

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Edgardo Ramos

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

United States District Judge for the Southern District of New York

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

Day Pitney LLP
7 Times Square
New York, New York 10036

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

1960; Ponce, Puerto Rico

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.

1984 – 1987, Harvard Law School; J.D., 1987

1978 –1982, Yale College; B.A., 1982

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.

2002 – Present

Day Pitney LLP (formerly Day, Berry & Howard LLP)

7 Times Square

New York, New York 10036

Partner

1992 – 2002

United States Attorney's Office for the Eastern District of New York

271 Cadman Plaza East

Brooklyn, New York 11201

Assistant United States Attorney

1987 – 1992

Simpson Thacher & Bartlett LLP

425 Lexington Avenue

New York, New York 10017

Associate

Summer 1987

Bar/Bri Bar Review

415 Seventh Avenue

New York, New York 10001

Site Coordinator (work performed at Harvard Law School)

Summer 1986

O'Melveny & Myers LLP

400 South Hope Street

Los Angeles, California 90071

Summer Associate

Summer 1986

Simpson Thacher & Bartlett LLP

425 Lexington Avenue

New York, New York 10017

Summer Associate

Summer 1985

Carpenter Bennett & Morrissey

Gateway Three

Newark, New Jersey 07102

Summer Associate

1982 – 1984

The Prudential Insurance Company of America
Prudential Plaza
Newark, New Jersey 07102
Management Intern, Prudential Management Training Program

Other Affiliations (uncompensated):

2009 – Present

Yale Latino Alumni Association
The Association does not have an address
Board Member

2007 – Present

John Jay College of Criminal Justice Pre-Law Institute
445 West 59th Street, Room 3110
New York, New York 10019
Advisory Board Member

2007 – 2009

Yale Latino Alumni Association of the Tri-State Area
The Association does not have an address
At-Large Board Member

2003 – Present

New York City Commission to Combat Police Corruption
17 Battery Place, Suite 327
New York, New York 10004
Commissioner

2002 – Present

Connecticut Hispanic Bar Association, Inc.
P.O. Box 230869
Hartford, Connecticut 06123
Board Member (2004 – Present)
Vice President (2002 – 2003)

1991 – Present

Aspira of New York, Inc.
520 Eighth Avenue, 22nd Floor
New York, New York 10018
Board Member

2004 – 2007
Puerto Rican Bar Association
303 Park Avenue South, #1405
New York, New York 10010
Board Member

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 selective service upon turning 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.

Selected as a James W. Cooper Fellow of the Connecticut Bar Foundation in 2009.

Recipient of the Director's Award for Superior Performance as an Assistant United States Attorney from the Executive Office for United States Attorneys in 1999.

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.

American Bar Association

Association of the Bar of the City of New York
Municipal Affairs Committee (1990 – 1995)
Criminal Law Committee (2003 – 2006)

Connecticut Bar Association

Connecticut Bar Foundation James W. Cooper Fellows Program, Fellow

Connecticut Hispanic Bar Association
Vice President (2002 – 2003)
Board Member (2004 – present)

Fairfield County Bar Association

Hispanic National Bar Association
Chair, National Finance Committee (2005 – 2008)

Lawyers Collaborative for Diversity, Inc.
Edwin Archer Randolph Diversity Award Committee (2007, 2009, 2010)

Minority Corporate Counsel Association
Scholarship Selection Committee (2009, 2010)

National Association of Criminal Defense Lawyers

New York City Bar Association

New York Hispanic Bar Task Force on Judicial Selection (2006 – 2007)

Puerto Rican Bar Association
Board of Directors (2004 – 2007)
Legislation Committee (2005 – 2006)

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.

State of New York, 1988
State of Connecticut, 2003

There has been no lapse in my membership in either state.

- 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, 2006
United States Court of Appeals for the Second Circuit, 1994
United States District Court for the District of Connecticut, 2002
United States District Court for the Eastern District of New York, 1991
United States District Court for the Southern District of New York, 1990

There has been no lapse in my membership in any of these courts.

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.

Aspira of New York, Inc.
Vice Chair of Board of Directors (1991 – present)

Eastern District Association

John Jay College of Criminal Justice Pre-Law Institute
Advisory Board Member (2007 – present)

Latino Alumni Committee of the Harvard Law School Alumni Association (2005 – present)

New York City Commission to Combat Police Corruption
Commissioner (2003 – present)

New York State Attorney General-Elect Eric Schneiderman Transition Committee
Member (2010)

Norwalk YMCA (1997 – present)

U.S. Department of the Treasury Guidelines Working Group of Charitable Sector Organizations and Advisors (2003 – 2005)

Yale Alumni Schools Committee (2009 – present)

Yale Club of New York (2003 – present)

Yale Latino Alumni Association
Board Member (2009 – present)

Yale Latino Alumni Association of the Tri-State Area
At-Large Board Member (2007 – 2009)

- 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.

