

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

María del Rocío Antongiorgi

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

United States District Judge for the District of Puerto Rico

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.

Clemente Ruiz-Nazario Federal Office Building  
150 Carlos Chardón Avenue, Room 150  
San Juan, Puerto Rico 00918

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

1967; San Germán, Puerto Rico

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

2007 – 2008, Escuela Hotelera de San Juan; Culinary Arts Specialist (Chef)

1993 – 1994, Georgetown University Law Center; LL.M., 1994

1989 – 1992, Interamerican University School of Law; J.D., 1992

1991, Universidad Complutense de Madrid; no degree (summer courses)

1985 – 1989, Seton Hill University; B.A., 1989

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.

2018 – present  
United District Court for the District of Puerto Rico  
150 Carlos Chardón Avenue  
San Juan, Puerto Rico 00918  
Clerk of Court

1995 – 2018  
McConnell Valdés LLC  
270 Muñoz Rivera Avenue  
San Juan, Puerto Rico 00918  
Capital Member (2003 – 2018)  
Income Member (2000 – 2003)  
Associate (1995 – 1999)

Summer 1994  
Goldman, Antonetti & Córdova LLC  
250 Muñoz Rivera Avenue #14  
San Juan, Puerto Rico 00918  
Summer Associate – Part time

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 did not serve in the military. I was not required to register for the selective service.

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

Seton Hill University Volleyball Scholarship (1985 – 1989)

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.

United States District Court for the District of Puerto Rico:  
COVID Committee, Member (2020 – present)  
Local Rules Committee, Member (2018 – present)  
Jury Services Committee, Member (2018 – present)  
Security Committee, Member (2018 – present)  
Criminal Justice Act Committee, Member (2018 – present)  
Space and Facilities Committee, Member (2018 – present)  
Bar Examination Committee, Member (2008 – present)

Merit Selection Panel for the Reappointment of Magistrate Judge, Member (2015)  
Merit Selection Panel for the Reappointment of Magistrate Judge, Member (2011)

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.

Puerto Rico, 1993

There have been no lapses in membership.

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

United States Court of Appeals for the First Circuit, 1997

United States District Court for the District of Puerto Rico, 1996

There have been no lapses in memberships.

11. **Memberships:**

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

None.

- 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.

I do not belong, nor have I ever belonged, to any organization that discriminates or discriminated on the basis of race, sex, religion or national origin.

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.

Clerk's Tidings, Federal Bar Association Newsletter, Summer 2022. Copy supplied.

Third Amended Protocol for In-Person Proceedings and Trials During COVID-19 Pandemic, United States District Court for Puerto Rico, Mar. 22, 2022. Copy supplied.

Jury Trial Protocol During COVID-19 Pandemic, United States District Court for Puerto Rico, Oct. 7, 2021. Copy supplied.

Clerk's Tidings, Federal Bar Association Newsletter, Fall 2021. Copy supplied.

Second Amended Protocol for In-Person Hearings and Trials During COVID-19 Pandemic, United States District Court for Puerto Rico, July 28, 2021. Copy supplied.

Protocol for In-Person Hearings During COVID-19 Pandemic, United States District Court for Puerto Rico, Mar. 5, 2021. Copy supplied.

Clerk's Tidings, Federal Bar Association Newsletter, Spring 2021. Copy supplied.

Practice Group News, Labor Perspectives Publication, Spring/Summer 2010. Copy supplied.

Practice Group News, Labor Perspectives Publication, Winter 2009-2010. Copy supplied.

Practice Group News, Labor Perspectives Publication, Spring 2009. Copy supplied.

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

None.

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

None.

- 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 following list reflects my best efforts to identify the speeches, talks, conferences, or remarks that I have delivered. To compile this list, I consulted my own files, calendars, and internet sources.

May 13, 2021: Speaker, "Foro Federal: Conoce de Primera Mano Como Funciona el Tribunal de Distrito," Colegio de Abogados y Abogadas de Puerto Rico, San Juan, Puerto Rico. Video available at <https://fb.watch/5ueExpLn5>.

May 9, 2014: Speaker, "Jurisprudencia del Tribunal Supremo de Puerto Rico," seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

March 21, 2014: Speaker, "Hostigamiento Sexual y Laboral en el Empleo," Boys and Girls Club of Puerto Rico, Isabela, Puerto Rico. PowerPoint supplied.

