

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Lorna Gail Schofield

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.

Debevoise & Plimpton, LLP
919 Third Avenue
New York, New York 10022

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

1956; Fort Wayne, Indiana

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.

1978 – 1981, New York University School of Law; J.D., 1981

1977 – 1978, Brown University, Graduate Study in Comparative Literature in German, French and English; no degree

1974 – 1977, Indiana University; B.A. (*magna cum laude*), 1977

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.

1988 – Present
Debevoise & Plimpton, LLP

919 Third Avenue
New York, New York 10022
Of Counsel (2012 – Present)
Partner (1991 – 2011)
Associate (1988 – 1991)

1984 – 1988
United States Attorney's Office
Southern District of New York
One Saint Andrew's Plaza
New York, New York 10007
Assistant United States Attorney

1981 – 1984, Summer 1980
Cleary, Gottlieb, Steen & Hamilton
One Liberty Plaza
New York, New York 10006
Associate (1981 – 1984)
Law Clerk (Summer 1980)

1979 – 1981
Professor Andreas Lowenfeld
New York University School of Law
40 Washington Square South
New York, New York 10012
Research Assistant

Summer 1979
Cohen, Weiss and Simon
330 West 42nd Street, #25
New York, New York 10036
Law Clerk

Other Affiliations (Uncompensated):

2006 – 2011
Rosie's for All Kids Foundation
1500 Broadway
New York, New York 10036
Director

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 was not required to register for selective service.

8. **Honors and Awards:**

American Bar Association, First Asian-American to be elected Chair of the ABA Section of Litigation (2009)

National Law Journal, one of the Fifty Most Influential Minority Lawyers in America (2008)

N.Y.U. Law Review, Staff Editor and Note and Comment Editor (1980 – 1981)

Rubin Law Review Prize, most outstanding note in international, commercial or public law (1981)

John Norton Pomeroy Scholar, one of the top 15 students in the first year class (1979)

American Jurisprudence Award for best section exam in constitutional law (1979)

Brown University, University Fellowship, merit-based full tuition scholarship and stipend

Indiana University – Phi Beta Kappa, Della Evans Scholarship, merit-based full tuition scholarship, all 3 years

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

Section of Litigation

Executive Committee (2002 – Present)

Chair (2009 – 2010)

Chair-Elect (2008 – 2009)

Vice Chair (2007 – 2008)

ABA Resource Committee (2006 – 2007)

Budget Officer (2002 – 2007)

Litigation Docket Co-Editor-in-Chief (2001 – 2002)

Liaison to the Federal Judicial Center Advisory Committee for Civil Rules (2001 – 2002)

Task Force on Ethical Guidelines for Settlement Negotiations (2000 – 2002)

Co-Director of Divisions (Co-Chief of Staff) (2000 – 2001)

Task Force on Discovery, Co-Chair (1997 – 2000)

Council Member (1997 – Present, except 2000 – 2002)

Class Actions and Derivative Suits Committee, Co-Chair (1994 – 1997)

Woman Advocate Conference, Co-Chair (1993 – 1994)
Woman Advocate Conference Planning Committee (1992 – 1993)
Council for Ethnic and Racial Diversity in the Educational Pipeline (2011 – 2012)
ABA Presidential Task Force on the Preservation of the Justice System (2010 – 2011)
ABA Presidential Task Force on Federal Pleading Standards, Chair (2009 – 2010)
ABA Diversity Center, Chair of the Task Force on Sections (2006 – 2007)
ABA Standing Committee on the Federal Judiciary, Second Circuit representative (2003 – 2006)
Section Officers' Conference
Strategic Planning Committee (2006 – 2007)
Finance Committee (2005 – 2007)
Chair of the Diversity Committee (2005 – 2006)
Executive Committee (2005 – 2006)

American Law Institute

Asian American Bar Association of New York

Association of the Bar of the City of New York

Federal Bar Council

Federal Judicial Conference Advisory Committee Conference on Civil Litigation (the "Duke Conference"), Planning Committee (2009 – 2010)

Judicial Improvements Committee of the Southern District of New York Advisory Committee (2011)

National Asian Pacific American Bar Association

New York Council of Defense Lawyers

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, 1982

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.

Supreme Court of the United States, 1996
United States Court of Appeals for the Second Circuit, 1985
United States Court of Appeals for the Third Circuit, 1997
United States Court of Appeals for the Sixth Circuit, 1995
United States Court of Appeals for the Tenth Circuit, 1993
United States Court of Appeals for the Eleventh Circuit, 1983
United States District Court for the Southern District of New York, 1982
United States District Court for the Eastern District of New York, 1982
United States District Court of Federal Claims, 1992
United States Tax Court, 1991

I allowed my membership in the Eleventh Circuit to lapse in 1988 because I no longer practiced in that court. Otherwise, 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.

Endowment Committee of the Kent, Connecticut Public Library (2007 – Present)
Grace Choral Society (2005 – 2006)

Rosie's for All Kids Foundation
Board of Directors (2006 – 2011)

Spiritus et Anima, the former adult chorus of Saint Ann's School in Brooklyn
(1999 – 2005)

United States Eventing Association, formerly United States Combined Training Association (approximately 1998 – Present)

- 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.

To the best of my knowledge, none of the organizations listed in response to 11(a) 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.

With Jeffrey S. Jacobson, Michael B. Mukasey & John S. Kiernan, *Sippy Cup Case Shows the Downside of Defeating Multi-State Class Certification: The Beast Just Grows Multiple Heads*, D&P CLIENT UPDATE (Debevoise & Plimpton LLP, New York, N.Y.), July 6, 2011. Copy supplied.

With Jeffrey S. Jacobson, John S. Kiernan & David W. Rivkin, *Supreme Court Upholds Arbitration Clauses in Consumer Adhesion Contracts, Including Clauses Prohibiting Class Arbitration*, D&P CLIENT UPDATE (Debevoise & Plimpton LLP, New York, N.Y.), Apr. 27, 2011. Copy supplied.

With Donald Francis Donovan, David W. Rivkin, Christopher K. Tahbaz, Mark W. Friedman, Jeffrey S. Jacobson & Steven S. Michaels, *Recent Second Circuit Decision Calls Into Question the Enforceability of Class-Action Waiver Clauses*, D&P CLIENT UPDATE (Debevoise & Plimpton LLP, New York, N.Y.), Mar. 23, 2011. Copy supplied.

With Jeffrey S. Jacobson, *Federal Judicial Center Issues "Problematic" Class Action Notice Checklist*, 12 CLASS ACTION LITIG. REP. (BNA) 212, (Mar. 11, 2011), reprinted in 26 TOXICS L. REP. (BNA) 506 (Apr. 28, 2011). Copy supplied.

With Jeffrey S. Jacobson, *Federal Judicial Center Issues "Class Action Notice Checklist" with Problematic Positions*, D&P CLIENT UPDATE (Debevoise & Plimpton LLP, New York, N.Y.), Jan. 13, 2011. Copy supplied.

Portia's Place: Thirty-Six Years Of Women Partners At Debevoise & Plimpton (2011). Copy supplied (children's personal information redacted).

I Don't Pay You to Agree with Me, in RANTINGS OF A PARTNER, AND PUSHBACK FROM THE ASSOCIATE, 59 (Bart L. Greenwald ed., 2011). Copy supplied.

With Jeffrey S. Jacobson, *The Times They Are A Changin': Bringing Litigation Into the Twenty-First Century (Part II)*, D&P CLIENT UPDATE (Debevoise & Plimpton LLP, New York, N.Y.), Aug. 2, 2010, reprinted in CORP. CONNECTION, vol. 12, no. 4, Fourth Quarter 2010. Copy supplied.

With Jeffrey S. Jacobson *The Times They Are A Changin': Bringing Litigation Into the Twenty-First Century (Part I)*, D&P CLIENT UPDATE (Debevoise & Plimpton LLP, New York, N.Y.), July 8, 2010. Copy supplied.

Opening Statement: Greater Efficiency in Civil Procedure, LITIGATION, J. OF THE SEC. OF LITIG. (ABA), Spring 2010, at 1; *reprinted in* LITIGATION NEWS ONLINE, June 15, 2010. Copy supplied.

Opening Statement: The Rules of Lawlessness, LITIGATION, J. OF THE SEC. OF LITIG. (ABA), Winter 2010, at 1. Copy supplied.

Issues for Women at Depositions, in EFFECTIVE DEPOSITIONS, 423 (2d ed. 2010) (first edition originally co-authored with Giuliana Dunham). Copy supplied.

Opening Statement: Slow and Steady Wins the Race, LITIGATION, J. OF THE SEC. OF LITIG. (ABA), Fall 2009, at 1. Copy supplied.

Drafting a New Agenda for Litigation Reform and More, NAT'L L.J., July 27, 2009. Copy supplied.

