

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Margaret Merrell Miller Garnett

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.

United States Attorney's Office
Southern District of New York
1 St. Andrew's Plaza
New York, New York 10007

Residence: Brooklyn, New York

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

1971; West Point, New York

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

1997 – 2000, Columbia Law School; J.D., 2000

1993 – 1997, Yale University; M.A., 1995, M.Phil., 1997

1988 – 1992, University of Notre Dame; B.A., 1992

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.

2021 – present, 2005 – 2017
United States Attorney's Office
Southern District of New York
1 St. Andrew's Plaza
New York, New York 10007
Special Counsel (May 2023 – present)
Deputy United States Attorney (2021 – May 2023)
Assistant United States Attorney, Criminal Division (2005 – 2017)
Chief of Appeals (2016 – 2017)
Deputy Chief of Appeals (2015 – 2016)
Chief of Violent & Organized Crime Unit (2014)
Chief of Violent Crimes Unit (2011 – 2014)
Deputy Chief of Violent Crimes Unit (2010 – 2011)

2018 – 2021
New York City Department of Investigation (DOI)
180 Maiden Lane
New York, New York 10038
Commissioner

2017 – 2018
Office of the New York Attorney General
28 Liberty Street
New York, New York 10005
Executive Deputy Attorney General for Criminal Justice

Fall 2017, Fall 2016, Fall 2015
Columbia Law School
435 West 116th Street
New York, New York 10027
Adjunct Professor, Federal Prosecution Seminar & Externship

Spring 2017, Fall 2015
Brooklyn Law School
250 Joralemon Street
Brooklyn, New York 11201
Adjunct Professor, Trial Advocacy Seminar

2004 – 2005
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007
Law Clerk to the Honorable Gerard E. Lynch

2000 – 2004, 1999 – 2000, Summer 1999

Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, New York 10019
Associate (2000 – 2004)
Law Student Associate (part-time) (1999 – 2000)
Summer Associate (Summer 1999)

Spring 2000
Federal Public Defender, District of New Jersey
1002 Broad Street
Newark, New Jersey 07102
Legal Intern (uncompensated)

Spring 1999
United States Court of Appeals for the Second Circuit
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007
Judicial Extern for the Honorable Sonia Sotomayor (uncompensated)

Summer 1998
United States Attorney's Office
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
Summer Intern (uncompensated)

Spring 1998
Professor George Fletcher
Columbia Law School
435 West 116th Street
New York, New York 10027
Research Assistant

1997 – 1998
Kaplan Educational Services
131 West 56th Street
New York, New York 10019
Course Instructor

1995 – 1997
Yale University
Department of Political Science
124 Prospect Street
New Haven, Connecticut 06511
Teaching Assistant

1994 – 1996
Kaplan Educational Services
970 Chapel Street
New Haven, Connecticut 06510
Course Instructor

1994 – 1996
Professor Donald Green
Yale University
124 Prospect Street
New Haven, Connecticut 06511
Research Assistant

Summer 1994
Professor Henry Hansmann
Yale Law School
127 Wall Street
New Haven, Connecticut 06511
Research Assistant

Summer 1993, Summer 1992
Kelly Services – Temporary Staffing
1800 Diagonal Road
Alexandria, Virginia 22314
Clerical Temp

1992 – 1993
St. Pius V Catholic Parish
1919 South Ashland Avenue
Chicago, Illinois 60608
Pastoral Associate (Apostolic Volunteer Program)

Other Affiliations (Uncompensated)

2023 – present
Peekskill Hollow Racket Club
185 Peekskill Hollow Road
Putnam Valley, New York 10579
Secretary of Co-op Board

2020 – 2021
When There Are Nine Scholarship Project
Federal Bar Council Foundation
150 Broadway, Suite 505
New York, New York 10038

Founder and Steering Committee Member

2019 – present

Max Berger '71 Public Interest/Public Service Fellows Program
Columbia Law School
435 West 116th Street
New York, New York 10027
Member of Practitioner Advisory Board

2009 – 2012

The Ex-Lax Building Co-op
423 Atlantic Avenue
Brooklyn, New York 11217
Member of Co-op Board

2003 – 2011

Dominican Volunteers USA
533 Ashland Avenue
Chicago, Illinois 60305
President of Board of Trustees (2009 – 2011)
Vice-President of Board of Trustees (2007 – 2009)
Secretary of Board of Trustees (2005 – 2007)
Trustee (2003 – 2011)

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.

Henry L. Stimson Medal, New York City Bar Association (2016)

Outstanding Law Enforcement Professional, Detectives Crime Clinic of Metropolitan New Jersey and New York (2016)

Director's Award for Outstanding Performance as an Assistant United States Attorney, United States Department of Justice (2011)

Organized Crime & Drug Enforcement Task Force Award of Excellence, United States Department of Justice (2010)

Columbia Law School

Harlan Fiske Stone Scholar (1999, 2000)
James Kent Scholar (1998)
Columbia Law Review (1998 – 2000)
James A. Elkins Prize in Criminal Law (1998)

Yale University

Highest Honors in Political Theory (1995)

University of Notre Dame

Notre Dame Honors Program (1988 – 1992)
Cum laude graduate (1992)

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.

Federal Bar Council

Federal Bar Council Inn of Court

New York City Bar Association

Federal Courts Committee member (2016 – 2019)

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, 2001

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 Second Circuit, 2005

United States District Court for the Southern District of New York, 2002

In 2012, my admission to the Second Circuit lapsed due to a clerical error in the United States Attorney's Office while I was on maternity leave. My admission was renewed for five years in 2013. I did not renew my admission in 2018 because I was not in a role that required me to appear before the Second Circuit. I am eligible to reinstate my admission at any time. There have been no other

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.

Adventure Cycling Association (2004 – present)

Columbia Law School, Max Berger '71 Public Interest/Public Service Fellows Program

Practitioner Advisory Board (2019 – present)

Dominican Volunteers USA Board of Trustees (2003 – 2011)

Board President (2009 – 2011)

Board Vice-President (2007 – 2009)

Board Secretary (2005 – 2007)

When There Are Nine Scholarship Project

Founder and Steering Committee Member (2020 – 2021)

- 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 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.

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.

Democracy Depends on Empowered Watchdogs, N.Y. Daily News, Nov. 10, 2021. Copy supplied.

Letter to the Editor regarding DOI's Yeshiva Investigation, N.Y. Daily News, May 18, 2020. Copy supplied.

With Preet Bharara, *Remaining Silent About Corruption Should Not Be an Option*, N.Y. Times, Oct. 17, 2019. Copy supplied.

With Seth Copans, *Erie Places*, www.crazyguyonabike.com/doc/erieplaces (2008). Copy supplied.

With Seth Copans, *Fine, It's a Honeymoon!*, www.crazyguyonabike.com/doc/thebigtrip (2005). Copy supplied.

With Donald P. Green and Robert P. Abelson, *The Distinctive Political Views of Hate-Crime Perpetrators and White Supremacists*, in *Cultural Divides: Understanding and Overcoming Group Conflict* (Deborah A. Prentice & Dale T. Miller eds., Russell Sage Foundation Press, 1999). 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. Although the Federal Courts Committee of the New York City Bar Association may have issued such reports or statements while I was a committee member, I was recused from participating in or signing any such public statements because of my leadership positions at the United States Attorney's Office and New York Attorney General's Office.

- 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.

As DOI Commissioner, I frequently provided testimony to the New York City Council, or to other City entities, at their request, as follows:

Testimony as DOI Commissioner to the New York City Council regarding DOI's FY 2022 Budget (May 7, 2021). Prepared remarks and video supplied.

Testimony as DOI Commissioner to the New York City Council regarding Oversight of Social Service Contractors and a Local Law to Amend the City's

Whistleblower Law (April 30, 2021). Prepared remarks and video supplied.

Testimony as DOI Commissioner to the New York City Council regarding Local Law 1980-2020 in Relation to a Special Inspector for COVID-19-Related City Contracts (October 22, 2020). Prepared remarks and video supplied.

Testimony as DOI Commissioner submitted to the New York City Council regarding DOI's FY 2021 Budget (March 25, 2020). Written testimony supplied.

Testimony as DOI Commissioner to the New York City Council regarding DOI's Background Investigation Process, Backlog, and Steps Taken to Address the Backlog (February 24, 2020). Prepared remarks and video supplied.

Testimony as DOI Commissioner to the New York City Council regarding Local Law 1770-2020 in Relation to Whistleblower Protection for Individuals Facing Adverse Personnel Actions (January 13, 2020). Prepared remarks and video supplied.

Testimony as DOI Commissioner to the New York City Council regarding Local Law 1440-2019 in Relation to Publication of DOI's Policy & Procedure Recommendations (November 13, 2019). Prepared remarks and video supplied.