May 3, 2013: Speaker, "Jurisprudencia de Tribunales Estatales," seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

May 18, 2012: Speaker, "Jurisprudencia Reciente del Tribunal Supremo de Puerto Rico," seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

October 26, 2011: Speaker, "Cuarto Congreso Laboral," seminar given to Oficina de Capacitación y Asesoramiento en Asuntos Laborales y de Administración de Recursos Humanos ("OCALARH") on federal and state jurisprudence, San Juan, Puerto Rico. PowerPoint supplied.

April 1, 2011: Speaker, “Jurisprudencia Reciente de los Tribunales Federales de Estados Unidos,” seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

April 16, 2010: Speaker, “Jurisprudencia Reciente del Tribunal Supremo de Puerto Rico,” seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

April 3, 2009: Speaker, “A.D.A. Amendments Act of 2008,” seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

April 4, 2008: Speaker, “Jurisprudencia Reciente del Tribunal Supremo de Puerto Rico,” seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

March 30, 2007: Speaker, “Jurisprudencia Reciente del Tribunal Supremo de Puerto Rico,” seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. PowerPoint supplied.

Spring and Fall Semesters, 2003 – 2018: Guest Lecturer, “Employment Visas,” Immigration Law Course taught by the Hon. Irma López-Defilló at the University of Puerto Rico and Interamerican University Schools of Law, San Juan, Puerto Rico. Outline supplied.

February 2002: Speaker, “Visas B y H-1B, Sus Requisitos y Últimos Desarrollos,” seminar given to the Society for Human Resources Management (SHRM), San Juan, Puerto Rico. Outline supplied.

February 2002: Speaker, “El Empleo de Extranjeros No Inmigrantes y Sus Requisitos,” seminar given by McConnell Valdés LLC to clients and the general public, San Juan, Puerto Rico. Outline supplied.

Spring Semester, 2002 – 2004: Guest Lecturer, “Deposition and Trial Techniques,” Federal Litigation Law Course taught by the Hon. Aida Delgado-Colón at the Pontificia Universidad Católica School of Law, Ponce, Puerto Rico. My lectures were about deposition taking and trial techniques. I have no notes, transcripts, or recordings of my lectures. The address for the Pontificia Universidad Católica School of Law is Las Américas Avenue, Ponce, Puerto Rico 00730.

- 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.



Frances Rosario, “*Listo el Tribunal Federal para Casos Presenciales*”, Primera Hora, Mar. 11, 2021. Copy supplied.

Melissa Correa Velázquez, “*Vital la Tecnología Para las Labores en la Corte Federal*”, El Vocero, Mar. 1, 2021. Copy supplied.

Sheila Gómez-Quñones, “*María Antongiorgi-Jordán, Ex Alumna de la Facultad de Derecho*”, Revista Juris Doctor de la Facultad de Derecho de la Universidad Interamericana de Puerto Rico, Jan. 2021. Copy supplied.

The following notices were issued on behalf of the court in my capacity as Clerk of Court:

Federal Bar Examination, Public Notice, Spring 2022. Copy supplied.

Notice for Reappointment of Incumbent United States Magistrate Judge Bruce J. McGiverin, Public Notice, Apr. 7, 2022. Copy supplied.

Notice for Reappointment of Incumbent United States Magistrate Judge Marcos E. López, Public Notice, Apr. 7, 2022. Copy supplied.

Federal Bar Examination, Public Notice, Fall 2021. Copy supplied.

The Honorable Raúl Arias-Marxuach Sworn-in as Chief Judge for the United States District Court for the District of Puerto Rico, Press Release, Oct. 22, 2021. Copy supplied.

Federal Bar Examination, Public Notice, Spring 2021. Copy supplied.

Guidelines for Press and Media Access to Video/Teleconference Hearings in the United States District Court for Puerto Rico, Public Notice, May 28, 2020. Copy supplied.

Federal Bar Examination, Public Notice, Spring 2020. Copy supplied.

Invitation to Press and Media Editors, Directors and Producers to Discuss Applicable Orders, Policies and Regulations for Coverage of High-Profile Cases. Notice to the Press and Media Outlets, Jan. 30, 2020. Copy supplied.

Scammers Target Potential Jurors and Bar Members of the District Court of Puerto Rico, Press Release, Oct. 10, 2019. Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_
  - i. Of these cases, approximately what percent were:  
jury trials: \_\_\_\_\_%  
bench trials: \_\_\_\_\_% [total 100%]
  - ii. Of these cases, approximately what percent were:  
civil proceedings: \_\_\_\_\_%  
criminal proceedings: \_\_\_\_\_% [total 100%]
- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of 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 (4) 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 held judicial office.

