

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Gustavo Antonio Gelpí

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

United States Circuit Judge for the First Circuit

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

Clemente Ruiz Nazario United States Courthouse
150 Carlos Chardón Avenue, CH-151
San Juan, Puerto Rico 00918

José V. Toledo Federal Courthouse
300 Recinto Sur Street, CH-126
San Juan, Puerto Rico 00901

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

1965; San Juan, Puerto Rico

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

1988 – 1991, Suffolk University Law School; J.D., 1991

1987, Arizona State University Law School (no degree received)

1983 – 1987, Brandeis University; B.A., 1987

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.

2006 – present
United States District Court for the District of Puerto Rico
Clemente Ruiz Nazario United States Courthouse
150 Carlos Chardón Avenue, CH-151
San Juan, Puerto Rico 00918
Chief United States District Judge (2018 – present)
United States District Judge (2006 – present)

2001 – 2006
United States District Court for the District of Puerto Rico
Clemente Ruiz Nazario United States Courthouse
150 Carlos Chardón Avenue, CH-483
San Juan, Puerto Rico 00918
United States Magistrate Judge

January – June 2001
McConnell Valdés LLC
270 Muñoz Rivera Avenue
San Juan, Puerto Rico 00918
Special Litigation Counsel

1999 – 2000
Commonwealth of Puerto Rico Department of Justice, Office of the Solicitor General
2 Olimpo Street
San Juan, Puerto Rico 00907
Solicitor General

November 1997 – September 1999
Commonwealth of Puerto Rico Department of Justice, Office of Legal Counsel
2 Olimpo Street
San Juan, Puerto Rico 00907
Assistant Attorney General

January – November 1997
Commonwealth of Puerto Rico Department of Justice, Office of Legal Counsel
2 Olimpo Street
San Juan, Puerto Rico 00907
Special Counsel to the Attorney General

July – December 1996
United States Sentencing Commission
One Columbus Circle, Northeast, Suite 2-500
Washington, District of Columbia 20002
Special Counsel (on detail assignment from the Federal Public Defender's Office)

1993 – 1997
Federal Public Defender's Office, District of Puerto Rico
500 Tanca Street
San Juan, Puerto Rico 00901
Assistant Federal Public Defender

1991 – 1993
United States District Court for the District of Puerto Rico
José V. Toledo Federal Courthouse
300 Recinto Sur Street
San Juan, Puerto Rico 00901
Law Clerk for the Honorable Juan M. Pérez-Giménez

Summer 1991
United States District Court for the District of Massachusetts
John W. McCormack U.S. Post Office and Courthouse
5 Post Office Square 1150
Boston, Massachusetts 02109
Judicial Intern for the Honorable Joyce L. Alexander

Summer 1990
Fiddler González & Rodríguez P.S.C.
254 Muñoz Rivera Avenue
San Juan, Puerto Rico 00918
(The law firm is defunct)
Summer Associate

Summer 1989
United States District Court for the District of Puerto Rico
José V. Toledo Federal Courthouse
300 Recinto Sur Street
San Juan, Puerto Rico 00901
Judicial Intern for the Honorable Juan M. Pérez-Giménez

Winter, Spring, and Summer 1988
Rosie's Bakery & Café
243 Hampshire Street
Cambridge, Massachusetts 02139
Salesperson

Teaching Affiliations:

2018 – present
Tarleton State University
School of Criminology, Criminal Justice, and Strategic Studies
1333 West Washington Street

Stephenville, Texas 76402
Adjunct Professor

2018; 2020 – present
University of Hawai‘i, Mānoa William S. Richardson School of Law
2515 Dole Street
Honolulu, Hawai‘i 96822
Adjunct Professor of Law (uncompensated)

2014 – present
Pontifical Catholic University of Puerto Rico School of Law
2250 Las Américas Avenue, Suite 543
Ponce, Puerto Rico 00717
Adjunct Professor of Law

2012 – present
Suffolk University Law School
120 Tremont Street
Boston, Massachusetts 02108
Adjunct Professor of Law

2011
University of New Hampshire School of Law
2 White Street
Concord, New Hampshire 03301
Adjunct Professor of Law

2009 – present
University of Puerto Rico School of Law
7 Avenida Universidad 701
San Juan, Puerto Rico 00925
Adjunct Professor of Law

2008 – present
Inter American University of Puerto Rico School of Law
170 Federico Costas Street
San Juan, Puerto Rico 00918
Adjunct Professor of Law

Other affiliations (uncompensated):

2017 – present
Academia Puertorriqueña de Jurisprudencia y Legislación (Puerto Rico Academy
of Jurisprudence and Legislation)
Vice-President (2021 – present)

2006 – present
Federal Judges Association
First Circuit Representative (2015 – 2018)

1992 – present
Federal Bar Association
1220 North Fillmore Street, Suite 444
Arlington, Virginia 22201
National President (2014)
National President Elect (2013)
National Treasurer (2012)
National Director (2007 – 2010)
Vice President for the First Circuit (2002 – 2006)
Secretary to the Vice Presidents (2005 – 2006)
President Puerto Rico Chapter (2000)
Vice President Puerto Rico Chapter (1999)
Treasurer Puerto Rico Chapter (1997 – 1998)
Director Puerto Rico Chapter (1994 – 1996)

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 registered for the selective service upon turning 18.

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

Sustaining Life Fellow, Foundation of the Federal Bar Association (2003 – present)

Academic of Number, Academia Puertorriqueña de Jurisprudencia y Legislación
(Inducted, 2017)

Outstanding Alumni Achievement Award, Suffolk University Law School (2016)

Honorary Chair, Hispanic National Bar Association Convention (2007)

Honorary Doctor of Law, Suffolk University Law School (May 2006)

Dean's List, Suffolk University Law School (1990 – 1991)

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.