Opening Statement: Fast Forward from 1938, LITIGATION, J. OF THE SEC. OF LITIG. (ABA), Summer 2009, at 1. Copy supplied.

With Jeffrey S. Jacobson & Colby A. Smith, *Second Circuit Tightens Class Certification Requirements: New Case Inches Closer to Other Courts' Holdings That Some Weighing of Merits is Permissible*, D&P CLIENT UPDATE (Debevoise & Plimpton LLP, New York, N.Y.), Feb. 24, 2006. Copy supplied.

Some Thoughts about Courtroom Technology, THE PRACTICAL LITIGATOR, Nov. 2001, at 7. Copy supplied.

With Jeffrey S. Jacobson, *Circuits Split on Factual Disputes in Class Actions*, N.Y. L.J., Oct. 23, 2001. Copy supplied.

73 Ways to Win: A Treasury of Litigation Tactics & Strategies (Study Guide) (2001). This is a study guide and DVD consisting of brief audio/video clips by many lawyers, including me. Copies of the relevant pages of the study guide and DVD supplied. My remarks begin at 1:14:48.

Tips for Technology in the Courtroom, PRACTICAL LITIGATOR, Nov. 2000. Copy supplied.

Wired to Win in the Courtroom, N.Y. L.J., Sept. 13, 1999. Copy supplied.

With John Beaglehole, *Class Action Analysis After Amchem Products*, REV. OF SEC. & COMMODITIES REG., Apr. 15, 1998, at 89. Copy supplied.

Amchem: The Supreme Court Speaks on Certification for Settlement, CLASS ACTIONS & DERIVATIVE SUITS (ABA Sec. of Litig.), Fall 1997 (printed Feb. 1998), at 6. Copy supplied.

The Impact of Amchem on Certification of Settlement Classes, CONSUMER FIN. SERVICES L. REP., July 25, 1997, at 11. Copy supplied.

Least Controversial of Proposed Rule 23 Changes Move Forward, CONSUMER FIN. SERVICES L. REP., June 27, 1997, at 5. Copy supplied.

Recent Developments in Class Actions, CONSUMER FIN. SERVICES LITIG. (Practicing Law Institute, New York, N.Y.), May 1997, at 221. Copy supplied.

With Elizabeth M. McGeever, *Co-Chairs' Corner*, CLASS ACTIONS & DERIVATIVE SUITS (ABA Sec. of Litig.), Winter 1997. Copy supplied.

With Giuliana H. Dunham, *Issues for Women at Depositions*, in EFFECTIVE DEPOSITIONS, 423 (1st ed. 1997). Copy supplied.

Proposed Amendments Offer an Efficient Next Step in Class Action Management, LITIGATION NEWS (ABA), Nov. 1996. Copy supplied.

With Elizabeth M. McGeever, *Co-Chairs' Corner*, in CLASS ACTIONS & DERIVATIVE SUITS (ABA), Fall 1996. Copy supplied.

With Elizabeth M. McGeever, *Co-Chairs' Corner*, in CLASS ACTIONS & DERIVATIVE SUITS (ABA), Summer 1996. Copy supplied.

With Elizabeth M. McGeever, *Co-Chairs' Corner*, in CLASS ACTIONS & DERIVATIVE SUITS (ABA), Spring 1996. Copy supplied.

With Elizabeth M. McGeever, *Co-Chairs' Corner*, in CLASS ACTIONS & DERIVATIVE SUITS (ABA), Winter 1996. Copy supplied.

The Gorilla Adversary, CAL. LITIG., J. OF THE LITIG. SEC., STATE BAR OF CAL., Winter 1996, at 39. Copy supplied.

With Elizabeth M. McGeever, *Co-Chairs' Corner*, in CLASS ACTIONS & DERIVATIVE SUITS (ABA), Oct. 1995. Copy supplied.

With Colby A. Smith, *Class Actions: Efficiency or Exploitation*, INT'L COM. LITIG. (ABA), Sept. 1995. Copy supplied.

With Terry Rose Saunders, *Report from the Co-Chairs*, in CLASS ACTIONS & DERIVATIVE SUITS (ABA), Apr. 1995. Copy supplied.

With Terry Rose Saunders, *Report from the Co-Chairs*, in CLASS ACTIONS & DERIVATIVE SUITS (ABA), 1995. Copy supplied.

With Jill A. Lesser, *Depositions and the Gorilla Adversary*, in *THE WOMAN ADVOCATE, EXCELLING IN THE 90s*, 171 (Jean Maclean Snyder & Andra Barmash Greene eds., 1995). Copy supplied.

With Bruce E. Yannett & Jeffrey Oestericher, *United States: Client-Attorney Confidentiality*, 13 INT'L FIN. L. REV. 39, Feb. 1994. Copy supplied.

With Bruce E. Yannett, *United States: Disclosure of Private Papers*, 12 INT'L FIN. L. REV. 37, Nov. 1993. Copy supplied.

With Judah Best & Robert N. Shwartz, *CORPORATE SENTENCING GUIDELINES* (1992). Copy supplied.

Note, *Effects Jurisdiction under the Foreign Sovereign Immunities Act and Due Process Clause*, 55 N.Y.U. L. REV. 474 (1980). Copy supplied.

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

October 2011: Judicial Improvements Committee report, entitled Pilot Project Regarding Case Management Techniques for Complex Civil Cases. When I was a member, the committee submitted the report to the United States District Court for the Southern District of New York. Copy supplied.

August 8-9, 2011: ABA Section of Litigation, resolution and Model Act Governing the Representation of Children in Abuse, Neglect, and Dependency Proceedings. When I was a Council member, the Section submitted the resolution and model act to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 8-9, 2011: ABA Section of Litigation, resolution and Protocol on Court-to-Court Communications in Canada-U.S. Cross-Border Class Actions and Notice Protocol: Coordinating Notice(s) to the Class(es) in Multijurisdictional Class Proceedings. When I was a Council member, the Section submitted the resolution and protocols to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

February 23, 2011: Letter signed by individual members of the ABA Section of Litigation Council of which I was a member, and the Section Federal Practice Task Force. The letter contains comments on possible amendments to Rule 45 of the Federal Rules of Civil Procedure. The letter was submitted to the Federal Judicial Conference Advisory Committee for Civil Rules. Copy supplied.

January 2011: Draft recommendation of the ABA Task Force on Federal Pleading Standards. I chaired a task force that created draft resolutions related to clarifying pleading standards after the *Twombly* and *Iqbal* decisions. There was no final report issued as the Supreme Court seemed to address the issue. A copy of the draft resolutions is supplied.

August 9-10, 2010. ABA Section of Litigation, resolution and ABA Model Access Act. I signed the report as Section Chair. The Section submitted the resolution and model act to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

April 24, 2010: Report of the ABA Section of Litigation Special Committee on the Future of Civil Litigation, which I co-chaired, and the ABA Section of Litigation Council, of which I was a member. The report is entitled, "Civil Procedure in the 21st Century – Some Proposals," and was submitted to the Federal Judicial Conference Advisory Committee for Civil Rules for the Duke Conference. Copy supplied.

March 3, 2010: Letter signed by individual members of the ABA Section of Litigation Council, of which I was a member, and others, submitting comments on the proposed restyling of the Federal Rules of Evidence. The letter was submitted to the Federal Judicial Conference Standing Committee for Rules of Practice and Procedure. Copy supplied.

February 8-9, 2010: ABA Section of Litigation, resolution and report concerning COLA adjustments to judicial salaries. I signed the report as Section Chair. The Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

February 8-9, 2010: ABA Section of Litigation, resolution and report concerning the protections of the Vienna Convention on Consular Relations. I signed the report as Section Chair. The Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

December 11, 2009: ABA Section of Litigation report, entitled "ABA Section of Litigation Member Survey on Civil Practice: Detailed Report." I wrote the Introduction and Summary as Chair of the Section. The report was submitted to the Federal Judicial Conference Advisory Committee for Civil Rules for the Duke Conference. Copy supplied.

March 27, 2009: Letter of the ABA Section of Litigation containing comments to possible revisions to Rule 45 of the Federal Rules of Civil Procedure. The letter was submitted to Federal Judicial Conference Advisory Committee on Civil

Rules. This letter was not signed by me but expresses the unofficial position of the Section when I was Chair-Elect. Copy supplied.

February 16, 2009: ABA Section of Litigation, resolution and report concerning appeals on rulings rejecting assertion of attorney-client privilege. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

January 29, 2009: Letter signed by individual members of the ABA Section of Litigation Council of which I was a member, and the Section Federal Practice Task Force, containing comments on the proposed amendments to Rule 56 of the Federal Rules of Civil Procedure. The letter was submitted to the Federal Judicial Conference Standing Committee for Rules of Practice and Procedure. Copy supplied.