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

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

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

I have not held public office.

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

None.

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 did not serve as a clerk to a judge.

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

I have not practiced alone.

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

Summer 1994  
Goldman, Antonetti & Córdova LLC  
250 Muñoz Rivera Avenue #14  
San Juan, Puerto Rico 00918  
Summer Associate – Part time

1995 – 2018  
McConnell Valdés LLC  
270 Muñoz Rivera Avenue  
San Juan, Puerto Rico 00918  
Capital Member (2003 – 2018)  
Income Member (2000 – 2003)  
Associate (1995 – 2000)

2018 – present  
United States District Court for the District of Puerto Rico  
Clemente Ruíz-Nazario Federal Office Building  
Room 150  
150 Chardón Avenue  
San Juan, Puerto Rico 00918  
Clerk of Court (2019 – present)  
Chief Deputy Clerk (2018 – 2019)

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its

character has changed over the years.

While at McConnell Valdés, my practice concentrated mainly on complex civil litigation, particularly in labor and employment matters, business immigration, and contracts. Later in my career, I also practiced criminal law, and was a member of the Criminal Justice Act panel and the Government Enforcement and White-Collar Defense Team of the firm.

At my early years at the firm, employment discrimination, wage and hour, unjust dismissals, and business immigration matters formed a significant part of my practice.

As my career at the firm progressed, I developed expertise in complex civil litigation matters, including class actions and group actions claims. Some of these cases had between 200 and 800 plaintiffs, and involved extensive and complex discovery, as well as a significant motion practice. I also developed expertise in trial advocacy, having participated in 42 trials, 36 as lead counsel.

During my last seven years at the firm, from 2011 to 2018, I joined the Criminal Justice Act panel, providing legal representation to indigent defendants in federal court. Defendants were charged mainly with drug trafficking, weapons violations, and violent crimes. I handled all my assigned cases from the defendant's initial appearance through guilty plea and sentencing. In August 2015, I also joined the Government Enforcement and White-Collar Defense Team of the firm, providing representation to individuals charged with white-collar offenses.

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

In my civil practice, my clients were corporate clients. In my criminal practice, my clients were indigent defendants and individuals charged with drug offenses and white-collar crimes.

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

- i. Indicate the percentage of your practice in:
  - 1. federal courts: 40%
  - 2. state courts of record: 50%
  - 3. other courts: 5% (arbitration)
  - 4. administrative agencies: 5%

- ii. Indicate the percentage of your practice in:

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

- 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.

During my litigation practice, I participated in 42 trials. I was chief/co-chief counsel in 36 of them and associate counsel in six. I was also the chief counsel in four other cases that settled either during trial, or immediately thereafter.

I was chief counsel in one arbitration hearing.

- i. What percentage of these trials were:
  1. jury: 25%
  2. non-jury: 75%

I was also chief counsel in dozens of cases that were resolved on dispositive motions.

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

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

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. *Rosado-Mangual et al. v. Xerox Corp.*, Civil No. 15-3035, 2019 WL 7247776 (D.P.R. 2019)

Plaintiff Rosado, his wife, and their legal conjugal partnership, sued Xerox Corp. (“Xerox”), alleging that Xerox discriminated against Rosado on the basis of age and terminated his employment without just cause under the Puerto Rico’s Unjust Dismissal Act, Law 80 of May 30, 1976 (“Law 80”). Plaintiffs claimed entitlement to Law 80’s indemnity, and damages for age discrimination and emotional distress.

I acted as lead defense counsel in the successful defense of this case at the trial court level. In addition to supervising all the work performed, I was responsible for taking and defending all depositions taken in the case, drafting (some) and reviewing all motions filed, and arguing Xerox’s motion for summary judgment.

On March 30, 2018, the court granted Xerox’s motion for summary judgment and closed the case. The judgment was appealed to the First Circuit and the case eventually settled. I did not participate in the appeal process.