Colegio de Abogados y Abogadas de Puerto Rico (Puerto Rico Bar Association)
(1999 – 2006; 2021)

Federal Bar Association, (1992 – present)

- National President (2014)
- National President Elect (2013)
- National Treasurer (2012)
- National Director (2007 – 2010)
- Vice President for the First Circuit (2002 – 2006)
- Secretary to the Vice Presidents (2005 – 2006)
- President Puerto Rico Chapter (2000)
- Vice President Puerto Rico Chapter (1999)
- Treasurer Puerto Rico Chapter (1997 – 1998)
- Director Puerto Rico Chapter (1994 – 1996)

- Member, Bench/Bar Committee (2018 – 2021)
- Member, Civics Essay Selection Committee (2017)
- Chairman Professional Ethics Committee (2001)
- Special Committee on Law School Outreach (2009 – 2011)
- Chair, Audit Committee (2007 – 2011)

- Chair, Judiciary Division Section/Division (2014 – 2017)
- Special Advisor, Inter American Law School Student Division (2010 – 2011)
- National Council Appointed Members (2009 – 2011)
- Task Force on Recruiting Judges for Membership (2010 – 2011)
- Editorial Board Member and Contributor, From the Bar, (1993 – 2000)

Federal Judges Association (2006 – present)

- First Circuit Representative (2015 – 2018)
- Chair, International Rule of Law Committee (2016 – 2017)

Hispanic National Bar Association (2010 – 2018; 2020 – present)

Judicial Conference of the United States

- First Circuit District Judge Representative (2020 – present)
- Member, Committee on Audits and Accountability (2013 – 2019)

Judicial Council First Circuit (2009 – 2011)

Massachusetts Bar Association (2015 – present)

Puerto Rico Supreme Court Judicial Conference Advisory Committee on Rules of Criminal Procedure (2017 – 2020)

United States Department of Justice Office of Overseas Prosecutorial

Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Working Group on Sentencing Guidelines (2019 – present)

United States District Court for the District of Puerto Rico
Member, Criminal Justice Act Committee (2002 – 2007)

Virgin Islands Bar Association (1994 – present)

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.

Massachusetts, 1991
Puerto Rico, 1992
New York, 1992
Colorado, 1992
United States Virgin Islands, 1994

There have been no lapses in membership to the bars of these jurisdictions. As a judge I am not required to pay annual dues, except in Colorado and the same is current.

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

Supreme Court of the United States, 1996
United States Court of Appeals for the First Circuit, 1992
United States Court of Appeals for the Second Circuit, 2000
United States Court of Appeals for the Third Circuit, 1996
United States Court of Appeals for the Ninth Circuit, 2012
United States Court of Appeals for the Tenth Circuit, 2009
United States Court of Appeals for the Eleventh Circuit, 1993
United States Court of Appeals for the District of Columbia Circuit, 1998
United States Court of Appeals for the Armed Forces, 1995
United States District Court for the District of Massachusetts, 1993
United States District Court for the Southern District of New York, 1993
United States District Court for the District of Puerto Rico, 1992
District Court of Virgin Islands, 1994
United States Court of Federal Claims, 1993

There have been no lapses in membership.

11. **Memberships:**

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

Caribe Hilton Swimming and Tennis Club, Member (1992 – 2015)

- 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, the listed organization does not and did not discriminate 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.

“El legado de Rafael Hernández Colón a un juez federal” in *HOMBRE SIN FINAL: TESTIMONIOS SOBRE RAFAEL HERNÁNDEZ COLÓN*, (Fundación Biblioteca Rafel Hernández Colón, 2019). Copy supplied.

PEDRO ALBIZU CAMPOS, *EL ABOGADO FEDERAL Y EL NOTORIO CASO DE VELÁZQUEZ VS. PEOPLE OF PUERTO RICO*, (Independently Published, 2018). Copy supplied.

Comment on Blocher & Gulati's "Puerto Rico and the Right of Accession," Yale Journal of International Law (May 19, 2018). Copy supplied.

CANGREJEROS 2003: *LA RECONQUISTA*, (Independently Published, 2018). Copy supplied.

With Valeria M. Pelet del Toro, *Trial by Google: Juror Misconduct in the Age of Social Media*, 65 Fed. Law. 32 (Jan./Feb. 2018). Copy supplied.

THE CONSTITUTIONAL EVOLUTION OF PUERTO RICO AND OTHER U.S. TERRITORIES: (1898-PRESENT), (Inter American University of Puerto Rico, Metropolitan Campus Ed., 2017). Copy supplied.

The First Circuit and the District of Puerto Rico: A Century of Judicial History, 64 Fed. Law. 66 (Sept. 2017). Copy supplied.

Cuba: A Legal Guide to Business Edited by José R. Cot and Rolando Anillo Thomson Reuters, Eagan, Mn, 2016, 64 Fed. Law. 89 (Aug. 2017) (Book Review). Copy supplied.

Police Reform as Seen Through the Eyes of a District Judge, 63 Fed. Law. 58 (Sept. 2016). Copy supplied.

A Legislative History of the District of Puerto Rico Article III Court, FROM THE BAR, Federal Bar Association Puerto Rico Chapter Issue No. 57 (Summer 2016). Copy supplied.

The 50th Anniversary of the District of Puerto Rico Article III Court, Fed. Law. 18 (July 2016). Copy supplied.

An Experiment in US Territorial Governance: The District of the Canal Zone and Its Federal Court (1904-1979), 63 Fed. Law. 40 (June 2016). Copy supplied.

With Dawn Sturdevant Baum, *Manifest Destiny: A Comparison of the Constitutional Status of Indian Tribes and U.S. Overseas Territories*, 63 Fed. Law. 38 (Apr. 2016). Copy supplied.