Testimony as DOI Commissioner submitted to the meeting of the NYC Board of Correction regarding Sexual Abuse and Sexual Harassment in NYC Department of Correction Facilities (April 23, 2019). Written testimony supplied.

Testimony as DOI Commissioner submitted to the New York City Council regarding Local Law 1393-2019 in Relation to Parking Enforcement (March 27, 2019). Written testimony supplied.

Testimony as DOI Commissioner to the New York City Council regarding DOI's FY 2020 Budget (March 26, 2019). Prepared remarks and video supplied.

Testimony as DOI Commissioner to the New York City Council regarding DOI's Reports on NYCHA Mismanagement at Throggs Neck Houses (March 14, 2019). Prepared remarks and video supplied.

Testimony for Confirmation as Nominee for DOI Commissioner to the New York City Council (November 26, 2018). Prepared remarks, pre-hearing written questions, and video supplied.

Part of DOI's anti-corruption mandate, per New York City Charter § 803, is the ability to issue public reports on matters that fall within its jurisdiction. Some public reports are required by City law or executive order, such as Annual Reports by the Office of Inspector General for the NYPD or the Annual Anti-Corruption Report. In addition, any "investigation, review, study, or audit" of the NYPD

must culminate in findings that are publicly issued. See NYC Charter § 803(e)(2). For all other City agencies and topics, I made the final decision as to which investigations or systemic reviews would result in a public report. The extent of my direct and personal involvement in the underlying investigation and initial drafting of discretionary reports varied. However, I was the final editor and approver on all public reports, of any kind, issued by DOI during my tenure. A list of all reports issued during my tenure as DOI Commissioner follows:

New York City Dep't of Investigation, *DOI Report on Corruption Vulnerabilities in the City's Oversight and Administration of Not-for-Profit Human Services Contracts* (2021). Copy supplied.

New York City Dep't of Investigation, *Sharing Police Body Worn Camera Footage in New York City* (2021). Copy supplied.

New York City Dep't of Investigation, *DOI's Investigation into Mayor de Blasio's Security Detail* (2021). Copy supplied.

New York City Dep't of Investigation, *DOI's Investigation Relating to Absentee Ballot Packages Sent to Brooklyn Voters in September 2020 by Phoenix Graphics, Inc.* (2021). Copy supplied.

New York City Dep't of Investigation, *Seventh Annual Report: Office of the Inspector General for the NYPD* (2021). Copy supplied.

New York City Dep't of Investigation, *2020 Annual Anti-Corruption Report* (2021). Copy supplied.

New York City Dep't of Investigation, *Investigation into NYPD Response to the George Floyd Protests* (2020). Copy supplied.

New York City Dep't of Investigation, *Violations of Lead-Based Paint Abatement Regulations at the New York City Housing Authority* (2020). Copy supplied.

New York City Dep't of Investigation, *Environmental Control Board Summons Enforcement & Collection: DOI Investigation Identifies Serious Gaps and Issues Recommendations for Reform* (2020). Copy supplied.

New York City Dep't of Investigation, *DOI Referral to the City Department of Correction (DOC) on DOC Actions Surrounding the Death in Custody of Layleen Polanco* (June 5, 2020). Copy supplied.

New York City Dep't of Investigation, *Sixth Annual Report: Office of the Inspector General for the NYPD* (2020). Copy supplied.

New York City Dep't of Investigation and the Special Comm'r of Investigation

for the New York City School District, *Findings of a Joint Investigation by the New York City Department of Investigation and the Special Commissioner of Investigation for the New York City School District on the City Department of Education's Inquiry into Education Provided at Hasidic Yeshivas* (2019). Copy supplied.

New York City Dep't of Investigation, *A Report on the New York City Human Resources Administration's Special One-Time Assistance Program's Placements Outside of New York City* (2019). Copy supplied.

New York City Dep't of Investigation, *An Investigation of NYPD's Officer Wellness and Safety Services* (2019). Copy supplied.

New York City Dep't of Investigation, *Complaints of Biased Policing in New York City: An Assessment of NYPD's Investigations, Policies, and Training* (2019). Copy supplied.

New York City Dep't of Investigation, *Visitor Searches at the New York City Department of Correction: Ongoing Problems and Recommendations for Change* (2019). Copy supplied.

New York City Dep't of Investigation, *2019 Assessment of Litigation Data Involving NYPD* (2019). Copy supplied.

New York City Dep't of Investigation, *Fifth Annual Report: Office of the Inspector General for the NYPD* (2019). Copy supplied.

New York City Dep't of Investigation, *Report on the Investigation into Construction at the Washington Irving Campus* (2019). Copy supplied.

DOI is also required by New York City law to provide an annual report to the Mayor and the City Council on complaints received under the City's whistleblower protection law in the previous year. During my tenure as DOI Commissioner, it was my practice to post those letters publicly on DOI's website. A list of those letters follows:

New York City Dep't of Investigation, *Whistleblower Law Complaints for Fiscal Year 2021* (2021). Copy supplied.

New York City Dep't of Investigation, *Whistleblower Law Complaints for Fiscal Year 2020* (2020). Copy supplied.

New York City Dep't of Investigation, *Whistleblower Law Complaints for Fiscal Year 2019* (2019). Copy supplied.

During the course of DOI's investigation into the NYPD's handling of the Floyd

protests in the summer of 2020, I wrote two letters regarding that investigation that were publicly posted on DOI's website:

Letter to Mayor Bill DeBlasio, Council Speaker Corey Johnson, and Oversight Committee Chair Ritchie Torres (June 24, 2020). Copy supplied.

Letter to Council Speaker Corey Johnson and Oversight Committee Chair Ritchie Torres (June 1, 2020). Copy supplied.

New York City law requires the Mayor to issue a Mayor's Management Report each year, providing statistics on set metrics for each City agency over the previous fiscal year, and a Preliminary Mayor's Management Report, which reports on same metrics for the first three months of the current fiscal year. During my time as DOI Commissioner, each agency was responsible for maintaining and reporting its own statistics and drafting the accompanying narrative. A list of these reports issued during my tenure follows:

Office of the Mayor, *Mayor's Management Report, Fiscal Year 2021, Department of Investigation* (2021). Copy of relevant excerpt supplied.

Office of the Mayor, *Mayor's Management Report, Preliminary Fiscal 2021, Department of Investigation* (2021). Copy of relevant excerpt supplied.

Office of the Mayor, *Mayor's Management Report, Fiscal Year 2020, Department of Investigation* (2020). Copy of relevant excerpt supplied.

Office of the Mayor, *Mayor's Management Report, Preliminary Fiscal 2020, Department of Investigation* (2020). Copy of relevant excerpt supplied.

Office of the Mayor, *Mayor's Management Report, Fiscal Year 2019, Department of Investigation* (2019). Copy of relevant excerpt supplied.

Office of the Mayor, *Mayor's Management Report, Preliminary Fiscal 2019, Department of Investigation* (2019). Copy of relevant excerpt supplied.

When I was Executive Deputy Attorney General for Criminal Justice at the Office of the Attorney General for New York state, one of the units I supervised was the Special Investigations and Prosecutions Unit, which was created to carry out the mandate of the Governor's Executive Order directing the Attorney General to investigate any police-involved killing of an unarmed civilian in New York state, to consider whether any criminal charges should be sought, to pursue such charges if warranted, and to issue public statements on the results of such investigations. During my time in that role, the unit issued four such reports. I supervised, but did not personally conduct, the relevant investigations, and I played a significant role in the final editing of each report. A list of the reports follows:

Office of the New York Attorney General, *Report on the Investigation into the Death of Andrew Kearsse* (2018). Copy supplied.

Office of the New York Attorney General, *Report on the Investigation into the Death of John Havener* (2018). Copy supplied.

Office of the New York Attorney General, *Report on the Investigation into the Death of Jose Hernandez Rossy* (2018). Copy supplied.

Office of the New York Attorney General, *Report on the Investigation into the Death of Edson Thevenin* (2018). Copy supplied.

Other public statements:

Statement to Congress of Former U.S. Attorneys and Assistant U.S. Attorneys regarding the Termination of U.S. Attorney Geoffrey Berman (June 22, 2020). 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 following list reflects my best efforts to identify the speeches or talks that I have delivered. To compile this list, I consulted my own records and internet sources. There may, however, be other speeches or talks that I have been unable to recall or identify, as I may have spoken briefly at events for which I was not able to locate any record.

May 17, 2023: Panelist, Pathways to Becoming an AUSA, Federal Bar Council, New York, New York. I gave brief closing remarks for a panel, jointly co-sponsored by the United States Attorney's Offices for EDNY, SDNY, and DNJ. I have no notes, transcript, or recording. The address for the Federal Bar Council is 150 Broadway, Suite 505, New York, New York 10038.