The Yale Club of New York did not allow women members prior to 1969. To the best of my knowledge, none of the other organizations listed above 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.

“U.S. Supreme Court Clarifies Proof Needed for Money-Laundering Convictions,” *Day Pitney White Collar Quarterly Newsletter*, Spring 2008. Copy supplied.

With Jeffrey Plotkin, “Responding To SRO Market Surveillance Inquiries Into Potential Insider Trading,” *The Metropolitan Corporate Counsel*, October 2007. Copy supplied.

With Lynn Baronas, Introduction to “Day Pitney Diversity Newsletter,” *Day Pitney LLP*, April 2007. Copy supplied.

With Clifford E. Nichols III, “The USA Patriot Reauthorization Act, Treasury Guidelines, and Executive Order 13224: An Update on Implications for Grantmakers,” *Legal Dimensions of International Grantmaking*, Issue 78, Third Quarter 2006. Copy supplied.

With Lynn Anne Baronas, “What Works: Ways to Increase Diversity at Law Firms,” *The National Law Journal*, January 16, 2006. Copy supplied.

James E. Bowers, Edgardo Ramos, et al., “Organizational Sentencing Guidelines: The New Paradigm For Effective Compliance and Ethics Programs,” *Briefly . . . Perspectives on Legislation, Regulation, and Litigation*, Volume 8, Number 11, November 2004. Copy supplied.

Contributor to article by Stanley Twardy Jr., “Hurricane Season; Weathering the Perfect Prosecutorial Storm,” *D & O Advisor*, September 1, 2004. Copy supplied.

With Stanley Twardy, Jr., “Fighting on Several Fronts,” *The National Law Journal*, July 19, 2004. Copy supplied.

Co-author, “Compliance Programs to Detect And Prevent Crime: Amended Federal Sentencing Guidelines,” *DBH Alert*, June 7, 2004. Copy supplied.

Co-author, “Handbook on Counter-Terrorism Measures: What U.S. Nonprofits and Grantmakers Need to Know,” produced for Independent Sector, InterAction

and the Council on Foundations under the auspices of the Day, Berry & Howard Foundation, March 15, 2004. Copy supplied.

With Robert Knuts, "Risky Business: Aiding and Abetting Another Company's Securities Violations," *Business Crimes Bulletin* Vol. 11, Number 2, March 2004. Copy supplied.

With Timothy R. Lyman, "Simpler Approaches to Cross-Border Giving through Domestic Collaborations: A Post-September 11 Update," *Legal Dimensions of International Grantmaking*, Special Insert, Second Quarter 2003. Copy supplied.

Please note that the White Collar and Internal Investigations Practice Group of Day Pitney LLP, of which I am a part, regularly publishes "Client Alerts" and "Quarterly White Collar Newsletters" that discuss topics of current interest in the field of white collar criminal law. When issued, those publications include the names of all of the partners in the White Collar Group. I have included here only those publications that I was personally involved in drafting.

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

I contributed to the following two New York City Bar Association reports:

"Report and Recommendations of the New York Hispanic Bar Task Force on Judicial Selection," published in January 2007, produced by a Joint Task Force of the National Hispanic Bar Association, the Puerto Rican Bar Association, the Dominican Bar Association, and the Latino Lawyers Association of Queens County (New York).

"Proposal for a Mayoral Initiative to Establish a Network for Preventing and Responding to Bias-Related Violence and Intimidation," published in *The Record of the Association of the Bar of the City of New York*, Volume 46, Number 8, by the Committee on Municipal Affairs, in December 1991.

I was a member of one of several committees of the New York City Bar Association that prepared the following report, though I played no role in its preparation:

"Statement on Civil Commitment of Sex Offenders: Senate Bill S6325 and Assembly Bill A9282," *The Record of the New York City Bar Association*, Volume 61, Number 1, 2006.

I served on the Treasury Guidelines Working Group of Charitable Sector Organizations and Advisors. On June 20, 2003, one of the organizational members of the working group, the Council on Foundations, submitted comments to the Treasury Department on behalf of the Working Group. I did not participate in drafting those comments, but did participate in conference calls discussing the comments. Similarly, in March 2005, the Working Group issued a document entitled "Principles of International Charity." Copy supplied. I did not participate in drafting the document, but did participate in conference calls to discuss it.

In addition, since 2003, I have been the Commissioner for the New York City Commission to Combat Police Corruption. During that time, the Commission has issued several annual reports. Although I did not personally contribute to the preparation of these reports, I did review and approve them. They can be found at <http://www.nyc.gov/html/ccpc/html/reports/reports.shtml#annual>.

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

I have not issued or provided any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, nor have I had others provide or issue any such testimony, statement or other communications on my behalf to public bodies or public officials.