Presidential Farewell, 61 Fed. Law. 3 (Sept. 2014). Copy supplied.

Special Courts in the Federal Family, 61 Fed. Law. 3 (Aug. 2014). Copy supplied.

First Hispanic Woman Chief Judge, 61 Fed. Law. 3 (July 2014). Copy supplied.

The Important Role of U.S. Magistrate Judges, 61 Fed. Law. 3 (May/June 2014). Copy supplied.

Indian Law and the FBA, 61 Fed. Law. 3 (Apr. 2014). Copy supplied.

The Changing Role of in-House Counsel, 61 Fed. Law. 3 (Mar. 2014). Copy supplied.

On Labor and Employment Law, 61 Fed. Law. 3 (Jan./Feb. 2014). Copy supplied.

The Federal Lawyer Provides Many Perspectives, 60 Fed. Law. 3 (Dec. 2013). Copy supplied.

The Federal Bar Association Is for All, 60 Fed. Law. 3 (Oct./Nov. 2013). Copy supplied.

Sponsor Your Son, Daughter or Spouse as an FBA Member, FROM THE BAR, Federal Bar Association Puerto Rico Chapter Newsletter, Vol. I, No. 49 (Winter-Spring 2012 – 2013). Copy supplied.

Los Casos Insulares: Un Estudio Histórico Comparativo de Puerto Rico, Hawai'i y las Islas Filipinas, 45 Rev. Jur. UIPR 215 (2011). Copy supplied.

The Insular Cases: A Comparative Historical Study of Puerto Rico, Hawai'i, and the Philippines, 58 Fed. Law. 22 (Mar./Apr. 2011). Copy supplied.

The Federal Judiciary of the Confederate States of America During the Civil War Period (1861-1865), 53 Fed. Law. 46 (Oct. 2006). Copy supplied.

El Poder Judicial Federal de los Estados Confederados de América durante el periodo de la Guerra Civil (1861-1865), 46 Rev. D.P. 1 (2006). Copy supplied.

Hon. Juan M. Pérez-Giménez U.S. District Judge for the District of Puerto Rico, 52 Fed. Law. 18 (Mar./Apr. 2005). Copy supplied.

A View from the Bench: Words of Advice to our Younger Members, FROM THE BAR, Federal Bar Association Puerto Rico Chapter Newsletter, Vol. I, No. 34 (Winter 2002 – 2003). Copy supplied.

Consideraciones Legales y Éticas al Representar Inmigrantes en Casos Criminales, 39 Rev. D.P. 29 (2000). Copy Supplied.

President's Message, Chapter, FROM THE BAR, Federal Bar Association, Puerto Rico Chapter (Winter 2000 – 2001). Copy supplied.

President's Message, Chapter, FROM THE BAR, Federal Bar Association Puerto Rico Chapter (Autumn 2000). Copy supplied.

President's Message, Chapter, FROM THE BAR, Federal Bar Association Puerto Rico Chapter (Summer 2000). Copy supplied.

President's Message, Chapter, FROM THE BAR, Federal Bar Association Puerto Rico Chapter (Spring 2000). Copy supplied.

Drug Courts, FROM THE BAR, Federal Bar Association, Puerto Rico Chapter Newsletter, Vol. 1 No. 18 (Winter 1998). Copy supplied.

The Maritime Law of Puerto Rico, 28 J. Mar. L. & Com. 647 (1997). Copy supplied.

With José A. Fuentes-Agostini, *The Honorable Juan R. Torruella*, 44 Fed. Law. 20 (Aug. 1997). Copy supplied.

With Donald A. Purdy, Jr., *Federal Sentencing Advocacy: Tips for Beginning Practitioners*, 11 Crim. Just. 26 (Winter 1997). Copy supplied.

Consecuencias Colaterales de una Convicción Criminal: Consideraciones Éticas y Profesionales al Representar a Inmigrantes Quienes Residen Legalmente en Puerto Rico, 35 Rev. D.P. 133 (1996). Copy supplied.

“Blond Bomb,” Letter, ABA JOURNAL (Mar. 1996). Copy supplied.

La Sentencia Sumaria en Casos de Responsabilidad Civil por Actos Criminales de Terceros en Establecimientos Públicos, 56 Rev. Col. Abog. PR 163 (1995). Copy supplied.

Maritime Law in Puerto Rico: An Anomaly in A Sea of Federal Uniformity, 26 Rev. Jur. UIPR 251 (1992). 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.

International Rule of Law Committee Report (May 2017). Copy supplied.

A Guide to the Federal Magistrate Judge System (Aug. 2014). Copy supplied.

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

July 10, 2009: Statement of United States District Judge Gustavo A. Gelpí before the United States Sentencing Commission on Occasion of the 25th Anniversary of the Sentencing Reform Act, New York Regional Public Hearing. Copy supplied.

June 15, 2006: United States Senate, Committee on the Judiciary, Confirmation

Hearing on Nomination to be a United States District Judge for the District of Puerto Rico. Transcript supplied.

August 1999: Commonwealth of Puerto Rico Senate, Nominations Committee, Confirmation Hearing on Nomination to be Solicitor General of the Commonwealth of Puerto Rico. I am unable to locate a transcript.

1997 – 1999: Statements before the Commonwealth of Puerto Rico House of Representatives and Senate on behalf of the Puerto Rico Attorney General. To the best of my recollection, I testified on approximately five occasions before the Puerto Rico Legislative Assembly to provide the Attorney General's position as to pending bills. To the best of my recollection, my testimony pertained to matters regarding the impact of federal law on local legislation. I am unable to locate any transcripts.