Date of representation: 2015 – 2018

Judge: Pedro A. Delgado, United States District Judge for the District of Puerto Rico

Counsel for Plaintiffs:

Roberto Abesada  
Rocío Del Mar Valentín  
Correa, Acevedo & Abesada  
Centro Internacional de Mercadeo II  
Suite 407  
90 Carretera 165  
Guaynabo, PR 00968  
(787) 273-8300

Co-counsel for defendant:

Reinaldo Figueroa  
McConnell Valdés LLC  
270 Muñoz Rivera Avenue  
San Juan, PR 00918  
(787) 250-5811

2. *Román v. EVERTEC Group LLC*, AAA Case No. 01-15-0005-4493

Upon his termination from EVERTEC as Chief Financial Officer, plaintiff filed suit against the company for age and national origin discrimination, retaliation, and wrongful discharge. Plaintiff also asserted claims relating to certain alleged rights to a tranche of non-vested shares of stock. This case also had an issue of first impression: whether stock options and/or any profit derived therefrom should have been considered wages under

Puerto Rico law.

After a long, complex, and challenging discovery phase, both parties moved for summary judgment. The summary judgment motion filed by EVERTEC was granted as to all claims, except for the wrongful termination claim. In turn, the motion for summary judgment filed by plaintiff was denied. The arbitrator also ruled that stock options were not wages for purposes of wrongful discharge compensation. The wrongful discharge claim was eventually settled for a minimal amount. Shortly after the case was dismissed, Puerto Rico labor statutes and regulations were amended to exclude any profit derived from a stock option agreement from severance payment calculations.

As lead counsel for EVERTEC, I was responsible for all case strategy, taking and defending all depositions, and drafting some and reviewing all motions filed, including the dispositive motions. I was also responsible for supervising all work done.

Dates of representation: 2015 – 2017

Arbitrator: Jorge P. Sala, American Arbitration Association (AAA)

Counsel for plaintiff:

Víctor Rodríguez/  
Rodriguez & Maldonado-Vélez, PSC  
COSVI Office Complex  
Suite 201  
400 Américo Miranda Avenue  
San Juan, PR 00927  
(787) 625-1948  
(787) 447-3530

Co-counsel for EVERTEC:

Patricia Marvez (formerly with McConnell Valdés)  
Ferraiouli LLC  
221 Ponce de León Avenue, 5th Floor  
San Juan, PR 00918  
(787) 773-1431

3. *United States v. Correa-Rodríguez et al.*, Criminal Case No. 15-0254 (CCC)

In 2014, Mr. Correa and others were charged at the state level with possession with intent to distribute cocaine and marijuana. A year later, he was charged at the federal level for conspiracy with intent to distribute controlled substances. The state charges constituted relevant conduct within the federal conspiracy case. After pleading guilty to a lesser charge in state court, the defendant was sentenced to a 24-month pretrial diversion program. Mr. Correa successfully completed the program.

At the federal level, Mr. Correa was allowed to remain on bail, enabling completion of



his pre-trial diversion program. Subsequently, he pled guilty and accepted responsibility for his acts. At sentencing, I submitted and argued several mitigating factors and requested the court to credit the time served “in patient” at the diversion program. The court denied the request and sentenced Mr. Correa to 36 months of imprisonment.

I handled the federal case from the defendant’s initial appearance through guilty plea and sentencing. The case was assigned to me as a member of the CJA panel.

Date of representation: 2015 – 2016

Judge: Carmen C. Cerezo, United States District Judge for Puerto Rico (retired)

Attorneys for the United States:

Olga Castellón  
Teresa S. Zapata  
United States Attorney’s Office  
Torre Chardón, Suite 1201  
350 Chardón Avenue  
San Juan, PR 00918  
(787) 766-5656

4. *Ortiz-Pratts v. EVERTEC, Inc.*, Civil No. 14-1814, 2017 WL 2168001 (D.P.R. Mar. 31, 2017)

Plaintiff Ortiz filed suit against EVERTEC for disability discrimination, retaliation under Title VII of the Civil Rights Act, hostile work environment, retaliation under the Americans with Disabilities Act, and wrongful termination. This case required extensive discovery, including multiple depositions and motion practice. After discovery closed, a motion for summary judgment was filed by EVERTEC. The motion was granted in part and denied in part. Partial judgment was entered for EVERTEC, except on the ADA retaliation and wrongful termination claims. The case eventually settled.

As lead counsel for EVERTEC, I was responsible for all case strategy, taking and defending all depositions, evidentiary hearings, and drafting some and reviewing all motions.