- 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 not delivered any speeches. While I have spoken on panels at various conferences on issues related to white collar criminal law, evidence, ethics, diversity in the legal profession and compliance in the field of international grantmaking, it has not been my practice to write my remarks out verbatim in advance or to maintain the notes that I may have prepared in advance of such talks. Where I have maintained copies of notes, powerpoint presentations, or transcripts, it is so indicated below and they are attached.

I have participated in the following panels and conferences:

January 11, 2011: I was part of a CLE panel at the United States Attorney's Office for the Eastern District of New York. The subject matter of the panel was conducting effective direct and cross examinations, and it was presented to recently-hired Assistant United States Attorneys and enforcement attorneys with the New York Office of the Securities and Exchange Commission. Powerpoint presentation supplied.

May 19, 2010, April 16, 2009 and April 22, 2008: I moderated panels sponsored by the Minorities in the Profession Committee of the New York City Bar Association. The substance of the presentations was why and how to apply to the Criminal Justice Act Panel. A list of questions that I used as moderator of the panels is supplied. I have no other notes, transcript or recording. The New York City Bar Association is located at 42 West 44th Street, New York, NY 10036.

April 23, 2010: I was part of a panel at the Annual CLE Conference of the American Bar Association Section of Litigation in New York City. The panel was entitled "Leveraging the In-House/Outside Counsel Relationship," and the substance of my remarks related to the increased use of alternative fee arrangements. I have no notes, transcript or recording. The American Bar Association is located at 321 North Clark Street, Chicago, Illinois 60654.

December 18, 2009: I was part of a CLE panel at the United States Attorney's Office for the Eastern District of New York. The subject matter of the panel was delivering effective summations and rebuttal summations, and it was presented to recently-hired Assistant United States Attorneys and enforcement attorneys with the New York Office of the Securities and Exchange Commission. I have no notes, transcript or recording. The Eastern District of New York is located at 271 Cadman Plaza East, Brooklyn, New York, 11201.

March 18, 2009: I was part of a panel that addressed law students at the University of Connecticut School of Law in Hartford, Connecticut entitled, "Preparing for a Tough Job Market." The panel was sponsored by the Office of Career Services at the University of Connecticut School of Law, The Crawford Law Association, the Connecticut Asian Pacific-American Bar Association, the South Asian Bar Association of Connecticut, and the Connecticut Hispanic Bar Association. I have no notes, transcript or recording. The University of Connecticut School of Law is located at 65 Elizabeth Street, Hartford, Connecticut 06105.

July 14, 2009: I was a guest speaker at the Legal Outreach Summer Law Institute at New York University School of Law. The Summer Law Institute is a five-week summer program for high school freshmen that seeks to inspire the students to strive for academic excellence and to pursue careers in the law. The substance of my remarks concerned the work of criminal prosecutors and defense lawyers. I

have no notes, transcript or recording. Legal Outreach is located at 36-14 35th Street, Long Island City, New York 11106.

May 2, 2008: I was part of a CLE panel at a conference of the National Association of Criminal Defense Lawyers in New York City. The panel was entitled "International Trade and Import-Export Law." The substance of the panel was the criminal enforcement of the U.S. export laws. Notes supplied.

April 4, 2008: I was part of a panel in Hartford, Connecticut sponsored by University of Connecticut Business School, Quinnipiac University School of Law, the Hartford Business Journal and the Center for First Amendment Rights, Inc., on the implications of the Patriot Act for business. The panel was entitled "Wanted Dead or Alive: Your Business Data. How the Federal Government Deputizes Business in the War on Terror." The substance of my remarks concerned the steps that businesses must take to be compliant with the USA Patriot Act and responding to National Security Letters. Notes supplied.

March 14, 2008: I was part of a CLE panel entitled "Anti-Money Laundering" as part of the Mid-Year Conference of the Hispanic National Bar Association in New York City. Handwritten notes supplied.

November 16, 2007: I served as Master of Ceremony for the Connecticut Hispanic Bar Association Awards Celebration Dinner. I have no notes, transcript or recording. The address of the Bar Association is P.O. Box 230869, Hartford, Connecticut 06123.

October 5, 2007: I moderated a CLE panel entitled "White Collar Crime: Determining the Appropriate Punishment for the Corporation and the Individual," as part of the Annual Conference of the Hispanic National Bar Association in San Juan, Puerto Rico. I have no notes, transcript or recording. The Hispanic National Bar Association is located at 1900 L Street NW, Suite 700, Washington, DC 20036.

June 17, 2007: I was part of a panel in the Bank Audit Committee Conference sponsored by Bank Director Magazine in Chicago, Illinois. The substance of the panel was "Emerging Governance and Regulatory Trends for Public Banks." I have no notes, transcript or recording. Bank Director Magazine is located at 201 Summit View Drive, Suite 350, Brentwood, Tennessee 37027.