April 5, 2023: Speaker, Federal Criminal Law, Columbia Law School, New York, New York. I was the guest speaker for a course on Federal Criminal Law and spoke and answered questions about my career in public service and the work of the United States Attorney's Office. I have no notes, transcript, or recording. The address for Columbia Law School is 435 West 116th Street, New York, New York 10027.

York 10027.

March 28, 2023: Speaker, Federal Law Enforcement Officers Association Foundation Annual Banquet, New York, New York. Prepared remarks supplied.

March 1, 2023: Panelist, Women's History Month: Telling Our Stories, FBI New York Office Women's Advisory Committee, New York, New York. I spoke about my career in law enforcement. I have no notes, transcript, or recording. The address for the FBI office in New York is 26 Federal Plaza, New York, New York 10007.

February 2, 2023: Panelist, Women in Leadership, Women's White Collar Defense Association, New York, New York. Draft outline, prepared in collaboration, supplied.

October 24, 2022: Panelist, The Tone at the Top: Providing the Leadership to Champion Corruption Cases, National Association of Attorneys General Center for Ethics and Public Integrity, New York, New York. I spoke on the kickoff panel for NAAG's Anticorruption Academy, a four-day conference hosted by New York Law School, about the challenges associated with investigating and prosecuting public corruption. I have no notes, transcript, or recording. The address for NAAG's Center for Ethics and Public Integrity is 1850 M Street, Northwest, 12th Floor, Washington, DC 20036.

October 20, 2022: Speaker, Leadership for Lawyers, Fordham Law School, New York, New York. I was a guest speaker for a session of the Leadership for Lawyers class at Fordham Law School and spoke generally about my various leadership positions as a government lawyer and how I have crafted my approach to management and leadership in those roles. I spoke on the same general topic to the same course in the Spring semester of 2019. I have no notes, transcript, or recording for either event. The address for Fordham Law School is 150 West 62nd Street, New York, New York 10023.

October 18, 2022: Guest Speaker, Internal Investigations class, Yale Law School, New Haven, Connecticut. Draft outline, prepared in collaboration, supplied.

October 13, 2022: Speaker, City College of New York, New York, New York. I was a guest speaker at the Skadden Pre-Law Honors Program at City College, and discussed my career path, my experiences as a lawyer and litigator, what my jobs at the United States Attorney's Office, DOI, and New York Attorney General's Office entailed, and what about them I found satisfying and enjoyable. I spoke to the same group on the same topic each year in the fall semester from 2012 to 2018. I have no notes, transcript, or recording. The address for City College is 160 Convent Avenue, New York, New York 10031.

March 2, 2022: Panelist, Conversation with the Enforcers and Regulators,

American Bar Association's 37th Annual National Institute on White Collar Crime, San Francisco, California. I spoke on a panel with other senior federal law enforcement officials about the priorities of our various agencies. I have no notes, transcript, or recording. The address for the American Bar Association is 321 North Clark Street, Chicago, Illinois 60654.

December 8, 2021: Panelist, Government Whistleblower Protections, New York City Bar Association, New York, New York. This was a CLE presentation about New York City, New York state, and federal whistleblower laws. I have no notes, transcript, or recording. The address for the New York City Bar Association is 42 West 44th Street, New York, New York 10036.

February 23, 2021: Speaker, Government Corruption seminar, New York University Law School (virtual). I was a guest speaker at a law school course on Government Corruption and spoke about DOI and its anti-corruption work. I have no notes, transcript, or recording. The address for New York University Law School is 40 Washington Square South, New York, New York 10012.

February 9, 2021: Speaker, White Collar Crime Committee, New York City Bar Association, New York, New York. I spoke about the work of DOI and my role as Commissioner. I have no notes, transcript, or recording. The address for the New York City Bar Association is 42 West 44th Street, New York, New York 10036.

November 16, 2020: Panelist, Current Issues in Public Corruption Law, New York City Bar Association, New York, New York. This was a CLE program on public corruption law, presented as a virtual "webcast." I have no notes, transcript, or recording. The address for the New York City Bar Association is 42 West 44th Street, New York, New York 10036.

December 11, 2019: Speaker, Department of Investigation, NYC Urban Fellows Program, New York, New York. Slides and outline supplied.

November 13, 2019: Speaker, Government Ethics Committee, New York City Bar Association, New York, New York. I spoke about the work of DOI and my role as Commissioner. I have no notes, transcript, or recording. The address for the New York City Bar Association is 42 West 44th Street, New York, New York 10036.

June 20, 2019: Speaker, Keynote, Global Cities Conference, Columbia Law School's Center for the Advancement of Public Integrity, New York, New York. Video available at <https://www.youtube.com/watch?v=TvgqLVuPMkc>.

May 23, 2019: Speaker, Keynote, New York Law School's Citywide Seminar on Ethics in Government, New York, New York. Video available at <https://www.youtube.com/watch?v=STcilspi5Pg>.

May 14, 2019: Panelist, Managing Parallel and Multi-Sovereign Investigations, National Society of Compliance Professionals and Venable LLP, New York, New York. This was a CLE panel for practitioners, focused on the complex issues that arise when an individual or corporate entity is under both civil and criminal investigation for the same conduct, or is being investigated by, for example, both state and federal prosecutors for the same conduct. I have no notes, transcript, or recording. The address for Venable LLP is 1270 Avenue of the Americas, 24th Floor, New York, New York 10020.

February 2019 (specific date unknown): Speaker, Government Corruption seminar, Columbia Law School, New York, New York. I was a guest speaker for a law school course on Government Corruption, and spoke about DOI and its anti-corruption work. I have no notes, transcript, or recording. The address for Columbia Law School is 435 West 116th Street, New York, New York 10027.

2015, 2017, and 2019 (specific dates unknown): Speaker, Wrongful Convictions seminar, Brooklyn Law School, Brooklyn, New York. I was a guest speaker at a law school course on wrongful convictions, to give a prosecutor's perspective on the role of prosecutorial misconduct and prosecutorial errors in wrongful convictions. I have no notes, transcript, or recording. The address for Brooklyn Law School is 250 Joralemon Street, Brooklyn, New York 11201.

December 13, 2018: Speaker, Keynote, City & State Ethics and Accountability Summit, New York, New York. Speech and press coverage supplied.

July 17, 2018: Panelist, City & State Protecting New York Summit, New York, New York. I spoke on a panel about police-community relations. I have no notes, transcript, or recording, but press coverage is supplied. The address for City & State New York is 44 Wall Street, Suite 705, New York, New York 10005.

June 21, 2018: Panelist, Then & Now: A Look Back at Women Trailblazers and Forward, 2018 Judith S. Kaye Program at the New York City Bar Association, New York, New York. Video available at <https://www.youtube.com/watch?v=P1irVEQ7-eQ>.

June 6, 2018: Panelist, Compliance and Enforcement Priorities 2018, Columbia Law School General Counsel Forum, New York, New York. While serving in the Office of the New York Attorney General, I spoke about the office's enforcement priorities at a conference for corporate general counsels. I have no notes, transcript, or recording. The address for Columbia Law School is 435 West 116th Street, New York, New York 10027.

August 11, 2017: Panelist, Annual Survey of U.S. Supreme Court Decisions, American Bar Association Annual Meeting, New York, New York. Video

available at <https://www.youtube.com/watch?v=JZawpy8od94> and <https://www.youtube.com/watch?v=5oZAI8gng>.

January 17, 2017: Panelist, Handling Appeals in the Second Circuit, New York City Bar Association, New York, New York. This was a CLE program covering all aspects of appellate practice before the Second Circuit Court of Appeals. I have no notes, transcript, or recording. The address for the New York City Bar Association is 42 West 44th Street, New York, New York 10036.

Fall 2017 (specific date unknown): Speaker, Federal Appellate Advocacy, Judge Robert Sack's New York University Law School Seminar on Federal Appellate Practice. I have no notes, transcript, or recording. The address for New York University Law School is 40 Washington Square South, New York, New York 10012.

Fall 2017 (specific date unknown): Speaker, Federal Appellate Advocacy, Judge Gerard Lynch and Judge Deborah Livingston's Columbia Law School Seminar on Appellate Advocacy. I have no notes, transcript, or recording. The address for Columbia Law School is 435 West 116th Street, New York, New York 10027.

June 8, 2016: Speaker, Henry L. Stimson Medal Acceptance Speech, New York City Bar Association, New York, New York. Prepared speech supplied.

March 9, 2016: Speaker, Hunter College, City University of New York, Pre-Law Society Monthly Meeting/Lunch. I was a guest for Hunter College's pre-law society lunch and spoke about my career experiences. I have no notes, transcript, or recording. The address for Hunter College is 695 Park Avenue, New York, New York 10065.