January 16, 2009: Letter of the ABA Section of Litigation containing comments to possible revisions to the portion of Rule 26 of the Federal Rules of Civil Procedure relating to expert witnesses. The letter was submitted to Federal Judicial Conference Standing Committee on Rules of Practice and Procedure. This letter was not signed by me but expresses the unofficial position of the Section when I was a member of the Council. Copy supplied.

August 11-12, 2008: ABA Section of Litigation, resolution and Standards for Final Pretrial Submissions and Orders. When I was a Council member, the Section submitted the resolution and standards to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

February 11, 2008: ABA Section of Litigation, resolution and report regarding legal services for veterans and members of the Armed Forces. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 13-14, 2007: ABA Section of Litigation, resolution and Updated Civil Trial Practice Standards. When I was a Council member, the Section submitted the resolution and standards to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 13-14, 2007: ABA Section of Litigation, resolution and report regarding continuation of the justice system in times of disaster. When I was a Council member, the Section submitted the resolution and principles to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 7-8, 2006: ABA Section of Litigation, resolution and report regarding inadvertent disclosure of privileged material. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 7-8, 2006: ABA Section of Litigation, Resolution and Report regarding law firm billing and compensation. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 7-8, 2006: ABA Section of Litigation, resolution and report regarding the Darfur peace accord. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 7-8, 2006: ABA Section of Litigation, resolution and report regarding draft expert reports. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 8-9, 2005: ABA Section of Litigation, resolution and report regarding a federal shield law for journalists. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 8-9, 2005: ABA Section of Litigation, resolution and Model Standards of Conduct for Mediators. When I was a Council member, the Section submitted the resolution and standards to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

February 14, 2005: ABA Section of Litigation, resolution and report concerning proposed legislation entitled "Lawsuit Abuse Reduction Act." When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

February 2005: Informational Report of the Standing Committee on Federal Judiciary, submitted to the ABA House of Delegates. Copy supplied.

August 9-10, 2004: ABA Section of Litigation, resolution and Amendments to Civil Discovery Standards. When I was a Council member, the Section submitted the resolution and amendments to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 9-10, 2004: ABA Section of Litigation, resolution and report concerning funding for lawsuit data. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 2004: Informational Report of the Standing Committee on Federal Judiciary, submitted to the ABA House of Delegates. Copy supplied.

February 2004: ABA Section of Litigation, resolution and report concerning federal jurisdiction over civil immigration matters. When I was a Council member, the Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 2002: ABA Section of Litigation, Task Force for Ethical Guidelines for Settlement Negotiations, when I was a Task Force member. Copy supplied.

August 1999: ABA Section of Litigation, resolution and Civil Discovery Standards. I chaired the Section task force that initially drafted the resolution and standards. When I was a Council member, the Section submitted the resolution and standards to the ABA House of Delegates, which adopted the resolution as ABA policy, and then to the Federal Judicial Conference Advisory Committee for Civil Rules. Copy supplied.

August 3-4, 1998: ABA Section of Litigation, resolution and Guidelines for Litigation Conduct. When I was a Council member, the Section submitted the resolution and guidelines to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

February 2, 1998: ABA Section of Litigation, resolution and Civil Trial Practice Standards. When I was a Council member, the Section submitted the resolution and standards to the ABA House of Delegates, which adopted the resolution as ABA policy. Copy supplied.

August 18, 1997: Comments of the Task Force on Discovery of the ABA Litigation Section Concerning Issues Being Considered by the Advisory Committee on Civil Rules, submitted to the Federal Judicial Conference Advisory Committee for Civil Rules. I co-chaired the Task Force. Copy supplied.

February 1997: ABA Section of Litigation, resolution and report regarding proposed amendments to Rule 23 of the Federal Rules of Civil Procedure. I chaired the Class Actions and Derivatives Suits Committee of the ABA Section of Litigation when it initially drafted the report. The Section submitted the resolution and report to the ABA House of Delegates, which adopted the resolution as ABA policy. The resolution and report were submitted to the Federal Judicial Conference Standing Committee on Rules of Practice and Procedure. Copy supplied.

- 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.

April 20-21, 2009: I attended the Federal Civil Rules Advisory Committee meeting in my capacity as Chair of the American Bar Association Section of Litigation. Minutes supplied.

March 21, 2008: This letter to the United States House of Representatives, Committee on the Judiciary was not signed by me but expresses the position of the ABA Section of Litigation when I was a member of the Council. The letter supports proposed amendments to Rule 502 of the Federal Rules of Evidence. Copy supplied.

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

The list that follows represents my best efforts, through searches of my and my firm's records, calendars, and Internet databases, to identify speeches and remarks that I have given. There may be, however, other speeches or remarks that I have been unable to recall or identify. When I engage in public speaking, I sometimes do so without outlines or prepared remarks, but have supplied all materials I have been able to identify and obtain.

January 24, 2012: Finding the Keys to the Courtroom, Keynote Address at the Eighth Annual Edith I. Spivack Symposium: The Secrets to Her Success: Trials, Tribulations and Tips of Women Trial and Appellate Lawyers, New York, New York. PowerPoint supplied.

January 24, 2012: Tips from the Top: Taking Charge and Becoming a Leading Litigator, Panel at the Eighth Annual Edith I. Spivack Symposium: The Secrets to Her Success: Trials, Tribulations and Tips of Women Trial and Appellate Lawyers, New York, New York. I have no notes, transcript or recording. The symposium was sponsored by the New York State Bar Association Committee on Women in the Law, located at One Elk Street, Albany, New York 12207.

December 10, 2011: I was a participant in the Overcriminalization and Excessive Punishment: Uncoupling Pipelines to Prison Symposium, co-sponsored by the ABA Section of Litigation, John Jay College of Criminal Justice, and the Liman Public Interest program at Yale Law School. I did not give a formal presentation, but recall making a comment at some point during the discussion. I have no notes, transcript or recording. The address of Yale Law School is 127 Wall Street, New Haven, Connecticut 06511.

August 5, 2011: Expert Life after Changes to Rule 26: Should Experts be Required to Comply with ABA Ethical Standards for Experts? Panelist at the ABA Annual Meeting in Toronto, Canada. Outline supplied.

April 14, 2011: Anatomy of a Trial – Young Lawyer Trial Skills Training at the ABA Section of Litigation Annual CLE Conference, Miami, Florida. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

March 31, 2011: How to Be an Outstanding Trial Lawyer, presentation at the AABNY Litigation Meeting in New York, New York. PowerPoint supplied.

February 24, 2011: Costs of Litigation/Future of the Profession, panel remarks at the Federal Bar Council 2011 Winter Bench and Bar Conference in Los Cabos, Mexico. I have no notes, transcript or recording. The address of the Federal Bar Council is 123 Main Street, Suite L100, White Plains, New York 10601.

February 12, 2011: Open forum on draft resolutions of the ABA Task Force on Federal Pleading Standards, at the ABA Mid-Year Meeting in Atlanta, Georgia. I moderated the public comment session about the resolutions. I have no notes, transcript or recording, but a copy of the draft resolutions is supplied.

August 6, 2010: Litigation in the Internet Age – Making Litigation Rules and Procedures Responsive to Today’s Changed Landscape, CLE Program at the ABA Annual Meeting in San Francisco, California. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

August 6, 2010: Chair’s Passing the Gavel Remarks at the ABA Annual Meeting in San Francisco, California. Outline supplied.

August 6, 2010: Brief status report on the work of the Task Force on Federal Pleading Standards at the ABA Board of Governors’ Annual Meeting in San Francisco, California. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

July 21, 2010: Rainmaking for Women, Training Session via teleconference for Debevoise & Plimpton LLP Women in London, England. PowerPoint supplied.

July 9, 2010: Litigation Institute of Trial Training Seminar in Chicago, Illinois. I have no notes, transcript or recording. The Litigation Institute of Trial Training is a seminar offered by the ABA, which is located at 321 North Clark Street, Chicago, Illinois 60654.

June 20, 2010: Mediation Opening Statements: Strategies for Success, recorded by the ABA Section of Litigation for the "Sound Advice" Audio Library. Audio recording supplied.

June 19, 2010: Bar Proposals from the 2010 Civil Litigation Conference, Presentation of the Special Committee on the Future of Civil Litigation at the ABA Section of Litigation Spring Leadership Meeting in Whistler, British Columbia, Canada. Notes supplied.

June 18, 2010: The State of the Section: Report from the Chair, Presentation at the ABA Section of Litigation Spring Leadership Meeting in Whistler, British Columbia, Canada. PowerPoint supplied.