November 8, 2006: I was part of a CLE panel at the 7th Annual Pathways to Diversity Conference of the Minority Corporate Counsel Association in New York City. The substance of the panel was creating effective diversity programs in law firms. I have no notes, transcript or recording. The Minority Corporate Counsel Association is located at 1111 Pennsylvania Avenue NW, Washington, DC 20004.

September 2, 2006: I presented the “Law Firm of the Year” award to Seyfarth Shaw LLP during the Annual Conference of the Hispanic National Bar Association in San Francisco, California. I have no notes, transcript or recording. The Hispanic National Bar Association is located at 1900 L Street NW, Suite 700, Washington, DC 20036.

August 31, 2006: I was part of a CLE panel entitled, “Life Under the Thompson Memo: KPMG and Beyond,” during the Annual Conference of the Hispanic National Bar Association in San Francisco, California. I have no notes, transcript or recording. The Hispanic National Bar Association is located at 1900 L Street NW, Suite 700, Washington, DC 20036.

October 18, 2005: I was part of a CLE panel entitled “Securities Investigations,” as part of the Annual Conference of the Hispanic National Bar Association in Washington, DC. I have no notes, transcript or recording. The Hispanic National Bar Association is located at 1900 L Street NW, Suite 700, Washington, DC 20036.

April 9, 2005: I was part of a panel at the University of Connecticut School of Law sponsored by the Hispanic National Bar Association and the Connecticut Hispanic Bar Association. The substance of my remarks concerned practicing law at large private law firms. I have no notes, transcript or recording. The Hispanic National Bar Association is located at 1900 L Street NW, Suite 700, Washington, DC 20036.

November 11, 2004: I was part of a panel at the Endowments and Foundations Symposium in New York City sponsored by the Institute for International Research. The panel was entitled “Guidelines to Funding International Activities.” The substance of the panel concerned establishing effective internal controls to vet foreign recipients of funds to avoid liability with new IRS guidelines governing foreign organizations and individuals. I have no notes, transcript or recording. The Institute for International Research is located at 708 Third Avenue - 4th Floor, New York, New York 10017.

October 10, 2004: I moderated a CLE panel entitled “White Collar Crime 2004: How Enron and WorldCom Have Changed the Practice,” as part of the Annual Conference of the Hispanic National Bar Association in New York City. I have no notes, transcript or recording. The Hispanic National Bar Association is located at 1900 L Street NW, Suite 700, Washington, DC 20036.

September 22, 2004: I was part of a panel at Rutgers School of Criminal Justice in Newark, New Jersey, that was sponsored by the Prudential Business Ethics Center and the Rutgers Center for the Study of Public Security. The panel was entitled “What are the Issues in Stemming the Flow of Funds for Terrorist Activities.” Powerpoint presentation supplied.

May 7, 2004: I was part of a panel at the United Way International 2004 World Assembly in San Juan, Puerto Rico. The panel was entitled "International Grantmaking." Powerpoint presentation supplied.

May 9, 2003: I was part of a CLE panel at the Annual Meeting of the ABA Tax Section in Washington D.C. entitled "Terrorist Financing Concerns: Following the Flow of Funds Overseas." The panel discussed the United States Treasury Department's proposed "Voluntary Best Practices for U.S.-based Charities." Transcript 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.

Dan Levine, "State AGs Play Major Role in US Foreclosure Probe," Reuters, Oct. 29, 2010. Copy supplied.

Press release, "Day Pitney Teams with Full Circle NY to Sponsor Career Camp for Students and Young Professionals," *Day Pitney LLP*, Feb. 18, 2009. Copy supplied.

"Recent Appointment Enhances Day Pitney Diversity Initiative," *The Metropolitan Corporate Counsel*, Nov. 2008. Copy supplied.

Press release, "Day Pitney LLP Teams with the United Negro College Fund and Full Circle NY to Host 'The Real Great Debaters of Wiley College' Documentary Premiere," *Day Pitney LLP*, Sept. 8, 2008. Copy supplied.

In September 2007, I was interviewed by a Swedish television news channel concerning the case of *U.S. v. Kassir*, discussed below in response to Question 17. I was court-appointed counsel for Mr. Kassir, a Swedish national, in a federal criminal case. During the interview I provided basic information concerning the charges against Mr. Kassir as well as general information concerning criminal procedure in American federal courts. I have no copies of the video of that interview.

Judy Wang, "Puerto Rican Elis: A 35-year History," *The Yale Daily News*, Apr. 19, 2007. Copy supplied.

Michelle Mittelstadt, "FBI Hot on Trails in Other Cities," *Dallas Morning News*, July 7, 2005. Copy supplied.

"A Treatise on the Organizational Sentencing Guidelines Addresses the Need for Effective Compliance Programs," *The Metropolitan Corporate Counsel*, Apr. 2005. Copy supplied.