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

The following list reflects my best efforts to identify the speeches, talks, or remarks that I have delivered. To compile this list, I consulted my own files and internet sources. There may, however, have been speeches, talks, or remarks that I have been unable to recall or identify. I have occasionally spoken at informal events or ceremonies for which I did not retain any record.

May 19, 2021: Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors. The panel covered public corruption cases, the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

May 13, 2021: Speaker, "Foro Federal: Conoce de primera mano cómo funciona el Tribunal de Distrito," Colegio de Abogados y Abogadas de Puerto Rico, San Juan, Puerto Rico. Video available at <https://fb.watch/5ueExpcLn5>.

May 12, 2021: Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors. The panel covered public

corruption cases, the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

May 12, 2021: Speaker, “Taking Your Case to Federal court: Habeas, Mandamus & Petitions for Review,” [Virtual] Federal Bar Association Immigration Law Conference. I spoke about judicial review of immigration proceedings and federal court practice. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 29, 2021: Panelist, “Remembering Judge Torruella: Life and Legacy,” Federal Bar Association University of Puerto Rico Student Chapter. Video available at https://fb.watch/5ueXRI_RyC.

March 18, 2021: Panelist, Book Presentation for LAS MEDIDAS CAUTELARES Y LA EJECUCIÓN DE LA SENTENCIA by Dr. José A. Cuevas Segarra, Colegio de Abogados y Abogadas de Puerto Rico, San Juan, Puerto Rico. Video available at https://fb.watch/5ue_q5Qwsm.

February 16, 2021: Speaker, “Turning Point Workshop: Holding Virtual Court – A Conversation with Two Judges,” USA500Clubs, LLC, New England Region. I discussed the challenges and benefits of holding court virtually during the Covid-19 pandemic. I have no notes, transcript, or recording. The address for the USA500Clubs, LLC is Post Office Box 812578, Wellesley, Massachusetts 02482.

February 11, 2021: Speaker, “Orador en el Tema: Retos y Logros del Tribunal Federal en Puerto Rico durante la pandemia,” Club Rotario de Río Piedras, San Juan, Puerto Rico. Video available at https://www.youtube.com/watch?v=mNpa_Z7IyhY.

December 18, 2020: Speaker, Farewell Ceremony of the Hon. Anabelle Rodríguez Rodríguez, Associate Justice of the Supreme Court of Puerto Rico, San Juan, Puerto Rico. Video available at <https://fb.watch/5uf0rCb8jI>.

November 18, 2020, “La Labor de los Juzgadores: Un Análisis desde la Perspectiva Internacional,” Primer Congreso Internacional Virtual de Juzgadores, Instituto Nacional de Ciencias Penales, Mexico City, México. I spoke to Mexican Judges about the role of the federal judiciary. I have no notes, transcript, or recording. The address for the Instituto Nacional de Ciencias Penales is Magisterio Nacional 113, Col. Tlalpan, Mexico City, México 14000.

November 16, 2020: Speaker, “YLJ Forum Collection, The Insular Cases in Light of Aurelius,” The Yale Law Journal and Federal Bar Association Puerto Rico Chapter. The panel was on the Insular Cases and the life and legacy of Judge Juan

R. Torruella. I made brief remarks regarding my professional and personal relationship with Judge Torruella. I have no notes, transcript, or recording. The address for the Yale Law Journal is 127 Wall Street, New Haven, Connecticut 06511.

October 22, 2020: Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors. I discussed the challenges and benefits of holding court virtually during the Covid-19 pandemic. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

July 15, 2020: Speaker, "Practicum: Hurricanes, Earthquakes & Covid-19," USA500Clubs, LLC New England Region. I discussed lessons learned from conducting remote judicial proceedings during natural disasters and the Covid-19 pandemic. I have no notes, transcript, or recording. The address for the USA500Clubs, LLC is Post Office Box 812578, Wellesley, Massachusetts 02482.

May 15, 2020: Speaker, "Webinar: Judging in a Time of Crisis," Federal Bar Association. I discussed lessons learned from conducting remote judicial proceedings during natural disasters and the Covid-19 pandemic. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 6, 2020: Speaker, "Primer Encuentro de Territorios Ultramarinos," Ana G. Méndez University (UAGM), Carolina Campus, Carolina, Puerto Rico. Video available at <https://www.uagm.edu/node/2536>.

March 6, 2020: Panelist, "Panel de reacción - Desarrollo constitucional y jurisprudencial: casos recientes en la corte federal," Ana G. Méndez University (UAGM), Carolina Campus, Carolina, Puerto Rico. Video available at <https://www.youtube.com/watch?v=dP7ekn8YJNk>.

December 13, 2019: Panelist, "Constitutional Issues in U.S. Territories," U.S. Virgin Islands Bar Association Conference, St. Croix, U.S. Virgin Islands. The presentation was about current issues facing U.S. Territories. I have no notes, transcript, or recording. The address for the U.S. Virgin Islands Bar Association is Post Office Box 224108, Christiansted, Virgin Islands 00822.

November 4 – 9, 2019: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Mexico City, México. I participated in panels and lectures covering the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system, which Mexico is transitioning to. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania

Avenue, Northwest, Washington, District of Columbia 20530.

October 24, 2019, Speaker, Rafael Hernández Colón Foundation, Ponce, Puerto Rico. The remarks were made upon the first anniversary of Governor Hernández Colón's passing. I have no notes, transcript, or recording. The address for the Rafael Hernández Colón Foundation is 50 Esquina, Mayor Street, Ponce, Puerto Rico 00733.

