the former Director of Market Intelligence at an investor relations firm, for insider trading. Lucarelli repeatedly used material, nonpublic information that he acquired at work to take positions in the

stock of the firm's clients. I participated in all aspects of the investigation and prosecution, including interviewing witnesses, gathering and reviewing documentary evidence, presenting evidence to the grand jury, and negotiating the plea agreement. Lucarelli pled guilty to securities fraud and was sentenced to 30 months' imprisonment.

Co-counsel:

Brian R. Blais  
(now of) Ropes & Gray LLP  
1211 Avenue of the Americas  
New York, NY 10036  
212-596-9757

Opposing Counsel:

Patrick W. McGinley  
Finder, Cuomo & Adler, LLP  
9 East 38th Street  
New York, NY 10016  
212-448-9933

**10. United States v. Angelo Fernandez**

Case No. 13-cr-20-PAE  
United States District Court for the Southern District of New York  
The Honorable Paul A. Engelmayer  
2013

I participated in the criminal prosecution of Angelo Fernandez, a/k/a "Scarface," and other members of a violent drug trafficking group based in the Bronx. Fernandez and his co-conspirators based their distribution operation in an apartment building in the Bronx and a playground across the street. Fernandez, the leader of the conspiracy, was charged with narcotics distribution and weapons possession. I participated in all aspects of the investigation and prosecution, including interviewing witnesses, gathering and reviewing documentary evidence, presenting evidence to the grand jury, negotiating plea agreements, and serving as co-counsel at trial. Fernandez was convicted of narcotics distribution after trial and was sentenced to 325 months' imprisonment. The other defendants, whose names are listed below, pled guilty in advance of trial and received sentences ranging from 24 to 97 months' imprisonment.

Co-counsel:

Brooke Cucinella  
(now of) Simpson Thacher & Bartlett LLP  
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212-455-3070

Opposing Counsel:

**Angelo Fernandez:**

Bernard Alan Seidler (trial counsel)  
580 Broadway  
Room 402  
New York, NY 10012  
212-334-3131

Margaret M. Shalley (pre-trial counsel)  
Margaret M. Shalley & Associates, LLC  
225 Broadway, Suite 715  
New York, NY 10007  
212-571-2670

**Daniel Montanez:**

Gerald J. DiChiara  
585 Stewart Avenue  
Suite L-16  
Garden City, NY 11530  
212-679-1958

**Jeffrey Minaya:**

Elizabeth Edwards Macedonio  
Elizabeth E. Macedonio, P.C.  
40 Fulton Street, 23rd Floor  
New York, NY 10004  
212-235-5494

**Hector Melendez:**

Beth M. Farber  
Harris, O'Brien, St. Laurent & Chaudhry LLP  
111 Broadway  
New York, NY 10006  
212-397-3370

**Elsio Rivera:**

Jesse M. Siegel  
Law Office of Jesse M. Siegel  
The Woolworth Building  
233 Broadway  
Suite 2701  
New York, NY 10279  
212-207-9009

**Alexis Azcona:**  
Philip L. Weinstein  
Federal Defenders of New York Inc.  
52 Duane Street  
10th Floor  
New York, NY 10007  
212-417-8700

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.)

Since October 2018, I have led the Securities and Commodities Fraud Task Force of the United States Attorney's Office for the Southern District of New York. That unit is typically staffed with senior prosecutors who have distinguished themselves during their service in other subject matter units. As Chief, I manage more than 20 prosecutors in all aspects of the unit's work. I am responsible for making final decisions regarding: initiating investigations; deciding which law enforcement agency to partner with; investigative techniques; charging decisions, including whether or not to file charges and what charges would be appropriate; negotiations regarding the appropriate disposition of a case, including the appropriateness of non-felony dispositions; the Government's position regarding significant procedural and substantive issues that arise in investigations and prosecutions; trial and appellate strategy. I review and approve all substantive communications with the district court and Second Circuit.

As Chief and, prior to that, as an Assistant United States Attorney in the unit from 2014-2018, I have supervised and/or personally prosecuted the following types of cases: accounting fraud, market manipulation schemes, including so-called "pump-and-dump" schemes, mismarking schemes, Ponzi schemes, investment adviser fraud, money laundering, foreign exchange currency schemes, "spoofing," and other forms of securities and commodities fraud.

Finally, as Chief, I am responsible for managing the Office's relationships with other government agencies, including the United States Securities and Exchange Commission, the Commodity Futures Trading Commission, the FBI, the United States Postal Inspection Service, the Department of Homeland Security, and the Federal Reserve; self-regulatory organizations, including the Financial Industry Regulatory Authority and the Public Company Accounting Oversight Board; and foreign governmental agencies, including the United Kingdom's Financial Conduct Authority.

I have never performed any lobbying activities.

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

I have not taught any courses. From time to time, I have been asked to speak at educational institutions on various topics. I have described those appearances in response to Question 12(d) above.

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.

I have no such plans, commitments or agreements.

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).

Please 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).

See attached Net Worth Statement.

22. **Potential Conflicts of Interest**:

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

During the nomination process, I consulted with the Department of Justice's

ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

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

If I am confirmed, 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. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

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.

Since becoming an Assistant United States Attorney in 2012, all of my legal work has been in public service, and I have worked to protect the rights and interests of victims. While in private practice between 2009 and 2012, I spent a substantial amount of time engaged in *pro bono* legal work. Among other matters, I spent a substantial amount of time working with other Paul, Weiss attorneys and lawyers from the NAACP Legal Defense and Education Fund and the Legal Aid Society on *Davis v. City of New York*, 10 Civ. 0699 (SDNY), a federal class action lawsuit seeking to end the practice of unlawful stops and arrests of New York City Housing (NYCHA) residents and their guests. The lawsuit was settled in 2013 by placing the policing of NYCHA Housing under the supervision of a federal monitor.