Press release, "Day, Berry & Howard Receives Corporate Commitment Award from Connecticut Hispanic Bar Association," *Day, Berry & Howard LLP*, Dec. 1, 2004. Copy supplied.

Robert E. Kessler, "Drug Smuggler's 30-Year Sentence," *Newsday*, May 1, 2001. Copy supplied.

Hans H. Chen and Chau Lam, "Jury: Drug Lord Guilty," *Newsday*, June 20, 1998. Copy supplied.

Estrella Gutierrez, "Narcotics: U.S. to Limit Colombian Drug Baron's Sentence," *Inter Press Service*, May 6, 1997. Copy supplied.

Helen Peterson, "Builder Admits to Bribes," *Daily News*, May 2, 1997. Copy supplied.

Carol Eisenberg and Tom Demoretcky, "TV Chat Hostess Charged," *Newsday*, Mar. 7, 1997. Copy supplied.

Robert E. Kessler, "Ex-Owner of Pet Cemetery in 3-Months Confinement," *Newsday*, Dec. 6, 1996. Copy supplied.

"2 Accused of Breaking Export Laws," *Albany Times Union*, June 4, 1996. Copy supplied.

Robert E. Kessler, "Buttafuoco Lawyer Admits Fraud," *Newsday*, May 5, 1995. 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 never served as a judge.

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

I have never served as a judge.

- 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.

1992 – 2002

United States Attorney's Office for the Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
Assistant United States Attorney
Appointed by U.S. Attorney General William Barr

2003 – Present

New York City Commission to Combat Police Corruption
17 Battery Place, Suite 327
New York, New York 10004
Commissioner (uncompensated)
Appointed by New York City Mayor Michael Bloomberg

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

I have never held a paid position with any political campaign, organization or political entity. Over the past three years, I have volunteered for various activities and fundraising events on behalf of candidates for elective office and an incumbent member of Congress. Specifically, I served on an informal, ad hoc committee that sponsored fundraising events for presidential candidates Hillary Clinton and Barack Obama in 2008; and I served on an informal, ad hoc committee that sponsored a fundraising event for New York Congresswoman Nydia Velazquez in September 2010. Additionally, I served on a committee that hosted a fundraiser for John Kroger and Andrew Cuomo in 2008.

I have not served in any elected or appointed position with any political party.

16. Legal Career: Answer each part separately.

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

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

I never served as a clerk to a judge.

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

I was never a solo practitioner.

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

1987 – 1992
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
Associate

1992 – 2002
United States Attorney's Office for the Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
Assistant United States Attorney

2002 – Present
Day Pitney LLP (formerly Day, Berry & Howard LLP)
7 Times Square
New York, New York 10036
Partner

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 never 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.

Upon graduation from law school, I worked as an associate at Simpson Thacher & Bartlett in New York City where I was involved in all aspects of large commercial disputes involving, among other substantive areas, lender liability, bankruptcy, breach of contract, business libel, insurance coverage and product liability. Specific responsibilities included drafting pleadings and legal memoranda, drafting and responding to discovery requests, conducting depositions, and supervising teams of junior associates and paralegals.

I joined the Office of the United States Attorney for the Eastern District of New York in March of 1992 where I prosecuted a wide array of federal crimes including white collar fraud, defense contractor fraud, money laundering, narcotics trafficking, labor racketeering, public corruption and violations of the Arms Export Control Act. In my ten years in the office I conducted approximately twenty felony trials as first or second chair, and briefed and argued approximately twenty-five cases before the United States Court of Appeals for the Second Circuit. In June of 2000 I was promoted to Deputy Chief of the Narcotics Section where I supervised Assistant United States Attorneys prosecuting international narcotics trafficking, money laundering and racketeering cases.

In June 2002, I joined Day, Berry & Howard LLP (the predecessor firm to Day Pitney LLP) as partner in the Government Investigations Practice Group. In my current position, I represent corporations and individuals in connection with criminal and regulatory investigations conducted by federal and state agencies involving, among other substantive areas, antitrust, bank fraud, securities fraud, public corruption and government program fraud. I also conduct internal investigations for corporate clients.

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

As a litigation associate in the law firm Simpson Thacher & Bartlett LLP, I specialized in complex litigation and my clients were corporations and other large business entities in the fields of banking, finance, insurance, telecommunications and manufacturing.

As an Assistant U.S. Attorney in the Eastern District of New York, my client was the United States of America.

Currently, my typical clients are corporations and corporate executives who are the subjects or targets of criminal investigations. I have specialized in white collar criminal defense and internal investigations.

As a member of the Criminal Justice Act Panel for the Southern District of New York, I also represent indigent criminal defendants as court-appointed defense counsel. I have been a member of the Panel since 2007.

- 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 have spent my entire career as a litigator and prosecutor. As an associate in a large firm early in my career, I was typically part of a larger team working on particular matters and appeared in state and federal courts only occasionally. As an Assistant U.S. Attorney, I appeared in federal court frequently. In my current position and as a member of the CJA Panel in the Southern District of New York, I appear in court frequently.