August 16, 2019, Speaker, Investiture Ceremony of U.S. District Judge Raúl Arias-Marxuach, U.S. District Court for the District of Puerto Rico, San Juan, Puerto Rico. I made brief remarks regarding my professional and personal relationship with Judge Arias-Marxuach. I have no notes, transcript or recording. The address for the Clemente Ruiz Nazario United States Courthouse is 150 Carlos Chardón Avenue, San Juan, Puerto Rico 00918.

August 2, 2019: Speaker, Portrait Unveiling of U.S. District Judge John A. Woodcock, U.S. District Court for the District of Maine, Bangor, Maine. The speech was about the legacy of Judge Woodcock and his contributions as visiting judge to the District of Puerto Rico. I have no notes, transcript, or recording, but press coverage supplied. The address for the Margaret Chase Smith Federal Building and Courthouse is 202 Harlow Street, Bangor, Maine 0440.

May 17 – 18, 2019: Speaker, Federal Bar Association Immigration Law Section Annual Conference, Austin, Texas. I spoke about judicial review of immigration proceedings and federal court practice. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 22 – 26, 2019: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Mexico City, México. I participated in panels and lectures covering the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system, which Mexico is transitioning to. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

February 21, 2019: Keynote Luncheon, "Ethics Presentation," Labor and Employment Law Conference, Federal Bar Association, San Juan, Puerto Rico. I discussed ethical considerations when litigating before the federal court. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

February 7, 2019: Speaker, "Conversatorio con el Hon. Gustavo A. Gelpí," Colegio de Abogados y Abogadas de Puerto Rico, Young Lawyers and Federal Litigation Committees, San Juan, Puerto Rico. Video available at

<https://www.youtube.com/watch?v=ru3QaEvJTck&t=2329s>.

February 1, 2019: Panelist, Book Presentation for SEPARACIÓN DE PODERES EN PUERTO RICO: ENTRE LA TEORÍA Y LA PRÁCTICA by Hon. Aníbal Acevedo Vilá, former Governor of the Commonwealth of Puerto Rico, University of Puerto Rico School of Law, San Juan, Puerto Rico. Video available at <https://www.youtube.com/watch?v=2M4g4QvuEbg>.

December 6, 2018: Panelist, Book Presentation for COMPENDIO SOBRE EL SISTEMA ACUSATORIO: EXPERIENCIAS COMPARTIDAS by Hon. Edgardo Rivera García, Associate Justice to the Supreme Court of Puerto Rico, and other authors, University of Puerto Rico School of Law, San Juan, Puerto Rico. Video available at <https://www.youtube.com/watch?v=iAb2u21mjaA>.

November 29, 2018: Distinguished Speaker, “Pedro Albizu Campos, El Abogado Federal y el Notorio Caso de Velázquez vs. People of Puerto Rico,” Address given on the occasion of my installation as Academic of Number of the Academia Puertorriqueña de Jurisprudencia y Legislación, San Juan, Puerto Rico. Video available at <https://www.youtube.com/watch?v=c-lvSdCc-gA>.

November 7, 2018, Speaker, Commentaries on the book “Reflections on the Accusatory System: Shared Experiences,” United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Mexico City, México. I discussed the book about comparative criminal procedural law. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

November 5 – 7, 2018: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Mexico City, México. I participated in panels and lectures covering the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system, which Mexico is transitioning to. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

October 12, 2018: Keynote Speaker, The State of Latinos in the Law Symposium Hispanic Lawyers Association of Illinois (HLAI), Hispanic National Bar Association Region IX (HNBA), Illinois Latino Judges Association (ILJA), and Puerto Rican Bar Association of Illinois (PRBA), Chicago, Illinois. The speech was about my book THE EVOLUTION OF PUERTO RICO AND OTHER U.S. TERRITORIES (1898-PRESENT), which provided the background for discussing Hurricane María relief efforts. I have no notes, transcript, or recording. The address for the Hispanic Lawyers Association of Illinois 27 North Wacker Drive, Suite 462, Chicago, Illinois 60606.

October 12, 2018: Panelist, “Through the Judiciary Pipeline,” The State of Latinos in the Law Symposium Hispanic Lawyers Association of Illinois (HLAI), Hispanic National Bar Association Region IX (HNBA), Illinois Latino Judges Association (ILJA), and Puerto Rican Bar Association of Illinois (PRBA), Chicago, Illinois. The panel discussion was about Latinos in the law and judiciary. I have no notes, transcript, or recording. The address for the Hispanic Lawyers Association of Illinois 27 North Wacker Drive, Suite 462, Chicago, Illinois 60606.

July 7, 2018: Speaker, “Constitutional Evolution of U.S. Territories, Saipan, Commonwealth of the Northern Mariana Islands.” The speech was about historical and legal issues common to U.S. territories, with emphasis on the Commonwealth of the Northern Mariana Islands. I have no notes, transcript or recording, but a substantially similar PowerPoint presentation used for a May 2021 law school course is supplied. Press coverage supplied.

July 3, 2018: Keynote Speaker, Naturalization Ceremony, United States District Court of Guam, Hagåtña, Guam. I spoke about the rights and responsibilities of becoming a United States citizen. I have no notes, transcript, or recording, but press coverage supplied. The address for U.S. Courthouse in Guam is 520 West Soledad Avenue, Hagåtña 96910.

July 2, 2018: Speaker, Continuing Legal Education (CLE) course on “U.S. Constitutional Rights in the Territories,” District Court of Guam and the Guam Bar Association, Hagåtña, Guam. The CLE was about legal issues common to U.S. territories, with emphasis in Guam. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied. Press coverage supplied.