April 2015 (specific date unknown): Speaker, Legal Practice Workshop, Columbia Law School, New York, New York. I was a guest for a session of this course and spoke on the general topic of professionalism and professional standards as a practicing lawyer. I have no notes, transcript, or recording. The address for Columbia Law School is 435 West 116th Street, New York, New York 10027.

2013 and 2014 (specific dates unknown): Panelist, Practicing at the U.S. Attorney's Office, Columbia Law School, New York, New York. This was a career panel hosted by the law school; I discussed my career path, my experiences as a lawyer and litigator, what my job at the United States Attorney's Office entailed, and what about it I found satisfying and enjoyable. I have no notes, transcript, or recording, but press coverage of one of the sessions is supplied. The address for Columbia Law School is 435 West 116th Street, New York, New York 10027.

2013 and 2014 (specific dates unknown): Speaker, Grand Jury Practice, Columbia

Law School Federal Prosecution Externship, New York, New York. I was a guest lecturer for the grand jury session in this course held at the United States Attorney's Office for the Southern District of New York. I have no notes, transcript, or recording. The address for the United States Attorney's Office is 1 St. Andrew's Plaza, New York, New York 10007.

September 2014 (specific date unknown): Speaker, Memorial Service for Ed Wilford, New York, New York. Remarks supplied.

October 2010 (specific date unknown): Panelist, Women in Litigation, Women in the Courts Task Force, New York, New York. I spoke about my legal career to date. I have no notes, transcript, or recording. The address for the New York City Bar Association is 42 West 44th Street, New York, New York 10036.

- 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.

Molly Crane-Newman, *Manhattan Federal Prosecutors Home in on Wrongfully Convicted*, N.Y. Daily News (October 17, 2022). Copy supplied.

Margaret Garnett '00: The Gift of Doing What's Right, Columbia Law School Magazine (January 25, 2022). Copy supplied.

Kapil Longani, *City Hall Pass 41: Margaret Garnett*, City Hall Pass Podcast (December 10, 2021). Recording supplied.

Noah Goldberg, *Watchdog who ripped Blaz takes job with feds*, N.Y. Daily News (October 14, 2021). Copy supplied.

Pete Brush, *SDNY Vets Join New US Atty Damian Williams In Top Roles*, Law360 (October 13, 2021). Copy supplied.

Marcia Kramer, *Interview regarding DOI report on Mayor de Blasio security detail*, WCBS (October 7, 2021). Recording supplied.

Gloria Pazmino, *Interview regarding DOI report on Mayor de Blasio security detail*, NY1 (October 7, 2021). Recording supplied.

Linda Schmidt, *Interview regarding DOI report on Mayor de Blasio security detail*, WNYW (October 7, 2021). Recording supplied.

Interview regarding DOI report on Mayor de Blasio security detail, PIX11 (October 7, 2021). Recording supplied.

Interview regarding DOI report on Mayor de Blasio security detail, 1010 WINS (October 7, 2021). Recording supplied.

Interview regarding DOI report on Mayor de Blasio security detail, NY1 Mornings (October 7, 2021). Recording supplied.

Interview regarding DOI report on Mayor de Blasio security detail, WNYC (October 7, 2021). Recording supplied.

Interview regarding DOI report on Mayor de Blasio security detail, WOR (October 7, 2021). Recording supplied.

Press conference on DOI report regarding Mayor de Blasio's security detail (October 7, 2021). Press release supplied and video available at <https://youtu.be/Bsr5vuY6ArQ>.

Jonathan Dienst, Interview regarding NYCHA bribery indictments, WNBC (September 20, 2021). Recording supplied.

Peter Haskell, Interview regarding NYCHA bribery indictments, WCBS (September 20, 2021). Recording supplied.

Katie Vasquez, Interview regarding NYCHA bribery indictments, News 12 (September 20, 2021). Recording supplied.

Press conference with Brooklyn District Attorney Eric Gonzalez on the indictments in connection with bribery of NYCHA Superintendents (September 20, 2021). Press release supplied and video available at <https://www.youtube.com/watch?v=Rf7o7DGU4wY>.

Reuven Blau and Greg B. Smith, NYCHA Bribe Investigation Shares Contractors Who Made Millions from No-Bid Work, Officials Say, The City (September 20, 2021). Copy supplied.

Press conference with Manhattan District Attorney Cyrus Vance, Jr., regarding wage theft investigation (September 14, 2021). Prepared remarks supplied; no recording is available.

Topher Sanders, Inspecting the NYPD "Puzzle Palace," ProPublica (April 15, 2021). Copy supplied.

Preet Bharara, A Death in Soundview, Doing Justice Podcast (January 27, 2021). Recording supplied.

Brian Lehrer, Interview regarding DOI's report on the NYPD's handling of the George Floyd protests, WNYC (January 27, 2021). Recording supplied.

Sean Carlson, *Interview regarding DOI's report on the NYPD's handling of the George Floyd protests*, WNYC (December 18, 2020). Recording supplied.

Jay Dow, *Interview regarding DOI's report on the NYPD's handling of the George Floyd protests*, PIX11 (December 18, 2020). Recording supplied.

Dave Evans, *Interview regarding DOI's report on the NYPD's handling of the George Floyd protests*, WABC (December 18, 2020). Recording supplied.

Nicole Johnson, *Interview regarding DOI's report on the NYPD's handling of the George Floyd protests*, PIX11 (December 18, 2020). Recording supplied.

Interview on "Inside City Hall" regarding DOI's report on the NYPD's handling of the George Floyd protests, NY1 (December 18, 2020). Recording supplied.

Interview regarding DOI's report on the NYPD's handling of the George Floyd protests, 1010 WINS (December 18, 2020). Recording supplied.

Interview regarding DOI's report on the NYPD's handling of the George Floyd protests, News 12 (December 18, 2020). Recording supplied.

Interview regarding DOI's report on the NYPD's handling of the George Floyd protests, NY1 (December 18, 2020). Recording supplied.

Interview regarding DOI's report on the NYPD's handling of the George Floyd protests, WCBS (December 18, 2020). Recording supplied.

Interview regarding DOI's report on the NYPD's handling of the George Floyd protests, WMBC (December 18, 2020). Recording supplied.

Press conference on DOI report on NYPD's response to George Floyd protests (December 18, 2020). Press release supplied and video available at <https://youtu.be/dvpM4YpGDO4>.

Monica Morales, *Interview regarding DOI's report on lead paint abatement in NYCHA housing*, PIX11 (December 10, 2020). Recording supplied.

Interview regarding DOI's report on lead paint abatement in NYCHA housing, WCBS Radio 880 (December 10, 2020). Recording supplied.

Interview regarding DOI's report on lead paint abatement in NYCHA housing, WCBS Radio 880 (December 10, 2020). Recording supplied.

Interview regarding DOI's report on lead paint abatement in NYCHA housing, 1010 WINS (December 10, 2020). Recording supplied.

Interview regarding DOI's report on lead paint abatement in NYCHA housing, 1010 WINS (December 10, 2020). Recording supplied.

Interview regarding DOI's report on lead paint abatement in NYCHA housing, WNYC (December 10, 2020). Recording supplied.

Interview regarding the announcement of an investigation into NYPD's handling of the George Floyd protests, Fox 5 New York WNYW (June 1, 2020). Recording supplied.

Interview regarding the announcement of an investigation into NYPD's handling of the George Floyd protests, 1010 WINS (June 1, 2020). Recording supplied.

Press conference with Mayor Bill de Blasio announcing investigation into NYPD response to protests (May 31, 2020). Press release supplied and video available at <https://www.youtube.com/watch?v=wevvmPf40gU>.

Jillian Jorgensen, *Interview regarding City Council hearing on DOI's background investigation backlog*, NY1 (February 2020). Recording supplied.

Interview regarding David Hay background investigation, NY1 (January 2020). Recording supplied.

Interview regarding David Hay background investigation, WPIX (January 2020). Recording supplied.

Leslie Brody, *City Hall Criticized for Probe Delay*, The Wall Street Journal (December 19, 2019). Copy supplied.

Alice Gainer, *Interview regarding DOI's statement on its investigation into an education report on yeshivas*, WLNY Channel 10 (December 18, 2019). Recording supplied.

Jillian Jorgensen, *Interview regarding DOI's statement on its investigation into an education report on yeshivas*, NY1 (December 18, 2019). Recording supplied.

Jillian Jorgensen, *Interview regarding DOI's statement on its investigation into an education report on yeshivas*, NY1 (December 18, 2019). Recording supplied.

Mack Rosenberg, *Interview regarding DOI's statement on its investigation into an education report on yeshivas*, WCBS Radio 880 (December 18, 2019). Recording supplied.