June 10, 2010: Advocate's Preparation: Opening Statements at the ABA National Institute on Mediation with the Masters: Contemporary Strategies for Effective Advocacy in Mediation in Chicago, Illinois. I have no notes, transcript or recording. The content was similar to the June 20, 2010 recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

May 11, 2010: Bar Association Proposals: ACTL, ABA Litigation Section, NYCBA, AAJ, LCJ, DRI, Federal Judicial Conference, Advisory Committee for Civil Rules at the 2010 Civil Litigation Conference at Duke University Law School, Durham, North Carolina. Notes, outline and video recording supplied.

May 10, 2010: The Empirical Research: Overview of Satisfaction or Dissatisfaction with the Current System, and Suggestion for Change Raised by the Data, Federal Judicial Conference, Advisory Committee for Civil Rules, 2010 Civil Litigation Conference, Duke University Law School, Durham, North Carolina. PowerPoint and video recording supplied.

April 29, 2010: Navigating to Partnership, Rainmaking & Succession Planning, Women in Law Leadership Academy, presented by the ABA Commission on Women and held in Philadelphia, Pennsylvania. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

April 23, 2010: Introduction of Retired Chief Judge of the State of New York, Judith Kaye, at the ABA Section of Litigation Annual CLE Conference in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

April 23, 2010: Presentation of John Minor Wisdom Award at the ABA Section of Litigation Annual CLE Conference in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

April 22, 2010: *Iqbal/Twombly* Fallout: Are General Federal Rules Passé?, at the ABA Section of Litigation Annual CLE Conference in New York, New York. Notes supplied.

April 22, 2010: Presentation of Recognition Award to the Honorable Joseph A. Greenaway at the ABA Section of Litigation Annual CLE Conference in New York, New York. Notes supplied.

April 22, 2010: Welcome Address and Presentation of Subcommittee Chair Awards at the ABA Section of Litigation Annual CLE Conference in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

April 21, 2010: Presentation of Diversity Leadership Award at the ABA Section of Litigation Annual CLE Conference in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

March 26, 2010: The Future of Anti-Foreign Bribery Enforcement in the Asia Pacific Region, and its Relevance for Australian Companies, Presentation at the Queensland Law Society in Brisbane, Queensland, Australia. PowerPoint supplied.

March 23, 2010: Internal Investigations: The United States and Globally, Presentation at the Law Society of Tasmania, Hobart, Tasmania, Australia. PowerPoint supplied.

January 15, 2010: The State of the Section: Report from the Chair, Presentation at the ABA Section of Litigation Winter Leadership Meeting in New Orleans, Louisiana. PowerPoint supplied.

October 31, 2009: Roundtable Discussion on the Impact of Recent Supreme Court Decisions on Federal Pleading Standards at the ABA Standing Committee on Federal Judicial Improvements in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

October 23, 2009: Welcome Remarks for Raising Our Hands: Creating a National Strategy for Children's Right to Education and Counsel, American Bar Association, Chicago, Illinois. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

October 2, 2009: Chair's Kick-Off: Down the Road to the Future, Presentation at the ABA Section of Litigation Fall Leadership Meeting in Chicago, Illinois. PowerPoint included.

September 25, 2009: Moderator for It Takes a Village to Raise a Lawyer: The Educational Pipeline at the ABA National Conference for the Minority Lawyer in Philadelphia, Pennsylvania. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

September 25, 2009: Call to Action, Presentation at the ABA National Conference for the Minority Lawyer in Philadelphia, Pennsylvania. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

July 31, 2009: Pass the Gavel Chair's Acceptance Speech at the ABA Annual Meeting in Chicago, Illinois. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

July 9, 2009: Litigation Institute of Trial Training Seminar in Chicago, Illinois. I have no notes, transcript or recording. The Litigation Institute of Trial Training is a seminar offered by the ABA, which is located at 321 North Clark Street, Chicago, Illinois 60654.

June 20, 2009: Moderator for An Insider's Guide to Federal Rule Making, Presentation at the ABA Section of Litigation Spring Leadership Meeting in Hot Springs, Virginia. PowerPoint and outlines supplied.

June 19, 2009: Chair-Elect's Preview of the Coming Year at the ABA Section of Litigation Spring Leadership Meeting in Hot Springs, Virginia. PowerPoint supplied.

June 4, 2009: Introductory Remarks at the ABA Section of Litigation Aviation on Trial CLE Seminar in New York, New York. PowerPoint supplied.

March 20, 2009: Address at the Civil Justice Resource Group / Lawyers for Civil Justice E-Discovery Conference in New York, New York. I have no notes, transcript or recording. The Civil Justice Resource Group is a project of the Center for Justice & Democracy, which is located at 185 West Broadway, New York, New York 10013.

March 6, 2009: Opening Remarks at the ABA Insurance Coverage Litigation Committee Seminar in Tucson, Arizona. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

March 2, 2009: Participant at the Institute for the Advancement of the American Legal System Symposium: 21st Century Rules Initiative in Denver, Colorado. I have no notes, transcript or recording. The address of the Institute for the

Advancement of the American Legal System is John Moye Hall, 2060 South Gaylord Way, Denver, Colorado 80208.

February 12, 2009: Moderator at the General Counsel Forum at the ABA Section of Litigation, 2009 Corporate Counsel CLE Seminar in Buena Vista, Florida. Outline supplied.

January 23, 2009: Opening Remarks at the ABA Products Liability, Environmental & Mass Torts Seminar in Vail, Colorado. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

April 4, 2008: Outside the Tribunal: Corporate Internal Investigations as Dispute Resolution, Presentation at the 14th Annual Clifford Symposium on Tort Law and Social Policy in Chicago, Illinois. PowerPoint supplied.

November 3, 2007: Affirmative Action in the United States, Presentation in connection with session entitled “Women’s Rights – Law as an Expression of Culture and Power,” at the UIA (International Association of Lawyers) 51st Congress in Paris, France. PowerPoint supplied.

August 10, 2007: Point Counterpoint: Practical Advice from Practical Lawyers, panel remarks at the ABA Annual CLE Conference in San Francisco, California. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

May 11, 2007: Address at the ABA Section of Litigation Symposium: Elevating Your Game: Lawyers of Color Accessing Power, presented by the ABA Section of Litigation in Chicago, Illinois. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

March 22, 2007: Expert and Opinion Testimony, Trial Evidence in the Federal Courts: Problems and Solutions, at the American Law Institute-American Bar Association Course of Study in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654, and the address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

May 24, 2006: Beyond No Comment: Legal Issues & Public Perception in the Media Age, at the Association of the Bar of the City of New York in New York, New York. I have no notes, transcript or recording. The address of the Association of the Bar of the City of New York, now known as the New York City Bar Association, is 42 West 44th Street, New York, New York 10036.

April 20, 2006: Electronic Discovery / Spoliation: Will the Changes to the Federal Rules of Civil Procedure Solve the E-Discovery Crisis?, at the ABA Section of Litigation Annual Conference in Los Angeles, California. I have no notes, transcript or recording. The address of the Association of the Bar of the City of New York, now known as the New York City Bar Association, is 42 West 44th Street, New York, New York 10036.

September 14, 2005: Lorna G. Schofield, Wolcott D. Dunham, Robert Goodman & Steven Ostner, Fourth Annual Insurance Seminar – Regulatory Activity and Insurance M&A, Debevoise & Plimpton LLP Training Session in New York, New York. I have no notes, transcript or recording. The address of Debevoise & Plimpton LLP is 919 Third Avenue, New York, New York 10022.

July 20, 2005: What It's (Really) Like to Practice Law in NYC as a Woman, presented by the New York Women's Bar Association in New York, New York. I have no notes, transcript or recording. The address of the New York Women's Bar Association is 132 East 43rd Street, #716, New York, New York 10017.

June 23, 2005: Cross Examination of an Expert Witness, Demonstration at the ABA Section of Litigation Leadership Meeting in Quebec City, Canada. Outline supplied.

April 21, 2005: Old Dogs, New Tricks: Cross Examination Techniques, at the ABA Section of Litigation Annual Conference in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

November 6, 2004: The Most Challenging Part of a High Profile Case, presented by the Federal Bar Council in Old Saybrook, Connecticut. I have no notes, transcript or recording. The address of the Federal Bar Council is 123 Main Street, Suite L100, White Plains, New York 10601.

September 23, 2004: High Profile Legal Cases, at the 92nd Street Y, Fall 2004 Jeffrey Toobin Series on the Law in New York, New York. I have no notes, transcript or recording, but press coverage is supplied. The address of the 92nd Street Y is 1395 Lexington Avenue, New York, New York 10128.