Dates of representation: 2014 – 2017

Judge: Carmen C. Cerezo, United States District Judge for Puerto Rico (retired)

Attorney for the plaintiff:

Anibal Escanellas-Rivera  
Escanellas & Juan  
204 Domenech Avenue  
San Juan, PR 00918  
(787) 758-3000

Co-counsel for EVERTEC:  
Patricia Marvez (formerly at McConnell Valdés)  
Ferraiouli LLC  
221 Ponce de León Avenue, 5th Floor  
San Juan, PR 00918  
(787) 773-1431

5. *Vázquez-Robles v. CommoLoCo, Inc.*, Civil No. 13-1384, 206 F. Supp. 3d 720 (D.P.R. 2016); 186 F. Supp. 3d 138 (D.P.R. 2016)

Plaintiff Vázquez filed suit against CommoLoCo for disability discrimination, retaliation, and wrongful termination. This case encompassed extensive discovery, including multiple depositions, motion practice and evidentiary hearings. After discovery closed, two motions for summary judgment were filed by CommoLoCo. Both were granted by the court.

I co-led the team in the successful defense of CommoLoCo. I was responsible for all case strategy, taking and defending all depositions, evidentiary hearings, and drafting some and reviewing all motions.

Dates of representation: 2012 – 2017

Judge: Francisco Besosa, United States District Judge for Puerto Rico

Counsel for plaintiff:  
Graciela J. Belaval-Bruno  
Estudio Belaval  
P.O. Box 193785  
San Juan, PR 00919  
(787) 562-4295

Alejandro Bellver  
Bellver Espinosa Law Firm  
Cond El Centro I, Suite 801  
500 Muñoz Rivera Avenue  
San Juan, PR 00918  
(787) 361-5280

Co-Counsel for Defendant:  
Hector M. Laffite  
McConnell Valdes, LLC  
P.O. Box 364225  
San Juan, PR 00936  
(787) 250-5618

Jessica A. Figueroa-Arce (formerly at McConnell Valdés)  
PMB 688  
1353 Luis Vigoreaux Avenue  
Guaynabo, PR 00966  
(787) 630-9687

Ana Maria Cordero-Varela (formerly at McConnell Valdés)  
Amgen Manufacturing Limited  
P.O. Box 4060  
Juncos, PR 00777  
(787) 391-3107

Sandra L. Negron-Monge (formerly at McConnell Valdés)  
Ayuda, Inc.  
6925B Willow Street, Northwest  
Washington, DC 20012  
(202) 552-3603

6. *United States v. Pérez-Peña et al.*, Criminal Case No. 13-534 (CCC)

Defendant was charged along with 125 other individuals in a drug conspiracy case. He faced six counts, including conspiracy to distribute narcotics and possession of firearms.

Upon assuming representation as part of the CJA panel, I learned that the defendant had abandoned the conspiracy two years before the indictment was returned. He had been living a lawful life in Connecticut, had gainful employment, filed his taxes and was expecting his first child. As soon as he learned of his arrest warrant, he voluntarily surrendered to the FBI.

This case entailed field investigation, gathering of mitigating evidence and extensive plea negotiations. This ultimately resulted in a plea agreement that provided for the dismissal of four counts and a reduction in the drug quantity the defendant was responsible for. From an original exposure of 10 years to life imprisonment, the defendant was sentenced to 70 months of imprisonment for the drug count (the lower end of the guideline range), plus a mandatory consecutive five-year term for the weapons count. The plea agreement balanced what had been the defendant's prior role and actions within the conspiracy and his rehabilitation efforts once abandoning the same.

I handled the case from the defendant's initial appearance through guilty plea and sentencing. I was responsible for conducting all discovery and plea negotiations.

Dates of representation: 2013 – 2015

Judge: Carmen C. Cerezo, United States District Judge for Puerto Rico (retired)

Attorneys for the United States:  
Alberto López  
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7. *Medina-Nazario v. McNeil Healthcare LLC*, Civil No. FPE 2010-1181, 2016 TSPR  
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Plaintiff, a laboratory technician, filed a claim against McNeil for wrongful termination, overtime pay, and retaliation under Puerto Rico's Act No. 2-1961, 32 LPRA 3118 ("Act 2"), an expedited procedure to file labor claims. Two years after the original claim was filed, plaintiff sought leave to amend the complaint to include a cause of action for workplace harassment and mobbing, which was timely opposed by McNeil. The court of First Instance of Puerto Rico denied plaintiff's request. Upon the denial, plaintiff filed a Writ of Certiorari before the Court of Appeals of Puerto Rico which was denied by the court. Plaintiff filed a Writ of Certiorari to the Supreme Court of Puerto Rico, which was granted.