Interview regarding DOI's statement on its investigation into an education report on yeshivas, NY1 (December 18, 2019). Recording supplied.

Interview regarding DOI's statement on its investigation into an education report on yeshivas, 1010 WINS (December 18, 2019). Recording supplied.

Bobby Cuza, Interview regarding DOI's report on the Special One-Time Assistance housing program, NY1 (December 5, 2019). Recording supplied.

Lisa Rozner, Interview regarding DOI's report on the Special One-Time Assistance housing program, WCBS (December 5, 2019). Recording supplied.

Lisa Rozner, Interview regarding DOI's report on the Special One-Time Assistance housing program, WCBS (December 5, 2019). Recording supplied.

Juliet Papa, Interview regarding DOI's report on the Special One-Time Assistance housing program, 1010 WINS (December 5, 2019). Recording supplied.

Interview regarding DOI's report on the Special One-Time Assistance housing program, WNYC (December 5, 2019). Recording supplied.

Press conference with Brooklyn District Attorney Eric Gonzalez on the indictments in connection with the death of a construction laborer (November 21, 2019). Press release supplied and video available at https://youtu.be/U1_Wscj6NH0.

Dean Meminger, Interview regarding DOI's report on Officer Wellness Programs, NY1 (September 24, 2019). Recording supplied.

Brian Lehrer, Interview regarding DOI's report on Biased Policing Complaints, WNYC (July 2, 2019). Recording supplied.

Lisa Evers, Interview regarding DOI arrests for fraudulent parking placards, Fox Channel 5 News (June 4, 2019). Recording supplied.

Andrew Siff, Interview regarding DOI arrests for fraudulent parking placards, WNBC (June 4, 2019). Recording supplied.

Ben Chapman and Katie Horan, Eight Drivers Arrested for Using Bogus Credentials to Avoid Parking Tickets, Dow Jones Institutional News (June 4, 2019). Copy supplied.

NJ Burkett, Interview regarding affordable housing fraud, WABC (May 21, 2019). Recording supplied.

Rich Lamb, Interview regarding affordable housing fraud, WCBS Radio 880 (May 21, 2019). Recording supplied.

Juliet Papa, *Interview regarding affordable housing fraud*, 1010 WINS (May 21, 2019). Recording supplied.

Press conference with Brooklyn District Attorney Eric Gonzalez on the announcement of charges involving affordable housing fraud (May 21, 2019). Press release supplied and video available at <https://youtu.be/I-wcKRgVIg>.

Ravenswood Houses Drug Crew Busted: Seven Alleged Dealers Arrested, The Queens Gazette (April 17, 2019). Copy supplied.

Errol Louis, *Interview regarding appointment as DOI Commissioner*, NY1 (December 2018). Video available at <https://www.ny1.com/nyc/all-boroughs/inside-city-hall/2018/12/20/margaret-garnett-pledges-to-investigate-parking-placard-corruption->.

Press conference with Bronx District Attorney Darcel Clark on the indictment of alleged gang members (December 12, 2018). Prepared remarks supplied; no recording is available.

William Neuman and William K. Rashbaum, *I Would Hang Up on Mayor de Blasio: This 'Girl Detective' Says She Won't Be Pushed Around*, N.Y. Times (November 28, 2018). Copy supplied.

New York Mayor De Blasio Nominates Margaret Garnett to Serve as Commissioner of the Department of Investigation, Targeted News Service (November 16, 2018). Copy supplied.

Press release, A.G. Schneiderman Announces Appointment of New Chief Deputy Attorney General Alvin Bragg and Executive Deputy Attorney General Margaret Garnett (September 18, 2017). Copy supplied.

As DOI Commissioner, I issued dozens of press releases on DOI cases and investigations, jointly issued press releases with various prosecutors on arrests in criminal cases that DOI investigated, and provided quotes for press releases issued by prosecutors or other law enforcement partners on matters that DOI investigated. All such releases are listed on the attached appendix and copies are 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? _____

1. Of these cases, approximately what percent were:

jury trials: _____%
bench trials: _____% [total 100%]

2. 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.

From 2018 to 2021 I served as Commissioner of the New York City Department of Investigation. I was nominated to this position by New York City Mayor Bill de Blasio, and confirmed by the New York City Council following a hearing.

- 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;

From 2004 to 2005, I served as a law clerk to the Honorable Gerard E. Lynch, then a judge of the United States District Court for the Southern District of New York.

- 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;

2000 – 2004
Wachtell, Lipton, Rosen & Katz
51 West 52nd Street
New York, New York 10019
Associate

2017 – 2018
Office of the New York Attorney General
28 Liberty Street
New York, New York 10005
Executive Deputy Attorney General for Criminal Justice

2018 – 2021
New York City Department of Investigation
180 Maiden Lane
New York, New York 10038
Commissioner

2021 – present, 2005 – 2017
United States Attorney's Office
Southern District of New York
1 St. Andrew's Plaza
New York, New York 10007
Assistant United States Attorney, Criminal Division (2005 – 2017)
Deputy Chief of Violent Crimes Unit (2010 – 2011)
Chief of Violent Crimes Unit (2011 – 2014)
Chief of Violent & Organized Crime Unit (2014)
Deputy Chief of Appeals (2015 – 2016)
Chief of Appeals (2016 – 2017)

Deputy United States Attorney (2021 – May 2023)
Special Counsel to the United States Attorney (May 2023 – present)

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

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

From 2000 to 2004, I worked at Wachtell Lipton and practiced primarily in bankruptcy litigation and general commercial litigation with bankruptcy-adjacent issues. My cases and matters took place in the bankruptcy courts (typically in either the Southern District of New York or the District of Delaware) and in federal district and appellate courts. Because the bankruptcy litigation practice group was quite small, I enjoyed a great deal of responsibility for a junior associate. Among other things, I took and defended depositions, wrote motions and briefs, presented to clients, and appeared in court to argue motions or handle conferences.

After clerking for Judge Lynch from 2004 to 2005 I joined the United States Attorney's Office for the Southern District of New York, where from 2005 to 2017 I worked on a wide range of criminal matters. These cases ranged from a very high-profile tax shelter fraud case and trial to violent crimes (homicides, armed robberies, violent RICO enterprises, and narcotics-related violence) to appeals concerning all aspects of the work of the Office's Criminal Division. I also spearheaded the Office's efforts to secure the exoneration of numerous defendants wrongfully convicted of murder in other jurisdictions, and for several years was the Office's point person for inquiries from counsel about such potential matters. Beyond my substantive work, I held several leadership positions at the Office. I was the Deputy Chief of the Violent Crimes Unit (2010 to 2011) and, later, the Chief of that unit (2011 to 2014), supervising all investigations and prosecutions conducted by the approximately 15 Assistant United States Attorneys in the unit. In 2014, the Violent Crimes Unit merged with the Organized Crime Unit to form the Violent & Organized Crime Unit, and I served as Chief of that merged unit until the end of 2014, overseeing approximately 22 Assistant United States Attorneys. Then, as Deputy Chief of Appeals and Chief of Appeals from 2015 to 2017, I supervised the writing and editing of the Office's briefs before the Second

Circuit in affirmative and defensive criminal appeals, prepared AUSAs for oral arguments before that court, supervised those arguments, and provided legal and strategic advice on many matters to AUSAs, supervisors, and the United States Attorney and his executive staff. Finally, I served on the Office's Hiring Committee, Capital Review Committee, and Advisory Committee on Diversity.

From 2017 to 2018, I was the executive in charge of the Criminal Division at the New York Attorney General's Office. I directed and supervised the work of approximately 150 prosecutors and 130 criminal investigators, as well as analysts, forensic auditors, and other support staff, covering six bureaus around the state: Public Integrity, Criminal Enforcement of Financial Crimes, Crime Proceeds Strike Force, Medicaid Fraud Control Unit, Organized Crime Task Force, and Special Investigations & Prosecutions. In this role, I reviewed and approved all charging instruments and most other written work submitted to a court or issued publicly (e.g., search warrant applications, wiretap applications, motions and briefs, reports). I advised on investigative techniques, grand jury presentations, and trial strategy. I counseled the Attorney General on criminal justice policy and provided expertise to various civil bureaus in the Office on a wide range of criminal enforcement issues. I served as the AG's liaison to various law enforcement groups, including the National Association of Attorneys General, the District Attorneys Association of the State of New York, the New York State Police, the New York City Police Department, and other federal, state, and local law enforcement partners.