May 18, 2018: Speaker, Federal Bar Association Immigration Law Section Annual Conference, Memphis, Tennessee. I spoke about judicial review of immigration proceedings and federal court practice. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

May 9, 2018: Speaker, “Workshop on the Protection and Enforcement of Intellectual Property Rights,” United States Patent and Trademark Office (USPTO) Judicial, Computer Crime and Intellectual Property Section of the Department of Justice, Alexandria, Virginia. I spoke about the protection and enforcement of Intellectual Property rights. I have no notes, transcript, or recording. The address for the USPTO is 600 Dulany Street, Madison East, Concourse Level, Alexandria, Virginia 22314.

March 6 – 8, 2018: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training

(OPDAT), Programs for South and Central American Judges and Prosecutors, Mexico City, México. I participated in panels and lectures covering the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system, which the country is transitioning to. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

February 23, 2018: Speaker, Book Presentation for THE CONSTITUTIONAL EVOLUTION OF PUERTO RICO AND OTHER U.S. TERRITORIES: (1898-PRESENT), which I authored. Inter American University of Puerto Rico School of Law, San Juan, Puerto Rico. Press coverage supplied, and video available at <https://www.youtube.com/watch?v=XmSmLhuB32g>.

February 15 – 16, 2018: Moderator, “Overcoming Challenges During the Police Reform,” Annual Police Reform Consent Decree Conference, Tarleton State University, Stephenville, Texas. I served as moderator for a panel about the challenges faced by different police reform consent decrees. I also served as co-chair of the conference. I have no notes, transcript, or recording. The address for Tarleton State University is 1333 West Washington Street, Stephenville, Texas 76402.

January 18, 2018: Speaker, Book Presentation for THE CONSTITUTIONAL EVOLUTION OF PUERTO RICO AND OTHER U.S. TERRITORIES: (1898-PRESENT), Inter American University of Puerto Rico, Metropolitan Campus, San Juan Puerto Rico. I made remarks to statements about my book given by the Hon. Rafael Hernández Colón and Hon. Pedro J. Rosselló González, former Governors of the Commonwealth of Puerto Rico. I have no notes, transcript, or recording. The address for Inter American University of Puerto Rico, Metropolitan Campus is Highway # 1, Francisco Seín Street, San Juan, Puerto Rico 00919.

February 1, 2018: Panelist, Book Presentation for PROCEDIMIENTO CRIMINAL Y LA CONSTITUCIÓN: ETAPA INVESTIGATIVA by Profesor Ernesto L. Chiesa Aponte, Academia Puertorriqueña de Jurisprudencia y Legislación, San Juan, Puerto Rico. Video available at <https://www.youtube.com/watch?v=Cume-7huBg8>.

December 5, 2017: Lecturer, “The Panamá Canal Zone, Puerto Rico, and other U.S. Territories (1898 – Present),” Panamá Canal Museum, Inter American University of Puerto Rico, and Federal Bar Association, Panamá, Panamá. The lecture was about the abolished Canal Zone and its federal court. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

December 1, 2017: Panelist, “Constitutional Issues in U.S. Territories,” U.S. Virgin Islands Bar Association Conference, St. Croix, U.S. Virgin Islands. The panel was on legal aspects and constitutional issues common to U.S. Territories. I have no notes, transcript, or recording. The address of the University of the Virgin

Islands is Charlotte Amalie West, St. Croix 00840.

October 17, 2017: Presenter, Puerto Rico Police Reform, Tarleton State University, Stephenville, Texas. I discussed the challenges faced by different police reform consent decrees. I also served as co-chair of the conference. I have no notes, transcript, or recording. The address for Tarleton State University is 1333 West Washington Street, Stephenville, Texas 76402.

June 18, 2017: Speaker, Washington Workshops Program, American University. I discussed with high school students in the program issues about the concept of separation of powers and the role of the federal judiciary. I have no notes, transcript, or recording. The address for American University is 4400 Massachusetts Avenue, Northwest, Washington, District of Columbia 20016.

May 12, 2017: Speaker, “Habeas and Prolonged Detention: Federal Court Remedies for Prolonged Detention,” Federal Bar Association Immigration Law Section Annual Conference, Denver, Colorado. I spoke about legal aspects concerning immigration habeas petitions before the federal district court. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 28 – 30, 2017: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Lima, Perú. The panels and lectures covered the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system, which the country is transitioning to. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest Washington, District of Columbia 20530.

March 17, 2017: Moot Court Judge, Annual Thurgood A. Marshall Memorial Moot Court, Federal Bar Association’s Younger Lawyers Division, Washington District of Columbia. I served as judge in the Final Round of the competition. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 15, 2017: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Panamá City, Panamá. I participated in a roundtable with judges and prosecutors on money laundering and terrorism. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

January 27, 2017: Panelist, Book Presentation for ACCESO A LA JUSTICIA: DERECHO HUMANO FUNDAMENTAL by Hon. Luis F. Estrella Martínez, Associate

Justice of the Supreme Court of Puerto Rico, University of Puerto Rico School of Law, San Juan, Puerto Rico. Video available at <https://www.youtube.com/watch?v=qzzXB52rxgA>.

January 2017 [exact date unknown]: Panelist, "Panel Discussion on Federal Civil and Criminal Procedures," Suffolk University Law School, Federal Bar Association Massachusetts Chapter Suffolk Law School, Boston, Massachusetts. I discussed recent amendments and developments regarding the Federal Rules of Civil and Criminal Procedure. I have no notes, transcript, or recording. The address for Suffolk University Law School is 120 Tremont Street, Boston, Massachusetts 02108.

December 9, 2016: Speaker, "Amendments to Federal Rules of Civil Procedure," Federal Bar Association Hawaii Chapter Annual Conference, Honolulu, Hawai'i. I discussed recent amendments to the Federal Rules of Civil Procedure. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

November 5, 2016: Panelist, Annual Police Reform Consent Decree Conference, Tarleton State University, Stephenville, Texas. I spoke about my experience presiding over the Puerto Rico Police Reform Consent Decree. I also served as co-chair of the conference. I have no notes, transcript, or recording, but press coverage supplied. The address for Tarleton State University is 1333 West Washington Street, Stephenville, Texas 76402.