May 7, 2004: Making the Case by Making the News, panel remarks at the 2004 ABA Section of Litigation Annual Conference in Scottsdale, Arizona. I have no notes, transcript or recording, but press coverage is supplied. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

May 7, 2004: Judges are from Mars, Lawyers are from Venus and Journalists are from Pluto: A Workshop to Enhance News Coverage and Public Perceptions of the Justice System, at the ABA Section of Litigation Annual Conference in

Scottsdale, Arizona. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

March 11, 2003: Taking Initiative in Your Career, to the Committee on Women in the Profession, presented by the Association of the Bar of the City of New York in New York, New York. I have no notes, transcript or recording. The address of the Association of the Bar of the City of New York, now known as the New York City Bar Association, is 42 West 44th Street, New York, New York 10036.

December 5, 2002: Sarbanes-Oxley Act: Impact on Civil Litigation under the Federal Securities Law, at the American Law Institute-American Bar Association Course of Study in New York, New York. Outline supplied.

2001: 73 Ways to Win: A Treasury of Litigation Tactics and Strategies (ABA 2001). DVD supplied in response to Question 12a.

October 4, 2000: Civil Rules Advisory Committee Miniconference on Computer Based Discovery, in Brooklyn, New York. I have no notes, transcript or recording. The address of the Administrative Office of the Courts is 1 Columbus Circle NE, Washington, DC 20544.

July 12-14, 2000: Mock Trial – Trial Practice Seminar, Sponsored by the ABA Section of Litigation and English bar associations at Oxford University, Oxford, England. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

July 1-2, 2000: 21st Century Litigation: Trial and Pretrial, at the American Law Institute – American Bar Association Course of Study in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654, and the address of the American Law Institute is 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.

June 8, 1999: High Tech Courtroom Presentations, at the Litigation Technology Summit Sponsored by the ABA Section of Litigation and Glasser LegalWorks in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654. Glasser LegalWorks was acquired by FindLaw, whose address is 610 Opperman Drive, Eagan, Minnesota 55123.

August 3, 1998: Discovery Reform in the Federal Courts, at the ABA Annual Meeting in Toronto, Canada. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

June 12, 1998: Taking and Opposing Discovery in Class Litigation, at the ABA National Institute on Class Actions in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

May 28, 1998: Motion Practice: Succeeding as a Woman Advocate, an ABA Satellite Seminar. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

April 25, 1998: The Art of Cross Examination – Asking the Question Without Knowing the Answer, at the ABA Section of Litigation Annual Meeting in New York, New York. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

December 11, 1997: Recent Developments in Class Actions, at the Practicing Law Institute, San Francisco, California. Outline supplied.

November 14, 1997: Recent Developments in Federal Class Actions, at Cumberland Law School in Birmingham, Alabama. I have no notes, transcript or recording, but the substance was similar to that of the December 11, 1997 event. The address of Cumberland Law School is 800 Lakeshore Drive, Birmingham, Alabama 35229.

June 27, 1997: Moderator for Discussion on Proposed Changes to Federal Discovery Rules at the ABA Section of Litigation Leadership Meeting in Aspen, Colorado. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

May 1, 1997: Recent Developments in Class Actions, presented by the Practicing Law Institute in New York, New York. I have no notes, transcript or recording. The New York address of the Practicing Law Institute is 810 Seventh Avenue, 21st Floor, New York, New York 10019.

March 6, 1997: Mock Trial of an Inter-American Dispute, Sponsored by the ABA and Inter-American Bar Association in Buenos Aires, Argentina. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654, and the address of the Inter-American Bar Association is 1211 Connecticut Avenue, NW, Suite 202, Washington, DC 20036.

February 18, 1997: Class Actions and Securities Litigation Reform Act, panel remarks at the Second Circuit Federal Bar Council meeting in Kona, Hawaii. I have no notes, transcript or recording. The address of the Federal Bar Council is 123 Main Street, Suite L100, White Plains, New York 10601.

August 5, 1996: Law School to Practice: Training and Educating New and Experienced Lawyers, for the ABA Section of Business Law in Orlando, Florida. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

August 8, 1995: Winning a Securities Class Action, panelist remarks during the ABA Annual Meeting, Chicago, Illinois. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

June 7, 1995: Alternatives to Traditional Litigation: International Arbitration and ADR, Seminar at Debevoise & Plimpton LLP. I have no notes, transcript or recording, but press coverage is supplied. The address of Debevoise & Plimpton LLP is 919 Third Avenue, New York, New York 10022.

February 21, 1995: Mock Trial of a Commercial Dispute, sponsored by the American Bar Association and Inter-Pacific Bar Association, Hong Kong. I have no notes, transcript or recording. The address of the ABA headquarters is 321 North Clark Street, Chicago, Illinois 60654.

January 18, 1995: How Female Attorneys Market Themselves and Their Firms, Speaker for a lunch program of the New York Chapter of the National Law Firm Marketing Association, New York, New York. I have no notes, transcript or recording. The NLFMA is now known as the Legal Marketing Association and the New York Chapter does not have a physical address.

- 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.

The Super Lawyer: A Profile of Lorna Schofield, C. MAG. (publication of Indiana University, College of Arts & Sciences), Spring 2011. Copy supplied.

Erin Coe, *Confirmation Delays Wreak Havoc on Civil Litigation*, LAW360, July 21, 2010. Copy supplied.

Press release, *Summer Law Clerk Program Celebrates 10 Years of Opportunity for Minority and Disadvantaged Law Students*, AMERICAN BAR ASSOCIATION, June 18, 2010. Copy supplied.

Brian Josias, *Interview with Lorna Schofield. 2009-2010 Section of Litigation Chair*, A.B.A. SECTION OF LITIG. MINORITY TRIAL LAW. NEWSL. (ABA Section of Litigation, N.Y.), Summer 2010. Copy supplied.

Mark A. Drummond, *Jury Selection 2010: Bloggers, Bailouts & the Economy*, 35 LITIG. NEWS 14, Summer 2010. Copy supplied.

ABA, *Secrets of Success from Women at the Top: Women in the Law Leadership Academy Schools Attendees on Career Advancement*, ABANow, Apr. 30, 2010. Video available at <http://tinyurl.com/schofieldaba>.

Press release, *Debevoise Lawyers Lead ABA Litigation Section Conference*, DEBEVOISE & PLIMPTON LLP, Apr. 20, 2010. Copy supplied.

Press release, *Attorney Robert Simpson to Lead Mega ABA CLE for Litigators in NYC*, SHIPMAN & GOODWIN, Apr. 14, 2010. Copy supplied.

Press release, *Annual Meeting of Litigators Set for New York City*, AMERICAN BAR ASSOCIATION, Mar. 4, 2010. Copy supplied.

Press release, *2010 John Minor Wisdom Awards Recognize Pro Bono and Public Service Efforts*, AMERICAN BAR ASSOCIATION, Mar. 3, 2010. Copy supplied.

Press release, *Second Annual Diversity Leadership Awards Recognizes Justice Frank Sullivan Jr. and the Coca-Cola Company Legal Division*, AMERICAN BAR ASSOCIATION, Mar. 2, 2010 (quotes reprinted in multiple outlets). Copy supplied.

Julie Zeveloff, *5 Surefire Ways to Annoy a Judge*, LAW360, Feb. 5, 2010. Copy supplied.

Press release, *Survey Shows Litigators Support Fairness and Access to Justice and Efforts to Reduce Court Costs and Delays*, AMERICAN BAR ASSOCIATION, Dec. 11, 2009 (quotes reprinted in multiple outlets). Copy supplied.

Jeffrey B. Tracy, *ABA Section of Litigation to Recommend Changes to Federal Rules*, LITIG. NEWS ONLINE, Dec. 8, 2009. Copy supplied.

Lindsay M. Sestile, *FTC Barred from Applying Red Flags Privacy Rule to Lawyers*, LITIG. NEWS ONLINE, Nov. 6, 2009 (reprinted in multiple outlets). Copy supplied.

Lindsay M. Sestile, *The Red Flags Privacy Rule*, 35 LITIG. NEWS 7, Fall 2009. Copy supplied.

Benefit to Aid Judicial Intern Program, CHI. DAILY LAW BULL., Aug. 21, 2009. Copy supplied.

Press release, *Lorna G. Schofield Named Chair of the American Bar Association Section of Litigation*, AMERICAN BAR ASSOCIATION, Aug. 6, 2009. Copy supplied.

Mark A. Drummond, *Know Thy Judge*, 34 LITIG. NEWS 18, Fall 2008. Copy supplied.

Andrian Brune, *The Gold Standard*, AM. LAW., Sept. 2005 (reprinted in multiple outlets). Copy supplied.

Keith J. Kelly, *Mag's 'Life' In Dispute – Time Execs Say Union Cannot Represent Staffers*, N.Y. POST, Dec. 1, 2004. Copy supplied.

David Hechler, *Taking It to the People*, NAT'L L.J., Oct. 11, 2004 (reprinted in multiple outlets). Copy supplied.