From 2018 to 2021, I was the Commissioner of the New York City Department of Investigation, the inspector general and anti-corruption agency for New York City government. DOI's jurisdiction is vast, covering every City agency, every City employee, every recipient of City funds, and every vendor who contracts with the City. DOI's authority encompasses criminal investigations, administrative investigations (including for the New York City Conflicts of Interest Board), referrals to other agencies for action (whether on employee discipline or a policy or procedure recommendation), and public reports, on any matter involving corruption, waste, fraud, abuse, conflicts of interest, or gross mismanagement. These investigations include individual misconduct and wrongdoing as well as systemic issues. While DOI Commissioner, I did not practice law in the traditional sense. However, the DOI Commissioner must, by law, be an attorney, and the work of the agency presents a number of recurring legal issues, many of which came before me for decision. Those issues included, among other things, Fourth and Fifth Amendment issues and policies, the elements of potential criminal violations of both New York and federal criminal law, New York City's conflicts of interest law, the institutional and investigative authority of

DOI, and potential legislation relating to DOI or its work. In addition to directing and supervising the substantive work of the agency, I also represented the agency and its work to the public, the media, the City Council, and other government and law enforcement counterparts, and managed the agency's approximately 500 employees and annual budget in excess of \$50 million.

In 2021, I returned to the United States Attorney's Office for the Southern District of New York as Deputy United States Attorney. In that role, I served as a senior advisor and counselor to the United States Attorney and served as Acting United States Attorney when the United States Attorney was unavailable. I supervised the Office's Criminal Division, as its approximately 175 prosecutors, investigators, and support staff conducted criminal investigations and prosecutions involving national security and terrorism, securities fraud and other sophisticated financial crimes, public corruption, violent and organized crime, narcotics trafficking, cybercrime, and criminal civil rights violations. I also supervised the Office's Civil Division, as its approximately 50 civil litigators, as well as support staff, conducted a range of sophisticated affirmative and defensive litigation on behalf of the United States concerning environmental regulation, tax and bankruptcy law, civil rights, complex FOIA and national security matters, employment law, and civil frauds. Lastly, I supervised the Chief Administrative Officer in ensuring the effective management of the Office's resources. I stepped down from my role as Deputy United States Attorney and into a Special Counsel role when my potential nomination to the bench became public. As Special Counsel, I advise the U.S. Attorney on certain of the Office's most complex cases, participate in hiring and promotion decisions, and work on various policy matters and special projects unrelated to specific cases.

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

While at Wachtell Lipton, my clients were generally financial institutions or large corporations. I specialized in complex bankruptcy-related litigation, including commercial litigation that touched on bankruptcy law.

As an Assistant United States Attorney from 2005 to 2017 and from 2021 to present, my sole client has been the United States. During my first stint in the Southern District of New York, I specialized in federal criminal prosecution, including both white-collar crime and violent crime. I handled federal criminal matters at all stages, including investigation, trial, and appeal. From 2021 to May 2023, I supervised both the criminal and civil litigation practice at the United States Attorney's Office, which includes nearly every area of federal criminal law and federal civil matters where the United States may be a party or have an interest. From 2017 to

2018, I supervised New York state prosecutors in a wide range of complex criminal matters in New York state courts, representing the people of New York. From 2018 to 2021, my work as DOI Commissioner covered the substantive breadth and depth of New York City government and a range of legal subject areas, including New York and federal criminal law, state and city campaign finance laws, and New York City conflicts of interest law.

- 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.

The entirety of my practice has been in litigation, with the exception of my time as DOI Commissioner from 2018 to 2021. I estimate that approximately 95 percent of my practice has been in federal court and the remaining 5 percent in state court.

When I was an associate at Wachtell Lipton from 2000 to 2004, I appeared in court several times a year; on three occasions I personally argued motions or was otherwise the person from the firm who spoke on behalf of the client in court.

As an Assistant United States Attorney from 2005 to 2017, I appeared in court frequently—nearly every day during my years as a line assistant, and an average of once or twice a week (other than during trial) after becoming a supervisor in 2010. When I was in Appeals from 2015 to 2017, in addition to occasionally appearing in district court, I was in the Second Circuit almost every week, either supervising the arguments of other AUSAs or arguing an appeal myself.

When at the New York Attorney General's Office from 2017 to 2018, I did not appear in court, but the matters that I supervised were in New York state courts.

I did not appear in court when I served as DOI Commissioner from 2018 to 2021. DOI is an investigative agency, not a prosecutorial or litigative agency, though its cases and investigations often resulted in matters in many courts, including administrative courts (such as New York City's Office of Administrative Trials and Hearings or the Conflicts of Interests Board), New York state courts, or federal courts.

As Deputy United States Attorney from 2021 to 2023, I supervised a range of criminal and civil matters in federal court but did not personally appear in court as an advocate. As a Special Counsel since May 2023, I do not appear in court.

- i. Indicate the percentage of your practice in:
- | | |
|----------------------------|-----|
| 1. federal courts: | 95% |
| 2. state courts of record: | 5% |
| 3. other courts: | 0% |

4. administrative agencies: 0%

ii. Indicate the percentage of your practice in:

1. civil proceedings: 20%

2. criminal proceedings: 80%

- 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 first stint at the United States Attorney's Office, I tried 13 criminal cases to verdict; all were jury trials. In each trial, I was either the first or second chair and significantly participated in the trial. I also personally handled two lengthy hearings to judgment on Violations of Supervised Release, both of which involved several days of testimony from multiple witnesses, including experts. Both hearings were before a judge only. I also conducted numerous other evidentiary hearings, including hearings on suppression motions, *Fatico* hearings on contested sentencing issues, and *Daubert* hearings. In addition, I directly and closely supervised approximately 50 criminal jury trials in my capacity as a Chief of the Violent Crimes/Violent & Organized Crime Unit. While Deputy Chief of Appeals and then Chief of Appeals, I advised or consulted on dozens of criminal trials of every type.

While at the New York Attorney General's Office, the criminal division conducted several trials, of which I was the ultimate supervisor.

While Deputy United States Attorney, I advised or consulted on numerous trials, but did not personally participate in the conduct of these trials.

i. What percentage of these trials were:

1. jury: 100%

2. non-jury: 0%

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

I have never practiced before the Supreme Court. When I was Chief of Appeals in the United States Attorney's Office, I contributed to the petition for certiorari in *In re A Warrant to Search a Certain E-Mail Account Controlled and Maintained by Microsoft Corporation, United States v. Microsoft Corporation*, No. 17-2 (June 23, 2017), following the denial of a petition for *en banc* review in the Second Circuit. Copy supplied. Certiorari was granted, but the matter was dismissed as moot prior to a decision by the Court, following the enactment of the Clarifying

Lawful Overseas Use of Data Act (CLOUD Act), Pub. L. 115-141, in 2018.

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 A Warrant to Search a Certain E-Mail Account Controlled and Maintained by Microsoft Corporation, Microsoft Corporation v. United States*, 855 F.3d 53 (2d Cir. 2017) (*En banc* petition filed 2016, denied Jan. 24, 2017)

This was a petition for rehearing *en banc* in a significant matter involving the Stored Communications Act and whether a U.S.-based email provider must comply with a judicially authorized search warrant to disclose customer email content that the provider had chosen to store overseas. The *en banc* petition was denied by an evenly divided court, with several written dissents from the denial of rehearing *en banc*. The Supreme Court granted a petition for writ of certiorari, but the case was mooted by Congress's passage of the CLOUD Act. I became involved in the matter when the original panel decision in favor of Microsoft was issued in July 2016, and I was the primary author of the *en banc* petition.

Co-Counsel

Timothy Howard (formerly with the United States Attorney's Office)
Freshfields Bruckhaus Deringer
601 Lexington Avenue, 31st Floor
New York, NY 10022
(212) 230-4690

Opposing Counsel

E. Joshua Rosenkranz
Orrick, Herrington & Sutcliffe
51 West 52nd Street
New York, NY 10019
(212) 506-5380

2. *United States v. Hoey et al.*, 1:11-cr-337 (S.D.N.Y. 2011 – 2015) (Judge P. Kevin

Castel)

This case began as an investigation into the cocaine overdose death of a woman at a midtown Manhattan hotel in 2009. The case expanded to encompass a sprawling, years-long social-distribution network for cocaine, as well as an investigation into a significant obstruction-of-justice conspiracy. Ultimately, the government charged Mr. Hoey, the leader and supplier of the cocaine-distribution network; a witness who had perjured herself in the grand jury regarding the cocaine overdose death; and the lawyer who had coached and pressured that witness to lie. The witness was convicted of perjury and obstruction of justice at trial before Judge Kevin Castel (*United States v. Zobkiw*, 11-cr-337-1) in February 2013, but died before her sentencing. The lawyer and Mr. Hoey both pleaded guilty, and were sentenced to 48 months and 151 months, respectively. I was the lead counsel for the investigation, the prosecution, and the trial.