September 20, 2016: Speaker and Distinguished Visiting Scholar, "Police Reform Through the Eyes of a United States District Judge," Delta State University Colloquia Distinguished Speakers Lecture Series. I spoke about my experience presiding over the Puerto Rico Police Reform Consent Decree. I have no notes, transcript, or recording, but press coverage supplied. The address for Delta State University is 1003 West Sunflower Road, Cleveland, Mississippi 38733.

September 8, 2016: Panelist, "Guideline Departures and Variances," United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, Minneapolis, Minnesota. The panel discussed different practices around the country with respect to guideline departures and variances. I have no notes, transcript, or recording. The address for the United States Sentencing Commission is One Columbus Circle, Northeast, Suite 2-500, Washington, District of Columbia 20002.

May 12, 2016: Speaker, "Track 1: U.S. District Court Litigation," Federal Bar Association Immigration Law Section Annual Conference, New Orleans, Louisiana. I spoke about immigration law litigation before the federal district court. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

April 8, 2016: Speaker, 11th Annual and Procurement Symposium, American Bar Association, Section of Public Contract Law Program Luncheon, San Juan, Puerto Rico. The speech was a welcome address during the luncheon. I have no notes, transcript, or recording. I do not recall or was unable to find the location of this event. The address for the American Bar Association is 1050 Connecticut Avenue, Northwest, Suite 400, Washington, District of Columbia 20036.

January 16, 2016: Panelist, "View from the Bench: Panel Discussion," Suffolk University Law School Chapter of the Federal Bar Association, Boston, Massachusetts. I discussed my career in the federal legal system, experiences of sitting on the federal bench, and provided general advice to future practitioners. I have no notes, transcript, or recording. The address for Suffolk University Law School is 120 Tremont Street Boston, Massachusetts 02108.

January 14, 2016: Panelist, "Panel Discussion on Federal Civil and Criminal Procedures," Suffolk University Law School, of the Federal Bar Association Massachusetts Chapter, Boston, Massachusetts. The panel was on recent developments in the Federal Rules of Civil and Criminal Procedure. I have no notes, transcript, or recording. The address for Suffolk University Law School is 120 Tremont Street Boston, Massachusetts 02108.

January 12, 2016: Panelist, "Civil Rights Act," Suffolk University Law School, of the Federal Bar Association Massachusetts, Boston, Massachusetts. I spoke about the importance of the Act and how it impacted the course of American history. I have no notes, transcript, or recording. The address for Suffolk University Law School is 120 Tremont Street Boston, Massachusetts 02108.

September 23, 2015: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Panamá City, Panamá. The panels and lectures covered the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system, which the country is transitioning to. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

September 17, 2015: Panelist, "Role in the Offense Breakout," United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, New Orleans, Louisiana. PowerPoint supplied.

August 27, 2015: Panelist, Puerto Rico Collective on Breastfeeding Promotion, Proyecto Lacta by Ashford Presbyterian Community Hospital, San Juan, Puerto Rico. In this event, along with two state judges, I discussed caselaw and statutes regarding rights of mothers who breastfeed. I have no notes, transcript, or recording. The address for the Ashford Presbyterian Community Hospital is 1451 Avenue Dr. Ashford, San Juan, Puerto Rico 00907.

August 2015: Speaker and Panelist, Second Federal Bar Association Alaska Chapter Annual Conference, Anchorage, Alaska. I participated on a judges' panel at the conference and also presented an updated historical overview about the development of constitutional law in current and former U.S. territories such as Alaska, Hawaii, and Puerto Rico. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

May 16, 2015: Speaker, "Introduction to Crimmigration: Removability and Prosecution for Immigration Offenses," Federal Bar Association Immigration Law Section Annual Conference, Memphis, Tennessee. I spoke about removability and prosecution for immigration offenses. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

May 15, 2015: Speaker, "Ceremony in Remembrance of the Hon. Raymond L. Acosta," U.S. District Court for the District of Puerto Rico, San Juan, Puerto Rico. I made brief remarks regarding my professional and personal relationship with Judge Acosta. I have no notes, transcript or recording. The address for the Clemente Ruiz Nazario United States Courthouse is 150 Carlos Chardón Avenue, San Juan, Puerto Rico 00918.

April 23, 2015: Speaker, Book Presentation, *EL ÚLTIMO ENCLAVE DEL COLONIALISMO* by Hon. Pedro J. Rosselló González, former Governor of the Commonwealth of Puerto Rico, Museo de Arte de Puerto Rico, San Juan, Puerto Rico. Speech supplied.

March 3, 2015: Panelist, "Maritime Law in the United States and Puerto Rico," Federal Bar Association Chapter of Puerto Rico, San Juan, Puerto Rico. I addressed aspects maritime law aspects relating to Puerto Rico. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

January 13, 2015: Panelist, "Independence of the Judiciary and the Rule of Law," Federal Bar Association Massachusetts Chapter, Boston, Massachusetts. I discussed my duties and responsibilities as federal judge. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

January 13, 2015: Panelist, "Voting Rights Act and Voting Issues in U.S. Territories," Federal Bar Association Massachusetts Chapter, Boston, Massachusetts. I spoke about the importance of the Act and addressed the lack of federal voting rights of citizens residing in U.S. territories. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444 Arlington, Virginia 22201.

September 18, 2014: Panelist, "Role in The Offense & Other Chapter Three Adjustments," United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, Philadelphia, Pennsylvania. PowerPoint supplied.