- i. Indicate the percentage of your practice in:

- | | |
|-----------------------------|-----|
| 1. federal courts: | 90% |
| 2. state courts of record: | 5% |
| 3. other courts: | 0% |
| 4. administrative agencies: | 5% |

- ii. Indicate the percentage of your practice in:

- | | |
|--------------------------|-----|
| 1. civil proceedings: | 5% |
| 2. criminal proceedings: | 95% |

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

I have tried approximately 23 cases to verdict. I was sole counsel in approximately 17 of the cases. I was associate counsel in one case. I was co-counsel in five cases.

- 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.

I have never practiced before the Supreme Court of the United States.

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

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

(1) *U.S. v. Kassir*, 04-CR-356 (S.D.N.Y.), The Hon. John F. Keenan

I represented a criminal defendant at trial as court-appointed defense counsel on charges of providing material assistance to al Qaeda. Specifically, the defendant was charged with attempting to establish a training camp in Bly, Oregon, that would provide training on combat and bomb-making techniques, and with operating numerous websites from his home in Stockholm, Sweden, devoted to recruiting individuals to al Qaeda and providing information on bomb-making and weaponry. The government presented the testimony of numerous co-conspirators with respect to the training camp charges, as well as materials seized from a search conducted at the Finsbury Park mosque in London that the defendant frequented. A co-defendant, Abu Hamza al-Masri, a radical cleric with ties to al Qaeda who presided over the London mosque, is currently jailed in the United Kingdom and is in the process of being extradited to the United States. The government's proof included video tape of the defendant with al-Masri. In addition, the government presented hundreds of computer files seized from the defendant's apartment in Stockholm, Sweden that contained bomb-making manuals, videos of al Qaeda operatives training and engaging in battles with the U.S.S.R. in Afghanistan, and e-mails from Muslim youth seeking to join al Qaeda. The defendant was convicted after trial and sentenced to life in prison.

Co-defense counsel:
Mark DeMarco
2027 Williamsbridge Road
Bronx, New York 10461
(718) 239-7070

The government was represented by:
Assistant U.S. Attorneys Michael Farbiarz and Eric Bruce
United States Attorney's Office for the Southern District of New York
One St. Andrews Plaza
New York, New York 10007
(212) 637-1587 (Mr. Farbiarz)
(212) 488-1203 (Mr. Bruce)

(2) *U.S. v. Ozcan*, 08-CR-227 (E.D.N.Y.), The Hon. Frederic Block

I represented a criminal defendant on charges of public corruption. The defendant, a construction company executive, was charged with receiving kick-backs from sub-contractors on government-financed public works projects. I negotiated a cooperation agreement pursuant to which the defendant participated in an under-cover operation that led to the arrest and conviction of two high-level New York City Building Department officials. During the undercover investigation, my client engaged the public officials in explicit conversations concerning payments that would be made to the officials in exchange for a favorable ruling concerning an appeal. I advocated for a sentence of no jail time, and my client was sentenced to three years supervised release.

The government was represented by:
Assistant U.S. Attorney Sarah Coyne
United States Attorney's Office for the Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
(718) 254-6299

(3) *U.S. v. DRS Photonics, Inc., et al.*, 02-CR-543 (E.D.N.Y.), The Hon. Leonard D. Wexler

I prosecuted a corporate defense contractor and lead project engineer on charges of submitting false claims to the federal government. The company manufactured equipment that was used to align the weapons systems of the U.S. Army's Apache attack helicopter. The units, each of which cost approximately \$250,000, utilized laser optical technology that allowed the Apache's weapons systems to be bore-sighted while on the ground. Prior to delivery, each unit had to be tested in accordance with specific procedures and equipment detailed in the contract with the government. The investigation revealed that the company falsely affirmed that it was testing the equipment in accordance with the agreed-upon procedures and that each of the units passed the required tests. Forensic testing conducted on the units that were supplied by the company

established that the units were not able to bore-sight the helicopters to the required accuracy. The company and the lead engineer entered felony guilty pleas, and the company was fined \$2.5 million.