Co-Counsel

Ian McGinley (formerly with the United States Attorney's Office)
Director of Enforcement, Commodities & Futures Trading Commission
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3. *United States v. Ventura et al.*, 1:09-cr-1015 (S.D.N.Y. 2008 – 2015) (Judge John G. Koeltl)

This case began as an investigation into a cold-case 1995 murder in Washington Heights, in which a store was burned down and a body with a gunshot wound was found inside. By the end of the investigation, five people were charged for their involvement in a significant marijuana distribution enterprise operating in Washington Heights in the 1990s and for three previously unsolved murders committed in furtherance of that enterprise in 1995 and 1996. One defendant, K. Ventura, went to trial and was convicted by the jury on all charges. A second defendant, J. Ventura, went to trial and was convicted by the jury on all charges. Both defendants were sentenced to life imprisonment. I was the lead counsel on the investigation, prosecution, and both trials.

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4. *People v. Glisson et al.*, No. 1086/95 (N.Y. Supreme Court, Bronx County, 2012)
(Judge Denis J. Boyle)

In 2012, the United States Attorney's Office received a letter from an inmate in New York state prison, Mr. Glisson, seeking information about a gang known as Sex, Money, Murder, which Glisson believed may have been involved in a murder for which he had been convicted in the mid-1990s. One of our Violent Crimes investigators, John O'Malley, reviewed the letter and recognized some of the details of the murder from an earlier investigation. Mr. O'Malley and I soon realized that the murder for which Mr. Glisson had been convicted was in fact a murder committed by two men who later became cooperating witnesses in our Office's investigation into Sex, Money, Murder. We subsequently learned that, in a series of trials in the Bronx in the 1990s, seven people, including Mr. Glisson, had been wrongfully convicted of this murder and that Mr. Glisson and five others had also been wrongfully convicted of a second murder. I immediately reached out to the Bronx District Attorney's Office and counsel for the wrongfully convicted defendants, and Mr. O'Malley and I began carefully reviewing the state investigation and trials. I coordinated access to witnesses, prepared those witnesses

for their interviews and negotiated the terms of those interviews with counsel, provided affidavits about our own investigation, and prepared Mr. O'Malley for his testimony at a Rule 440 hearing in Bronx County Supreme Court. Ultimately, all seven defendants were exonerated and released from custody.

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5. *United States v. Lee et al.*, 1:07-cr-3 (S.D.N.Y. 2009 – 2015) (Judge Barbara Jones and Judge Loretta Preska)

This case began as a wide-ranging investigation into a crack-cocaine distribution crew operating on DeKalb Avenue in the Bronx and that crew's dozens of home invasion robberies and significant acts of violence, including four murders. I was not involved in the investigation and charging stage of the case. I became involved in the case in 2009 to prepare the case for various trials that were scheduled for 2009 and 2010. Only one of those trials actually proceeded—a four-defendant RICO trial involving a decade-long narcotics conspiracy, numerous armed robberies, firearms charges, and three murders. The jury trial lasted for approximately six weeks in the spring of 2010, before then-Judge Barbara Jones, ending with the conviction of all four defendants. Two of the defendants were sentenced to life imprisonment, one to 20 years' imprisonment, and one to 125 years' imprisonment. My two co-counsel and I shared equally in the conduct of the trial.

with each of us delivering one of the government's three jury addresses, handling approximately one-third of the government's witnesses and the cross-examination of defense witnesses, and contributing equally to the legal briefing before and during the trial. I was the primary author of the appeal because both co-counsel had left the United States Attorney's Office by that time.

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6. *United States v. Golembiowski et al.*, 1:08-cr-174 (S.D.N.Y. 2007 – 2011) (Judge Laura Taylor Swain)

This case was an investigation into corruption at JFK Airport, and we ultimately charged a supervisory Customs Inspector, other Customs & Border Protection employees, and employees of various freight companies operating at JFK with bribery, corruption, and narcotics offenses relating to the acceptance of payments to allow shipments containing narcotics to pass undetected through the freight transit area of JFK Airport. This investigation originally arose out of a large international hashish importation case, *United States v. Chani et al.*, 1:05-cr-523 (S.D.N.Y.) (Judge Laura Taylor Swain). I did not participate in the original underlying hashish investigation, but I was one of two AUSAs who prepared for and conducted the sole trial arising out of that case—*United States v. Choullam*, a three-week jury trial before Judge Laura Taylor Swain in the spring of 2008, which resulted in the conviction of the defendant on all charges. I delivered the government's opening statement and rebuttal summation, and handled approximately half of the government's witnesses, as well as jointly authoring the legal briefing before and during the trial. The defendant was sentenced to 170 months' imprisonment. Information developed when preparing for trial in the *Chani/Choullam* case led to our discovery of the corruption scheme at JFK and enabled us to conduct a proactive covert investigation into the scheme. The two co-counsel below and I were equal partners in the investigation and prosecution of the *Golembiowski* case. All defendants in the *Golembiowski* case entered guilty pleas, and received sentences of 120 months (Golembiowski), 10 months (Lam), 4 years' probation with 4 months to be served in a halfway house (Li), 4 years' probation with 12 months to be served on home confinement (Sariari).

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7. *United States v. Weaver et al.*, 1:09-cr-1056 (S.D.N.Y. 2009 – 2013) (Judge William H. Pauley)

This was the lead case arising out of an investigation and prosecution of a violent heroin organization operating for nearly a decade in the Melrose-Jackson housing projects in the Bronx. The complex months-long investigation resulted in the arrests of more than 50 defendants, and the Office resolved numerous violent incidents and a previously unsolved murder. All of the defendants pleaded guilty to narcotics and/or firearms charges before Judge William H. Pauley prior to trial. The defendants received sentences ranging from 205 months to time served. This case also led to a related case, *United States v. Meregildo et al.*, which was an investigation into five murders in the same drug trafficking area. I initiated that investigation, together with another AUSA, and then supervised the case in my capacity as Deputy Chief and then Chief of the Violent Crimes Unit. That case resulted in a RICO prosecution of approximately two dozen gang members, which included charges related to four murders and multiple attempted murders. I was one of two lead AUSAs on the *Weaver* case and the investigation into what became the *Meregildo* case.

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8. *United States v. Rivera et al.*, 1:08-cr-1327 (S.D.N.Y. 2008 – 2014) (Judge Harold Baer)

This case targeted a violent robbery and extortion crew operating out of Manhattan's Diamond District. That crew's members had committed, among other things, the infamous hijacking of a Federal Express tractor-trailer truck from midtown Manhattan just before Christmas in 2007, stealing millions of dollars of high-value merchandise and holding the driver hostage for several hours. We investigated the crew and charged nearly 20 of its members. Most defendants pleaded guilty; the crew's leader, Mr. Rivera, went to trial in November 2009 before Judge Harold Baer and was convicted by a jury on all charges, including robbery, extortion, and firearms charges. I was one of two lead AUSAs on the case and the trial. Mr. Rivera received a sentence of 384 months' imprisonment.

This investigation ultimately led to another case, *United States v. Rivera* ("Rivera II"), 1:15-cr-722 (S.D.N.Y. 2015 – 2017) (Judge Paul A. Engelmayer). *Rivera II* was a murder-for-hire case, involving the brazen murder of a Diamond District jeweler on the sidewalk outside of Radio City Music Hall during the evening rush hour. I was the primary investigating prosecutor, indicted the case, and expected to be lead counsel at trial. The matter went to trial against Mr. Rivera shortly after I left the United States Attorney's Office. The defendant was convicted by a jury and sentenced to life imprisonment.

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9. *United States v. Stein et al.*, 1:05-cr-888 (S.D.N.Y. 2005 – 2010) (Judge Lewis A. Kaplan)

During my first year in the United States Attorney's Office, I was asked to join the trial team for what was then the largest criminal tax-fraud scheme ever charged in the United States. Nearly 20 partners and senior executives of the accounting firm KPMG, as well as other tax professionals and lawyers, were charged with a tax shelter scheme that resulted in more than \$2 billion in losses to the United States Treasury. The trial was then scheduled for October 2006. However, events that occurred before I joined the case spawned extensive and complex pre-trial litigation, including two affirmative appeals to the Second Circuit, and delayed the trial until October 2008. During that time, I became a key member of the team. I briefed and argued numerous complex legal issues that arose while simultaneously continuing to investigate and hone the case for trial. By the time the case proceeded to trial in October 2008 against four of the original defendants, I was the second chair of the trial team. The trial before Judge Lewis A. Kaplan lasted approximately ten weeks, featured nearly 75 witnesses, and involved multiple complex financial transactions and novel legal issues. I delivered the government's four-hour main summation in the case, and handled approximately one-third of the government's witnesses. Three of the four defendants were convicted, and one was acquitted. One defendant received a sentence of 121 months' imprisonment, one a sentence of 97 months' imprisonment, and the third a sentence of 78 months' imprisonment.