After briefs were filed, however, the Supreme Court issued a judgment dismissing the appeal for lack of jurisdiction. Since plaintiff was only left with the original claims, which were very weak, the case then settled.

As lead counsel for McNeil, I was responsible for all case strategy, taking and defending all depositions, evidentiary hearings, and drafting some and reviewing all motions filed at the trial court level and during appeal.

Dates of representation: 2010 – 2017

Judge: Supreme Court of Puerto Rico: Hon. Maite Oronoz, Chief Justice, issued the opinion of the court

Hon. Varona-Méndez, Hon. Gómez- Córdova and Hon. Rivera-Marchand, Puerto Rico Court of Appeals, Carolina and Guayama Region

Hon. Magdalena Rabionet, Court of First Instance of Puerto Rico

Counsel for the plaintiff:  
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8. *Acosta et al. v. Wyeth Pharmaceuticals Co.*, Civil No. 03-2327 (DRD)

This was the first case to go to trial in the trilogy of cases filed by manufacturing employees against Wyeth Pharmaceuticals Co., claiming payment for the time spent donning and doffing their uniforms. While this case was filed in federal court, the sister cases were filed in state court. This case had 92 plaintiffs, while the state court cases had more than 400 plaintiffs, requiring extensive discovery. All 400+ plaintiffs were deposed over an 18-month period.

Jury trial in the *Acosta* case was held from September 1 to 14, 2009. As co-lead counsel for Wyeth, I was responsible for developing strategy, discovery, and drafting some, and reviewing most pretrial and posttrial motions. During trial, I was responsible for the opening statement to the jury and for conducting cross examinations of plaintiffs. I was also responsible for supervising the work performed.

The case was settled before the trial's end due to Wyeth's acquisition by another pharmaceutical company. The sister cases in state court were also settled.

Date of representation: 2003 – 2009

Judge: Daniel R. Domínguez, United States District Judge for the District of Puerto Rico

Counsel for plaintiffs:  
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9. *Sosa et al. v. Ethicon LLC et al.*, Civil No. EPE 2002-0545

This was the second case in the trilogy of wage and hour cases filed by manufacturing employees and contractors against Ethicon LLC and Kelly Services, claiming payment for the time spent donning and doffing personal protective equipment. Aside from the donning and doffing claim, this case had three other causes of action which included meal period and contractual claims. This was the most complex of the three cases. It was also consolidated with the third case filed: *Núñez et al. v. Ethicon LLC et al.* Upon the parties' request, the case was bifurcated, and the donning and doffing claim tried first.

Although the consolidated case had over 200 plaintiffs and hundreds more that filed extra judicial claims, the case was not certified as a class action, requiring discovery to be done as to all plaintiffs. The case involved a very lengthy discovery process, expert discovery (time and movement studies and reports), and the use of significant demonstrative evidence, such as video recordings of the plaintiffs while donning and doffing their protective gear.

The bench trial was lengthy and lasted several weeks. While waiting for the court's judgment, judgment in the sister case of *Cruz* became final. Ethicon filed a motion for collateral estoppel, which was granted. Judgment was entered for Ethicon on the donning and doffing claim. The contractual and labor related claims remain pending.

As lead counsel for Ethicon, I was responsible for developing case strategy, discovery, and drafting some, and reviewing all pretrial and posttrial motions. I was also responsible for supervising all work performed on the case. During trial, I was responsible for conducting direct exams, and cross examinations of fact witnesses and expert witnesses.

Date of representation: 2002 – 2018



Judge: José Ramos-Aponte, Court of First Instance of Puerto Rico (retired)

Counsel for plaintiffs:  
Carlos Mondríguez  
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Counsel for co-defendant Kelly Services, Inc.:  
Antonio García  
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(787) 300-3200  
(last known address)

10. *Cruz et al. v. Ethicon LLC*, Civil No. EOE 1999-0209, 2008 WL 5171079 (TA PR 20 de octubre de 2008)

Cruz and 10 other plaintiffs, all manufacturing operators, filed a wage and hour suit against Ethicon claiming payment for the time spent donning and doffing personal protective equipment. This case was the first of three cases filed against Ethicon with a donning and doffing claim.