Defense Counsel:

Elkan Abramowitz
Morvillo, Abramowitz, Grand, Iason, Anello & Bohrer, P.C.
565 Fifth Avenue
New York, New York 10017
(212) 856-9600

Thomas L. Weisenbeck
Bressler, Amery & Ross, P.C.
325 Columbia Turnpike
Florham Park, New Jersey 07932
(973) 514-1200

(4) *U.S. v. Perafan-Homen*, 95-CR-722 (E.D.N.Y.), The Hon. Thomas C. Platt

I prosecuted a Colombian drug-kingpin on charges of importing in excess of 27,000 kilograms of cocaine and laundering tens of millions of dollars in drug proceeds. The defendant's organization stretched from Colombia, South America, through Mexico, and into the United States. After manufacturing the cocaine in Colombia, the defendant then transported it via truck to furniture companies on the Mexico – U.S. border. The cocaine was then transported from Mexico on the trucks that carried the furniture to a distribution company in Los Angeles, California. Each of these companies were established by the defendant as fronts to provide cover for the importation of the cocaine into the United States on trucks. The organization also utilized sophisticated technology to hide the cocaine on the trucks and at warehouses in Los Angeles and New York, and to smuggle the millions of dollars in U.S. currency generated by the drug sales out of the country. The entire organization was dismantled and two dozen of the organization's members were also convicted. Defendant was convicted after a three-month trial and sentenced to 30 years in prison.

Co-counsel:

Assistant U.S. Attorney Demetri Jones
United States Attorney's Office for the Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722
(631) 715-7840

Defense Counsel:

Ivan Fisher
251 East 61st Street
New York, New York 10021
(212) 517-5000

(5) *U.S. v. Morris Rothenberg & Son, Inc.*, 99-CR-564 (E.D.N.Y.), The Hon. Joanna Seybert

I prosecuted a Long Island based distributor of Army/Navy surplus for illegally shipping military and police equipment overseas. The company came under investigation when it was determined that it had sold gas masks to a Japanese front company operated by the Aum Shinrikyo, the group credited with carrying out the sarin gas attacks in the Tokyo subway system. The investigation of the subway attack revealed that the company had regularly been shipping items overseas illegally, including gas masks, night vision equipment and other police equipment. As a result of the investigation, the company entered a plea of guilty and paid a fine of \$900,000.

Defense Counsel:

G. Michael Bellinger
Dorsey & Whitney LLP
250 Park Avenue
New York, New York 10177
(212) 415-9357

Theodore V. Wells Jr.
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, New York 10019
(212) 373-3089

(6) *U.S. v. Amiel*, 92-CR- 238 (E.D.N.Y.), The Hon. Thomas C. Platt

I prosecuted three members of a Long Island family on mail fraud charges in connection with the sale of purported limited edition, pencil-signed prints by the artists Picasso, Chagall, Miro and Dali. The family was believed to have been the largest distributors of fraudulent art prints in the world. It operated a printing facility on Long Island that created thousands of copies of the 20th Century masters' works. The family then forged the artists' signatures on the copies in pencil and sold them as originals through corrupt, complicit art dealers. Many of the fraudulent prints sold for thousands of dollars. All three defendants were convicted after a six-week trial and sentenced to prison.

Co-counsel:

David Hattem (formerly Assistant U.S. Attorney for the Eastern District of New York)
AXA/Equitable
1290 Avenue of the Americas
New York, New York 10104
(212) 314-3863

Defense Counsel:
Adrien Diluzio
Suite 302
226 Seventh Street
Garden City, New York 11530
(516) 248-8930

Melvyn K. Roth
666 Old Country Road
Garden City, New York 11530
(516) 683-8400

Stanley R. Kopilow
Suite 506
100 Quentin Roosevelt Boulevard
Garden City, New York 11530
(516) 747-4770

(7) *U.S. v. Kohlke*, 01-CR-738 (E.D.N.Y.), The Hon. Charles P. Sifton (deceased)

I prosecuted the defendant, a foreign-based airplane parts broker, on charges of violating the export laws relating to the sale of military equipment to Iran. The defendant would purchase airplane parts from United States manufacturers and falsely identify the end user as an entity that could legitimately receive U.S. military equipment. He then utilized his company in Switzerland to transship the equipment to Iran. The defendant proffered a public authority defense pretrial, alleging that he engaged in the conduct with the knowledge and consent of United States intelligence personnel. The defense was rejected after the United States intelligence agencies established that the defendant had not engaged in the charged conduct with their knowledge or consent. The defendant then entered a plea of guilty and was sentenced to prison.

Defense Counsel:
Lawrence S. Goldman
500 Fifth Avenue
New York, New York 10110
(212) 997-7499

(8) *U.S. v. Rotondi*, 97-CR-355 (E.D.N.Y.), The Hon. Joanna Seybert

I prosecuted a Long Island real estate developer for bribing local housing officials and fabricating fraudulent documents to obtain mortgages for financially unqualified buyers. The defendant targeted low income individuals, convinced them to take mortgages that they were incapable of paying back, and sold them homes that were shoddily constructed and, in many cases, unfinished. He then paid corrupt building inspectors to issue certificates of occupancy. The defendant built approximately 100 homes on Long Island. The defendant was convicted upon his plea of guilty and sentenced to prison.