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10. *VFB LLC v. Campbell Soup Co., et al.*, 1:02-cv-137 (D. Del. 2002 – 2005) (Judge Kent Jordan)

This case began after Campbell Soup Company spun off Vlasic Pickles and a number of other consumer brands into a new company. The new company subsequently filed for bankruptcy and, through a creditor litigation vehicle, sued Campbell and a number of its

subsidiaries for fraudulent conveyance, breach of fiduciary duty, and other related claims arising out of the spin-off and subsequent bankruptcy. For most of the pre-trial period, I was the only associate on the matter and participated in discovery, pre-trial motion practice, taking and defending depositions, and selecting and preparing expert witnesses on a range of topics. The case went to trial before then-District Judge Kent Jordan in the District of Delaware. I did not participate in the trial because I left to begin my clerkship just a few weeks before trial began. Judge Jordan ruled for Campbell on all claims, and the verdict was affirmed by the Third Circuit.

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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.)

In addition to the matters discussed above, I have participated in dozens of additional cases and matters during my legal career, including civil matters at Wachtell Lipton Rosen & Katz and many additional criminal cases at the United States Attorney's Office. As Chief of Appeals at the United States Attorney's Office, I had a significant say over the positions taken in criminal appeals in the Office and advised on many other legal and strategic decisions. As Executive Deputy Attorney General for Criminal Justice at the New York Attorney General's Office, I played a role in criminal cases in the office and managed the Criminal Division as a whole. As DOI Commissioner, I ran a New York City agency of approximately 500 employees, with an approximately \$50 million annual budget. I was the final editor on all published reports and often directed and supervised our most important investigations. As Deputy United States Attorney, I advised attorneys on a wide range of strategic and legal issues across our Criminal and Civil Divisions and on managing the Office.

I have not registered as a lobbyist or engaged in any lobbying activities.

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

Federal Prosecution Externship Seminar at Columbia Law School, Fall 2017, Fall 2016, and Fall 2015. This course, which I co-taught with one or two other Assistant United States Attorneys, involved teaching a two-hour seminar each week on federal criminal prosecution and assisting in the placement and supervision of the students in the externship component (they were each assigned to two AUSAs in the Criminal Division). The course material covered the stages of a federal criminal investigation and prosecution. The syllabus for Fall 2017 is supplied (I no longer have the syllabi for 2015 or 2016, but they were substantially similar to the 2017 version).

Trial Advocacy Seminar at Brooklyn Law School, Spring 2017 and Fall 2015. This course, which I co-taught with another Assistant United States Attorney, covered the core skills needed for hearings and trials and emphasized experiential learning and critique. The syllabus for Spring 2017 is supplied (I no longer have the syllabus for 2015, but it was substantially similar to the 2017 version).

Intensive Trial Advocacy Program at Cardozo Law School, January 2017 and January 2016. I served as a practitioner instructor in Cardozo Law School's Intensive Trial Advocacy Program and provided real-world advice, critiques, and feedback to enrolled students practicing trial advocacy assignments, such as direct examination and cross-examination of witnesses, jury addresses, and evidentiary objections. I did not prepare the course materials or any lecture-type instruction. I do not have any notes, outlines, or other materials.

Various Undergraduate Courses at Yale University, Spring 1995 through Spring 1997. When I was a graduate student in the Political Science Ph.D. program at Yale University,

I worked as a graduate teaching assistant on a number of undergraduate courses, from Spring 1995 through Spring 1997. Each course was a large lecture course taught by a member of the university faculty; my responsibilities as a graduate teaching assistant included (i) conducting a one-hour discussion seminar each week of the course with a set group of ten to twenty students; (ii) grading and providing feedback on all written work and exams for the students in my assigned discussion seminar sections; and (iii) holding regular office hours to discuss the course material and advise on assignments. I played no role in designing the syllabus or the content of the lectures; however, I did decide which topics from that week of the syllabus/lectures would be the focus of each week's discussion seminar, and led the discussion of those topics. The courses in which I served as a graduate teaching assistant were Constitutional Law (taught by Prof. Rogers Smith, now at the University of Pennsylvania; a basic undergraduate introduction to the core principles of Constitutional Law, with a case-study method similar to a first-year law school course in Constitutional Law); Civil Rights & Civil Liberties (also taught by Prof. Smith; the companion course to Constitutional Law, covering the Bill of Rights, also taught with a case-study method similar to a law school lecture course in the First, Fourth, Fifth and Sixth Amendments); American Political History, 1945 to Present (taught by a junior member of the History department faculty; a survey course in post-WWII political history, including topics such as the Civil Rights movement, the anti-Vietnam War movement, the women's movement, the Reagan Revolution, and the Cold War); Democratic Political Theory (taught by Prof. Ian Shapiro; survey course in the political theory of democracy, including classical theorists such as Aristotle, historically important theorists like Hume, Locke, Hobbes, and modern political theorists like John Rawls and Michael Sandel). I no longer have the syllabi for these 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.

None.

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.

None.

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 from any matter I handled, supervised, or was consulted on as an Assistant United States Attorney in the Southern District of New York. In addition, because as Deputy United States Attorney I technically supervised every matter in that office, I would recuse myself from any matter initiated between that office and any other litigant during my service as Deputy United States Attorney.

I would likewise recuse myself from any matter involving the New York City Department of Investigation, if the matter involved any conduct investigated or litigated during my service as Commissioner.

Otherwise, I am not aware of any persons, parties, categories of litigation, or financial arrangements that are likely to present potential conflicts of interest. If a potential conflict arose, I would evaluate that potential conflict, as well as any relationship that could give rise to the appearance of such a conflict, on a case-by-case basis, following the Code of Conduct for United States Judges and the rules and standards regarding disqualification specified in 28 U.S.C. § 455. I would also consult relevant judicial decisions and published advisory opinions issued by the Judicial Conference's Committee on Codes of Conduct.

- 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, the Code of Conduct for United States Judges, including Canon 3 of that Code, and any and all other laws, rules, judicial opinions, and practices governing such circumstances. As appropriate, I would also determine appropriate action with the advice of the parties, their counsel, and my judicial colleagues.

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.

Since July 2005, all of my legal work has been in public service and has centered on upholding the rule of law and keeping the public safe. In addition to that work, I have served the public and the disadvantaged in several ways.

Between 2003 and 2011, I devoted significant time as a board member to the Dominican Volunteers program, a national organization sponsored by various congregations of Dominican religious sisters, which places recent college graduates for a year of full-time volunteer service serving the poor and disadvantaged. I had served with the precursor organization, Apostolic Volunteers, for a year right after college. In 2003, I was asked to join the Board of Trustees, primarily because I was both a former volunteer and a practicing lawyer and could greatly contribute to the Board's needs. Over the next eight years, I actively participated on the Board and served as Secretary, Vice-President, and President (from 2009 to 2011). I also served as a mentor and liaison to the program's community of volunteers in the Bronx from 2007 to 2011. During my time on the Board, I devoted three weekends a year to board meetings, plus 100 to 200 additional hours a year to the organization.

Since 2019, I have served on the Practitioner Advisory Board of Columbia Law School's Max Berger '71 Public Interest/Public Service Fellows Program. I provide advice and input to the program's administrators and staff and directly mentor law students in the program, all of whom are committed to beginning their legal careers in full-time public interest work.

In late 2020, I helped found the When There Are Nine Scholarship Project. Alumnae of the Southern District of New York United States Attorney's Office launched that program to provide financial support and mentoring to disadvantaged women law students. I served on the Steering Committee until I became the Deputy United States Attorney and had to step down from active involvement to avoid the appearance of official sponsorship. In its first year, the Project selected four scholars and awarded them substantial financial assistance for law school and paired them with successful women-attorney mentors.

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.

In April 2015, I submitted an application to Senator Charles Schumer's judicial screening committee. I interviewed with the Committee in May 2015. On May 10, 2020, I interviewed with Senator Schumer and members of his staff for a vacancy in the Eastern District of New York, but I did not proceed further in the process at that time.

In December 2020, I communicated with the Chair of Senator Schumer's screening committee, who asked me to re-submit and update my application materials through a new electronic portal, which I did on February 4, 2021. On March 19, 2021, I interviewed with the Committee. On April 21, 2023, I interviewed with Senator Schumer and members of his staff and, on April 24, 2023, had a follow-up interview with the Senator's staff. On April 25, 2023, Senator Schumer's office told me that the Senator was recommending my name to the White House for further consideration. On April 26, 2023, I interviewed with attorneys from the White House Counsel's Office. Since April 27, 2023, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On June 28, 2023, the President announced his intent to nominate me.

- 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.