This case involved issues of first impression and was precedent setting in Puerto Rico. After discovery was concluded, a bench trial was held. The Court of First Instance of Puerto Rico issued judgment in favor of Ethicon dismissing the donning and doffing claim, as the time spent on such activity (6 min. 33 sec.) was “de minimis”, and thus, not compensable under federal and state wage and hour statutes. It was the first time in Puerto Rico that a court ruled that a donning and doffing activity of less than 10 minutes, was considered “de minimis” and thus, not compensable. Nonetheless, although plaintiffs never alleged a meal period violation, the court ruled, *motu proprio*, that the time spent donning and doffing reduced plaintiffs’ meal period time and thus,

compensation was awarded under Puerto Rico's meal period provisions.

Judgment was appealed by both parties but affirmed by the Court of Appeals of Puerto Rico. Both parties filed a Writ of Certiorari to the Puerto Rico Supreme Court. Both were denied.

As lead counsel for Ethicon, I was responsible for developing trial strategy, conducting direct and cross examinations of most witnesses, and drafting some, and reviewing all pretrial and trial-related motions, post-judgment motions and appeal briefs and oppositions.

Date of representation: 1999 – 2006

Judge: José M. Fernández-Luis, Court of First Instance of Puerto Rico (retired)

Counsel for plaintiffs:

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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.)

While complex employment litigation was the mainstay of my practice, I worked on non-litigation matters in which my training and experience proved valuable. In particular,

part of my duties at McConnell Valdés LLC included counseling clients in the design, development and implementation of employment practices, policies, and dispute resolution programs.

As Clerk of Court during the COVID-19 pandemic, I have been responsible for the drafting of the Court's Reconstitution Plan, the Court's Trial Protocol, the Court's In-Person Proceedings Protocol, and other human resources protocols.

Upon designation of the court, I am also responsible for conducting jury orientations and qualification sessions, a task originally delegated to the magistrate judges. Since 2018, I have also been a member of the Local Rules, Criminal Justice Act (CJA), Space and Facilities, Security, and Jury Services Court Committees.

Since 2008, I have been a member of the District of Puerto Rico Federal Bar Examination Committee. I am entrusted with drafting ethics questions which are then discussed by the committee and included in the federal bar exam of our district.

I have never engaged in lobbying activities or registered as a lobbyist.

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.

None.

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.

As a Capital Member of McConnell Valdes LLC, I invested capital in the firm and in a related entity called McConnell Valdés Consulting. As per the Partnership Agreement, all invested capital should be repaid to a former member of the firm within three years of the member's withdrawal from the firm, except in exigent circumstances. The liquidation of my capital account commenced in 2020 and should last until 2023.

I also participated in the firm's profit-sharing and in its 401(k) retirement plans. If I am confirmed, these funds will be transferred to another retirement savings account.

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

I do not have any plans, commitments, or agreements to pursue outside employment.

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

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

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed, I would recuse myself in any matter involving a family member, a close friend, and public traded companies in which I own stock. I would also recuse myself in cases in which McConnell Valdés LLC represents a party until my capital account is paid-off. I will also evaluate on a case by case basis any matters that could give rise to an appearance of conflict to determine if recusal is warranted.

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

If confirmed, I will carefully review and address any real or potential conflicts by reference to 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and all other laws, rules, and practices governing such circumstances.

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.

McConnell Valdés LLC was the first firm in Puerto Rico to develop a pro bono program, which allowed me to join the CJA Panel. I also participated in outreach events like seminars to non-profit organizations such as Boys and Girls Clubs of America. I have

also supported the U.S. Probation Office Second Chance program.

As Clerk of Court, I continue to be engaged in pro bono work, working closely with the U.S. Attorney's Office RESCATE Program, the U.S. Probation Office Lead Program, as well as leading the Court's initiatives to comply with the requirements of the POWER Act of 2018. The court, in partnership with the Puerto Rico's Women Advocate Office, conducts yearly events to raise awareness of domestic violence, sexual assault and stalking, and the need for pro bono legal services for survivors of domestic violence in our community.

**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 November 11, 2021, I was interviewed by the Hon. Pedro Pierluisi, Governor of Puerto Rico for a judicial vacancy in the District of Puerto Rico. On January 23, 2022, I was contacted by an attorney from the White House Counsel's Office to schedule an interview, which took place on January 24, 2022. Since January 25, 2022, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On June 15, 2022, my nomination was submitted to the Senate.

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

No.