David Carr, *Verdicts and Wisecracks at a Speedy Clip*, N.Y. TIMES, Apr. 13, 2004. Copy supplied.

Alison Frankel, *Loyal to the End: Bar Talk*, AM. LAW., Jan. 2004. Copy supplied.

Rosie's Lawyer on How G+J Blew It, MEDIA LIFE, Nov. 20, 2003. Copy supplied.

Julia Levy, *Rosie Wants G+J to Pay Her Tab*, N.Y. SUN, Nov. 14, 2003. Copy supplied.

Dismissal Closes Book on Rosie Mag Lawsuits, DAILY VARIETY, Nov. 13, 2003. Copy supplied.

Matthew Rose, *Gruner + Jahr, O'Donnell Finish Out of the Money*, WALL ST. J., Nov. 13, 2003. Copy supplied.

Alison Beard, *O'Donnell Magazine Lawsuit Ends in Draw*, FIN. TIMES, Nov. 13, 2003. Copy supplied.

Soledad O'Brien, *American Morning*, CNN, Nov. 13, 2003. Transcript supplied.

Katie Couric, *Today Show*, NBC, Nov. 13, 2003 (quotes reprinted in multiple outlets). Transcript supplied.

Anderson Cooper 360 Degrees, CNN, Nov. 12, 2003. Transcript supplied.

Dan Abrams, *The Abrams Report*, MSNBC, Nov. 12, 2003. Transcript supplied.

Jeanne King, *No Winner in U.S. 'Rosie' Magazine Suit*, REUTERS, Nov. 12, 2003 (quotes reprinted in multiple outlets). Copy supplied.

Martha Graybow, *Rosie O'Donnell, Ex-Publisher Take Fight to Court*, REUTERS, Oct. 26, 2003 (quote reprinted in multiple outlets). Copy supplied.

Susan Mandel, *Firms and Family*, 89 A.B.A. J. 44, Sept. 2003. Copy supplied.

Press release, *Rosie O'Donnell to Sue the Publisher of Rosie Magazine*, DEBEVOISE & PLIMPTON, Oct. 2, 2002 (quotes reprinted in multiple outlets). Copy supplied.

Dan Rather, *60 Minutes II*, CBS, Oct. 10, 2000 (quotes reprinted in multiple outlets). Transcript supplied.

Bob Van Voris and Matt Fleischer, *Critics: Sealed Tire Deals Can Kill*, NAT'L L.J., Sept. 25, 2000 (reprinted in multiple outlets). Copy supplied.

Douglas E. Motzenbecker, *Two Courts Refuse to Protect Self-Critical Analysis*, 25 LITIG. NEWS 3, Mar. 2000. Copy supplied.

Terry Carter, *The Latest Discovery Mission: Judges Set to Debate Changes That Would Make New Federal Rules Mandatory*, 85 A.B.A. J. 20, Sept. 1999. Copy supplied.

Susan J. Becker, *Civil Discovery Standards Seek to Improve Pretrial Practice*, 24 LITIG. NEWS 4, May 1999. Copy supplied.

Clifford G. Gately, *Jury Trial Innovations: The Section and the Courts Get Together*, 4 LITIG. DOCKET 1, Winter 1999. Copy supplied.

Kathryn A. Tongue, *Discovery under a Microscope*, 3 LITIG. DOCKET 1, Summer 1998. Copy supplied.

Darryl Van Duch, *Bad PR Spurs Cave-Ins*, NAT'L L.J., Oct. 13, 1997. Copy supplied.

Jacque Jowers, *Bloomberg Info TV*, WPXN-TV, Oct. 3, 1997. Transcript supplied.

Susan J. Becker, *Has Supreme Court Negated Need for Rule 23 Amendment?*, 22 LITIG. NEWS 7, Sept. 1997. Copy supplied.

Henry J. Reske, *Making Class Distinctions: Critics Say Class Action Proposals Encourage Collusion As Well As Settlements*, 83 A.B.A. J. 22, Jan. 1997. Copy supplied.

Claudia H. Deutsch, *Women Striving to Make It Rain at Law Firms*, N.Y. TIMES, May 21, 1996 (reprinted in multiple outlets). Copy Supplied.

1995 Summer Associates Survey, AM. LAW., Oct. 1995. Copy supplied.

Amy Stevens, *Women Lawyers Harassed by Clients, Too*, WALL ST. J., Nov. 4, 1994. Copy supplied.

James T. Mulder, *PaineWebber Ordered to Pay Client \$443,000*, POST-STANDARD, Feb. 23, 1993. Copy supplied.

James Traub, *Still Crazy after All These Years*, SPY MAGAZINE, Sept. 1990. Copy available at <http://tinyurl.com/knustlerarticle>.

Jeff Gerth, *Iran Arms Deals Hurt Prosecution*, N.Y. TIMES, Nov. 14, 1986. Copy supplied.

Peter Wilkinson, *Jordache, U.S. Silent on Motive behind Raid*, DAILY NEWS REC., Jan. 30, 1986. Copy supplied.

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

I have not 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: | 0% |
| bench trials: | 0% [total 100%] |
| civil proceedings: | 0% |
| criminal proceedings: | 0% [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 not 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.

I have never held any public office and have had no unsuccessful candidacies for elective office or unsuccessful nominations for appointed 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.

I have never held any offices in or rendered services in a political party or election committee, nor have I ever held a position in or played a role in a political campaign.

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 have not served as a clerk to a judge.

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

I have not practiced law alone.

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

1981 – 1984
Cleary, Gottlieb, Steen & Hamilton
One Liberty Plaza
New York, NY 10006
Associate

1984 – 1988
United States Attorney's Office
Southern District of New York
One Saint Andrew's Plaza
New York, NY 10007
Assistant United States Attorney

1988 – Present
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022
Of Counsel (2012 – Present)
Partner (1991 – 2011)
Associate (1988 – 1991)

- 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 served as a volunteer mediator in the Southern District of New York mediation program. I have been able to locate files relating only to the following cases:

Silver v. Princess Hotels International, Inc., 93 Civ. 5768 (S.D.N.Y., Cedarbaum, J.). This claim arose out of the plaintiff's slip and fall in the shower at the defendant's hotel in Bermuda, where the plaintiff and his wife were honeymooning. I met and conferred with the parties in the summer and fall of 1994. The mediation resulted in a settlement.

Mediation of Int'l Fruit v. Plaintains, 93 Civ. 2308 (S.D.N.Y., Preska, J.). This matter involved non-payment of \$106,147 for the purchase of 12 truckloads of bananas from Ecuador. I met and conferred with the parties in the fall of 1993 and the first half of 1994. The matter resulted in a settlement by consent order and judgment.

Mawn v. Scandinavian Airlines of North America, Inc., 92 Civ. 7968 (S.D.N.Y., Sprizzo, J.). Seven airline employees asserted age discrimination claims under the Age Discrimination in Employment Act of 1967 (ADEA) and common law fraud claims, alleging that they had been induced to retire under terms less favorable than terms later agreed upon with their union. From around June 1993 to April 1994 I met and conferred with the parties. Six of the seven employees agreed to settle. As to the seventh, the matter was referred back to the court to address his objection to the settlement.

b. Describe:

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

As an associate at Cleary Gottlieb (1981 – 1984), I worked as both a litigator and a transactional lawyer. At the start of my time at Cleary Gottlieb, I did more transactional work. My practice shifted towards general commercial litigation toward the end of my time there.

As an Assistant U.S. Attorney (1984 – 1988), I worked as a prosecutor, first in the General Crimes Unit and then in the Major Crimes Unit. My significant cases involved domestic terrorism, arms smuggling and tax fraud.

At Debevoise, from 1988 until roughly 2002, I worked almost exclusively on civil cases involving complex commercial disputes on behalf of both defendants and plaintiffs. Areas of practice included class actions, corporate bankruptcies, business fraud, professional liability, contract and other commercial matters. From around 2003 to approximately 2009, I worked primarily in the firm's white collar crime practice, including the defense of companies and individuals in regulatory and white collar criminal investigations, as well as internal and independent investigations on behalf of companies, their Boards of Directors and Audit Committees. From approximately 2010 through 2011, I worked primarily on a civil litigation styled as an adversary proceeding in bankruptcy court. I also handled several investigations and other smaller matters during this time.

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

My typical clients in civil litigation practice have been businesses and individuals involved in business disputes in state and federal court. My typical clients in white collar matters have been business entities and individuals who are involved in government investigations, either as a witness in or subject of the investigation, or are corporations, their Boards of Directors or committees of the Board who want a matter investigated.

- 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.

Since 1984, 100% of my practice has been in litigation. As an Assistant U.S. Attorney, I appeared in court frequently. Throughout my years at Debevoise, I continued to litigate in state and federal courts, but appeared in court less frequently than I did as an AUSA. In addition, from 2002 through 2009, my focus shifted to white collar work, and I made many more regulatory than court appearances.