Defense Counsel:
Edward A. McDonald
Dechert LLP
1095 Avenue of the Americas
New York, New York 10036
(212) 698-3672

(9) *U.S. v. Aliperti*, 94-CR-999 and 96-CR-775 (E.D.N.Y.), The Hon. Denis R. Hurley

I prosecuted a Town of Brookhaven (Suffolk County, Long Island) elected official on bank fraud charges. The investigation revealed that the defendant provided false information on bank applications in order to finance certain of his real estate development projects. The defendant was convicted upon his plea of guilty and sentenced to prison.

Co-counsel:
Loretta E. Lynch
United States Attorney, Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
(718) 254-6260

Defense Counsel:
Joel Winograd
450 Fashion Avenue, 13th Floor
New York, New York 10123
(212) 268-6900

(10) *Home Shopping Network v. GTE*, 87-CV-14199-7, Pinellas County Court, Clearwater, Florida, The Hon. Howard P. Rives (deceased)

I was a member of the trial team that represented GTE in a lawsuit brought by the Home Shopping Network (“HSN”) in Pinellas County Court in Clearwater, Florida. HSN sued GTE for 1.5 billion dollars, alleging that GTE had misrepresented the capacity of the telephone equipment it sold to HSN. HSN operators used the telephone equipment to take calls from viewers who wished to purchase items that were simultaneously being featured on HSN’s program. HSN alleged that as a result of GTE’s misrepresentations, it did not have the capacity to answer all the calls that were being placed, causing many potential customers to be dropped. In its SEC filings, HSN blamed the GTE equipment for its poor sales results and resulting drop in stock price. GTE counter-claimed against HSN for business libel on the basis of the SEC filings. After a 6-week trial, the jury completely rejected HSN’s claims against GTE and returned a \$100 million verdict in favor of GTE on its counterclaim.

Chief Counsel:
Roy L. Reardon
Simpson Thacher & Bartlett LLP
425 Lexington Avenue
New York, New York 10017
(212) 455-2840

Opposing Counsel:
Jenner & Block
353 North Clark Street
Chicago, Illinois 60654
(312) 222-9350

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

I am currently providing advice to an international media company on establishing a Foreign Corrupt Practices Act Compliance Program. As part of that effort, I am training the company's top executives on the requirements of the FCPA.

I participated as a member of a team that is supporting the court-appointed monitor of a health care company located in Tampa, Florida. The monitorship was established pursuant to a deferred prosecution agreement with the U.S. Department of Justice.

I represented a national reinsurance company in connection with an investigation by the U.S. Department of Justice concerning possible fraud relating to the insolvency of a medical insurance company. The investigation was concluded with no charges filed against the client company.

I represented a multi-national paper manufacturer in an antitrust investigation by the Antitrust Division of the U.S. Department of Justice. The investigation was concluded with no charges filed against the client companies.

I have not performed any lobbying activities on behalf of a client or other organization.

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

I have not taught any courses.

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.

If confirmed, I will leave the partnership of Day Pitney LLP and will be paid approximately \$88,000, representing the capital I have invested in the firm. In accordance with the partnership agreement, that amount will be paid back in equal annual payments to be made over five years. I have made no arrangements to be compensated in the future for any financial or business interest.

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 have no plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed, I would recuse myself for some period of time from any matter in which my current firm, Day Pitney LLP, appears to avoid any potential conflict or the appearance of one. In addition, cases involving prior clients of mine would present a potential conflict. In the event of such a potential conflict of interest, I would advise the parties to the matter before me for their input, and refer to the

Code of Conduct for United States Judges and other relevant Canons and statutory provisions.

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

In the event of such a potential conflict of interest, I would advise the parties to the matter before me for their input, and refer to the Code of Conduct for United States Judges and other relevant Canons and statutory provisions.

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 a member of the Criminal Justice Act Panel, I represent indigent criminal defendants in the Southern District of New York. Many of these representations I have handled on a pro bono basis. Over the past four years, I have represented approximately 17 criminal defendants on a pro bono basis. I also supervise associates in the firm who are handling pro bono litigation matters.

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.

I initially spoke with Stephanie Martz, Chief Counsel to Senator Charles Schumer of New York, in January 2010. Thereafter, I interviewed on two occasions with Senator Schumer's Judicial Selection Committee, chaired by Mark O'Donoghue, and then with Senator Schumer. On January 25, 2011, I was contacted by Ms. Martz who advised me that the Senator intended to recommend me to the President for a seat on the Southern District bench. Since February 2, 2011, I have been in contact with pre-nomination officials at the Department of Justice. On March 8, 2011, I interviewed with officials from the White House Counsel's Office and the Department of Justice in Washington, DC. On May 4, 2011, the President submitted my nomination to the Senate.

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

No.

AFFIDAVIT

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

5/2/2011
(DATE)

Edgardo Ramos
(NAME)

Elisha McCutcheon
(NOTARY)

ELISHA McCUTCHEON
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01MC6118817
QUALIFIED IN BRONX COUNTY
MY COMMISSION EXPIRES 11/22/2012