- i. Indicate the percentage of your practice in:

- 1. federal courts: 55%
- 2. state courts of record: 35%
- 3. other courts:
- 4. administrative agencies: 10%

ii. Indicate the percentage of your practice in:

1. civil proceedings: 60%
2. criminal proceedings: 40%

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 10 cases in court to verdict or judgment (not including 2 arbitrations conducted as trials). I was chief counsel in 5 cases, co-chief counsel in 2 cases, and sole counsel in 3 cases. (A senior attorney sat with me in 2 of these 3 cases as they were my first trials.)

i. What percentage of these trials were:

1. jury: 50%
2. non-jury: 50%

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 appeared 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. *In re Lyondell Chemical Company, et al.*, Case No. 09-10023; *Weisfelner, as Litigation Trustee of the LB Litigation Trust v. Blavatnik, et al.*, Adv. Pro. No. 09-01375 (Bankr. S.D.N.Y.), Hon. Robert E. Gerber.

From August 2009 to January 2012, I defended a former director of Lyondell Chemical Company and the current President and CEO of Occidental Petroleum Corporation, in a bankruptcy adversary proceeding involving claims under

Delaware law and the Bankruptcy Code. The action arose from the alleged overleveraged and failed \$12 billion merger between Lyondell and Basell AF S.C.A. When the combined company, renamed LyondellBasell Industries AF S.C.A., filed for chapter 11 bankruptcy protection in 2009, the company's unsecured creditors filed suit against various parties involved with the merger transaction. The claims against my client and the other former directors who approved the transaction included: (i) breach of fiduciary duty, (ii) illegal dividends and redemption under Delaware law, (iii) intentional fraudulent transfer, and (iv) constructive fraudulent transfer.

I served as lead counsel to my client, and I worked closely with counsel for other former directors and officers of Lyondell to develop a joint defense strategy and joint submissions to the court. The case is currently pending. Discovery is complete and motions to dismiss and a limited number of summary judgment motions are pending.

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2. *Gruner + Jahr Printing and Publishing Company v. Rosie O'Donnell et al.*, No. 603581-02 (Sup. Ct. N.Y.), Hon. Ira Gammerman.

In 2002 and 2003, I represented Rosie O'Donnell in a contractual dispute with Gruner + Jahr USA, the publisher of *Rosie* magazine. After a struggle over editorial control, O'Donnell exercised her right to terminate the joint venture. G+J sued her for \$100 million, alleging wrongful termination. She counterclaimed, alleging that G+J had breached their joint venture agreement, which justified her closing down the magazine. I advised O'Donnell, with my partner Mary Jo White, during the dispute leading to the termination. I assumed primary responsibility in the litigation that followed. In November 2003, I tried the case with several colleagues who assisted me. The judge declined to award either side any damages or attorneys' fees.

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3. *Re Reliance Group Holdings et al.*, 01-13404 (AJG), (Bankr. S.D.N.Y.), Hon. Arthur J. Gonzalez; *Re Reliance Group Holdings, Inc.*, 273 B.R. 374 (Bankr. E.D. Pa. 2002), Hon. Kevin J. Carey.

From 2000 to 2003, I led our litigation team in what became a dispute in five separate courts between our client, Reliance Group Holdings (“RGH”) and its main operating subsidiary, Reliance Insurance Company (“RIC”). The Pennsylvania Department of Insurance, as Liquidator for RIC, launched a litigation offensive to seize the assets of the RGH bankruptcy estate for the estate of the insurance company. We litigated the issues in the federal District Court and Bankruptcy Courts in Pennsylvania and New York, and in the Commonwealth Court of Pennsylvania. The parties ultimately settled.

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4. *Valuefinder Group, Inc. v. American Industrial Partners*, 603847-98 (Sup. Ct. N.Y.), Hon. Herman Cahn.

In 2001, after the close of discovery, I was asked to try a case on behalf of the plaintiff alleging breach of a “finder’s agreement.” Our client, a closely held company, had facilitated a merger between two companies, but was not paid its fee. The dispute involved the meaning of a letter agreement. I was assisted by a junior colleague who had conducted the pretrial work. After a bench trial, the court ruled in favor of our client, awarding damages, attorneys fees’ and interest for a total in excess of \$10 million.

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5. *Ackerman et al. v. Price Waterhouse*, 015639/90 (Sup. Ct. N.Y.), Hon. Ira Gammerman.

In 1999, I tried a class action case with one of my partners, David Rivkin, on behalf of what was then Price Waterhouse. This case involved the sale of real estate tax shelters in the early 1980s and the role of Price Waterhouse in preparing income projections for the investments. Price Waterhouse had concluded that taxpayers could properly use a device known as the Rule of 78’s to calculate deductions for amortization, resulting in significant up front tax benefits. After the tax shelters were sold, the IRS decided to the contrary. The case focused on whether Price Waterhouse had been negligent in its projections, given the state of the tax law at the time.

My partner had managed the matter in pretrial proceedings for nine years. From 1993 to 1995, I occasionally assisted by taking a deposition or reviewing a brief. As the trial date neared, I became fully involved. At the trial, I conducted the *voir*

dire, the direct testimony of our expert, all of the cross examination, and delivered the summation. The jury returned a defense verdict for our client in 30 minutes.

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6. *In re Zenith Electronics Corp.*, 241 B.R. 92 (Bankr. Del. 1999), Hon. Mary F. Walrath.

From 1997 to 1999, I led our litigation team in representing LG Electronics (“LG”), a part of the LG Group, which is one of Korea’s largest multinational corporations. LG was the majority shareholder and largest creditor of Zenith Electronics Corporation, with an 80% equity interest and \$375 million in debt. Zenith was insolvent and incurring mounting operating losses that LG was forced to fund. We conducted a year-long internal investigation into LG’s investment and involvement in Zenith’s business. Thereafter, Zenith commenced bankruptcy proceedings that ultimately resulted in LG successfully taking the company private. At the contested confirmation hearing, the central issue was the economic valuation of Zenith’s business based on projected future revenues, which in turn were based on predictions about the development and success of digital television. After the hearing, Zenith’s plan of reorganization, which left LG with all of the equity, was confirmed.

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7. *First Bank of the Americas v. Motor Car Funding, Inc.*, 600600/97 (Sup. Ct. N.Y.), Hon. Ira Gammernan, Special Referee Kenneth R. McGrail, *aff'd as modified*, 257 A.D.2d 287, 690 N.Y.S.2d 17 (A.D. 1 Dep't 1999).

In 1997, I tried a plaintiff's case on behalf of our client, a foreign bank, which had been defrauded in the purchase of over \$30 million in used car loans. After several discovery disputes, but before we were able to obtain any meaningful discovery, the court *sua sponte* struck the Answer, entered judgment for our client and directed us to a court-employed Referee to litigate damages. The court also dismissed our fraud claim, which gave rise to the lion's share of our client's damages. We essentially had to try our case on the merits (without the benefit of discovery) in order to prove damages. The Referee recommended an award of \$2.6 million, the full amount that we had sought on the contract claim. The judge approved the recommendation. The appeal (argued by my associate) resulted in reinstatement of our fraud claim and reinstatement of the Answer. The case subsequently settled.

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8. *TBG, Inc. v. Bendis*, 811 F. Supp. 596 (D. Kan. 1992); *denying reconsideration*, 813 F. Supp. 766 (D. Kan. 1993); *dismissing appeal*, 36 F.3d 916 (10th Cir. 1994). Hon. Earl E. O'Connor, U.S.D.J.

From 1991 to 1995, I participated in the defense of the law firm Shook Hardy & Bacon LLP (“SHB”) in a multi-defendant securities fraud action. The claim against SHB arose from that firm’s representation of the seller in a corporate acquisition and issuance of a legal opinion. I was the senior associate, then junior partner, then sole partner, on the case. In this matter, among other things, I took many depositions, drafted briefs, prepared witnesses, and conducted settlement negotiations. Our client settled before the conclusion of discovery.

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9. *United States v. Evans*, SSS 86 Cr. 384 (LBS), 667 F. Supp. 974 (S.D.N.Y. 1987); *affirming a separate opinion*, 844 F.2d 36 (2d Cir. 1988). Hon. Leonard B. Sand

In 1987 and 1988, I led an investigation on behalf of the U.S. Government of an apparent conspiracy to sell U.S. arms to Iran using false end user certificates. The FBI arrested eight defendants, including an American lawyer and an Israeli general. With the indictment pending, news broke of Oliver North and Iran Contra. The defense asserted that the U.S. Government had sanctioned the defendants' activities, although no evidence substantiated this claim. We dismissed the indictment after our cooperating witness mysteriously died in London, another witness refused to cooperate, and the national security issues touching on Iran Contra became too sensitive.

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10. *U.S. v. Chimurenga, et al.*, 84 Cr. 818 (RLC), 1985 WL 546, 1985 WL 545, 1985 WL 559, 609 F. Supp. 1070 (S.D.N.Y. 1985); 609 F. Supp. 1066 (S.D.N.Y. 1985). Hon. Robert L. Carter

In 1985, as an Assistant United States Attorney, I was assigned to a three-month trial in a case involving eight domestic terrorists, who had plotted to hold up armored cars and free from prison certain inmates who had been convicted of killing police officers. I tried the case with a colleague, Kenneth Roth, and questioned approximately 35 witnesses and delivered the main Government summation. The jury returned a verdict of guilty on the weapons charges but not guilty on the conspiracy charges.

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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.)

Defense of Government Official. In 2010, my partner Mary Jo White and I represented a senior government official in connection with proposed charges by the Department of Justice, Office of Professional Responsibility, involving an admitted personal relationship and alleged lack of candor. I investigated the facts, drafted a written submission, and led the oral argument. The lack of candor charge was dropped. The relationship was found to be a violation and resulted in a 15-day suspension.

Re the Arbitration Hearing between Van Eck Associates Corp. v. Greylock Capital Assocs., LLC and Willem Johannes Humes, American Arbitration Association, Hon.

William G. Bassler (former U.S.D.J. D.N.J.). In 2009, I stepped in at the 11th hour to conduct an arbitration on behalf of the Respondents in a dispute between business partners in a hedge fund. Judge Bassler, a former federal district court judge who conducted the proceedings like a federal trial, denied all claims against our client.

Investigation Concerning Harassment of Minority Presidential Candidate for the Republic of Georgia. In late 2007 and early 2008, with my London partner, Lord Peter Goldsmith, Q.C., former Attorney General for the United Kingdom, and junior colleagues, I participated in the investigation of the harassment of Badri Patarkatshishvili and his business associates, after he had announced his candidacy for President of the Republic of Georgia in the 2008 elections. The investigation ceased after our client died suddenly in London after the election, which he lost.

Deloitte Securities and Exchange Commission Investigation. From 2007 to 2010, I represented Deloitte LLP and several of its partners in an investigation by the Securities and Exchange Commission concerning the firm's auditing of Navistar International Corporation. In the end, the SEC determined not to charge Deloitte or any of its partners.

Internal Investigation Concerning Corporate Intelligence Gathering. In 2007, we were retained to conduct a confidential investigation of competitive intelligence work that had been undertaken by one of the client's employees and an outside investigator. We also reviewed generally the scope of the client's competitive intelligence activities to identify potential legal or ethical issues. I oversaw and participated in all aspects of the investigation.

Re Verizon Wireless, Attorney General of the State of New York, Internet Bureau, and Federal Trade Commission. In late 2006 and 2007, I represented Verizon Wireless ("VZW"), in state and federal investigations of the disclosure and advertising of VZW's "unlimited" internet access plans. I oversaw all aspects of the investigations and their resolution. The Federal Trade Commission determined to take no action. VZW and the Attorney General entered into a settlement, which included new policies and procedures and restitution.

General Motors Company Independent Investigation. In 2006, I conducted a six-month investigation for the Audit Committee of General Motors involving "roundtrip" transactions in the sale and repurchase of precious metals. In addition to reporting to the Audit Committee and senior management, we reported the results of our investigation to the Securities and Exchange Commission, which also was reviewing the transactions.

ACE Limited Government Investigations. Beginning in late 2004, I represented Ace Limited, a Bermuda based property and casualty insurer, in investigations by the Securities and Exchange Commission and the United States Attorney's Office involving so-called finite insurance. I also led an internal investigation concerning the same subject. Based on the investigation, the company restated its financial statements. The matter has been largely dormant since 2007.

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.

I have retired from my firm, Debevoise & Plimpton LLP, and receive pension benefits.

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.

As a past Chair of the ABA Litigation Section, I am slated to continue to serve on the governing Council and the Executive Committee of the Section until August 2013. This would require travel for one or two working days approximately four to five times a year. I also have been asked to serve as a special consultant to an ABA presidential task force to combat human trafficking in the United States. That commitment would officially begin August 2012 and conclude August 2013. I would like to continue this work if possible, and would conduct this work within the ethical rules applicable to judges.

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.

Cases in which my law firm, Debevoise & Plimpton LLP, represented a party or appeared as a party would present a potential conflict of interest. I would recuse myself in such cases. In addition, cases involving my former clients as parties may present a potential conflict of interest. I would follow the guidance of the recusal statutes and the Code of Conduct for United States Judges to recuse myself where appropriate to avoid even an appearance of conflict of interest.

I do not believe any family members are likely to have cases in the United States District Court for the Southern District of New York, either as a party or as counsel. I would, of course, recuse myself from such cases to avoid an appearance of a conflict of interest.

I have investments in Vanguard and Fidelity mutual funds, and Rochester Fund Municipals. If I were to be assigned a case involving any of these entities or other entities in which I am then invested or have a financial interest, or a case of which I have personal knowledge, I would follow the guidance of the recusal statutes and the Code of Conduct for United States Judges to recuse myself where appropriate to avoid even an appearance of conflict of interest.

I cannot think of a category of litigation, which by its nature, would present a conflict of interest for me.

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

I will handle all matters involving actual or potential conflicts of interest through the careful and diligent application of the Code of Conduct for United States Judges and all relevant canons and statutes.

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 Chair of the Litigation Section (and before that as Chair Elect and Vice Chair), I have actively promoted the pro bono activities of the Section, which include a programs for: (1) pre-trial and trial advocacy training for legal services lawyers; (2) children's rights programs including efforts to secure representation for children in abuse and neglect proceedings; (3) litigation assistance to military personnel; and (4) obtaining pro bono legal services for inmates on death row.

I was the principle lawyer responsible for an internal investigation my firm conducted in 2007 for the Women's Prison Association, which assists women in the criminal justice

system. The issue was whether any malfeasance had contributed to a large (over a million and half dollars) and unforeseen deficit.

Stoner v. George Washington University Hospital, 88-5433 (Super. Ct. D.C.), Hon. Richard S. Salzman. From 1989 to 1991, as an associate at Debevoise & Plimpton LLP, I was one of several lawyers representing the estate of a woman who had died while a patient at the defendant hospital. The woman was 26 weeks pregnant and terminally ill when she was forced to undergo a cesarean section, pursuant to a court order obtained by the hospital. The child died shortly after delivery, and the mother died two days later. The case ultimately settled in exchange for a financial payment and an agreement by the hospital to revise its policies on informed consent.

I regularly oversaw and consulted with associates in their conduct of pro bono cases. For example, in 2009-2010 I oversaw an associate with respect to an immigration case involving a young man who is gay and Jamaican, seeking asylum in the United States because of the likelihood that he would be persecuted in Jamaica. The judge ordered a "withholding of removal," which meant that the client was released from jail and eventually can apply for legal permanent resident status and citizenship.

26. Selection Process:

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

On July 29, 2010, I submitted an application to Senator Charles E. Schumer's Judicial Screening Committee for a position as a United States District Judge. I met with the committee on August 30, 2010. I met with Senator Schumer on September 12, 2010, and again on September 19, 2011. In the interim and since then, I have been in contact with Senator Schumer's staff. On January 11, 2012, Senator Schumer's staff informed me that he wished to submit my name to the White House for consideration. I understand that he did so on January 23, 2012.

Since January 24, 2012, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On February 23, 2012, I interviewed with attorneys from the White House Counsel's Office and the Department of Justice in Washington, DC. On April 25, 2012, 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.

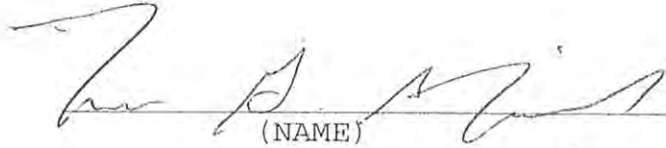
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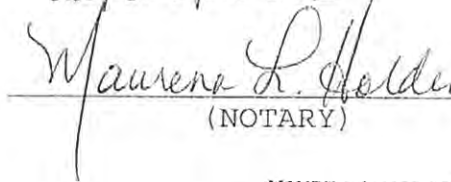
I, Lorna G. Schofield, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

April 24, 2012

(DATE)


(NAME)

SWORN TO BEFORE ME THIS 24th
day of April 2012


(NOTARY)

MAURENA L. HOLDER
Notary Public, State of New York
No. 01HO5082541
Qualified in Kings County
Certificate Filed in New York County
Commission Expires July 28, 2013