September 8, 2014: Keynote Speaker, "The Civil Rights Act of 1964: Justice Then and Now," Federal Bar Association Maine Chapter, Portland, Maine. I spoke about the importance of the Act and how it impacted the course of American history. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

August 22, 2014: Speaker and Panelist, First Federal Bar Association Alaska Chapter Annual Conference, Anchorage, Alaska. I moderated several panels at the conference and presented an historical overview on the development of constitutional law in current and former U.S. territories such as Alaska, Hawaii, and Puerto Rico. The panels were on topics such as federal sentencing and ethics. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

August 14, 2014: Speaker, Book Presentation for ESTADO LIBRE ASOCIADO: NATURALEZA Y DESARROLLO by Hon. Rafael Hernández Colón, former Governor of the Commonwealth of Puerto Rico, Inter American University, Metropolitan Campus, San Juan, Puerto Rico. Remarks supplied.

June 5, 2014: Panelist, "Celebrating the 50th Anniversary of the Civil Rights Act and Criminal Justice Act," Federal Bar Association New Orleans Chapter, New Orleans, Louisiana. I spoke about the importance both Acts and how they affected the course of American history. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

May 16, 2014: Panelist, "Complex Civil Litigation I: Plaintiff's Perspective, Puerto Rico Chapter, Federal Bar Association Young Lawyers Division, San Juan Puerto Rico. The panel discussed the case of *Hernández v. Esso Standard Oil Co.* I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

May 8, 2014: Panelist, "50th Anniversary of the Civil Rights Act of 1964," Federal Bar Association Chicago Chapter, Chicago, Illinois. I spoke about the importance of the Act and how it affected the course of American history. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

April 28, 2014: Panelist, “The Civil Rights Act of 1964 50th Anniversary: Then, Now and Moving Forward,” Federal Bar Association Massachusetts Chapter, Boston, Massachusetts. I spoke about the importance of the Act and how it affected the course of American history. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

April 9, 2014: Speaker, Farewell Ceremony of the Hon. Federico Hernández Denton, Chief Justice of the Supreme Court of Puerto Rico, San Juan, Puerto Rico. I spoke about the legacy of the Chief Justice. I have no notes, transcript, or recording. The address for the Supreme Court of Puerto Rico is 8 Avenida de la Constitución, San Juan, Puerto Rico 00901.

March 27, 2014: Panelist, “The Constitutional Evolution of Overseas U.S. Territories,” American University, Washington, District of Columbia. I participated in a panel on historical and legal issues affecting overseas U.S. territories. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

March 27 – 28, 2014: Moot Court Judge, Annual Thurgood A. Marshall Memorial Moot Court, Federal Bar Association Younger Lawyers Division, Washington, District of Columbia I served as judge in the Final Round of the competition. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 25, 2014: Speaker, “The Constitutional Evolution of Overseas U.S. Territories 1898 – Present,” Pontifical Catholic University of Puerto Rico School of Law, Ponce, Puerto Rico. I spoke about legal issues affecting U.S. territories. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

February 24, 2014: Speaker, “La evolución constitucional de los territorios de ultramar de los Estados Unidos (1898-Presente),” University of Puerto Rico School of Law, Law Review and Federal Bar Association UPR Student Chapter, San Juan, Puerto Rico. Video available at <https://www.youtube.com/watch?v=GrQVB7opHdk>.

December 13, 2013: Speaker, “Do’s and Don’ts of Practice before Article III Judges,” Federal Bar Association Puerto Rico Chapter Younger Lawyers Division, San Juan, Puerto Rico. I advised young lawyers about effective motion practice in federal litigation. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

December 5, 2013: Speaker, "The Constitutional Evolution of Overseas U.S. Territories," Fifth Annual FBA Hawai'i, Conference, Honolulu, Hawai'i. Video available at <https://vimeo.com/81657643>.

October 10 – 12, 2013: Speaker, Federal Sentencing and Criminal Practice Seminar, CLE Federal Bar Association Dayton Chapter, Dayton, Ohio. I lectured about federal criminal practice and procedure. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

September 26, 2013: Speaker, swearing-in ceremony as Federal Bar Association National President, Federal Bar Association Annual Convention, San Juan, Puerto Rico. I gave brief remarks about the importance of the FBA in my personal and professional life and my plans for the year. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

August 20, 2013: Speaker, "Statement of the Honorable Gustavo A. Gelpí on Occasion of the 50th Anniversary of the Criminal Justice Act," Statement on behalf of the Federal Bar Association, Library of Congress, Washington, District of Columbia. Video available at <https://www.c-span.org/video/?314655-1/public-defenders-program-budget-cuts>.

July 2013 [exact date unknown]: Panelist, "The Value of Expert Testimony in State and Federal Courts," Puerto Rico College of Chemists, Río Grande, Puerto Rico. The panel discussion was about expert testimony. I have no notes, transcript, or recording. The address for the Puerto Rico College of Chemists is 52 Hatillo Street, San Juan, Puerto Rico 00918.

July 1, 2013: Speaker, Investiture of Chief Judge, Honorable Ruben Castillo of the Northern District of Illinois, U.S. District Court, Northern District of Illinois, Chicago, Illinois. Remarks Supplied.

June 26 – 28, 2013: Panelist, United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, Atlanta, Georgia. I do not recall the topics discussed in the panel. I have no notes, transcript, or recording. The address for the United States Sentencing Commission is One Columbus Circle, Northeast, Suite 2-500, Washington, District of Columbia 20002.

April 4 – 5, 2013: Moot Court Judge, Annual Thurgood A. Marshall Memorial Moot Court, Federal Bar Association Younger Lawyers Division, Washington District of Columbia I served as judge in the Final Round of the competition. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444 Arlington, Virginia 22201.

November 16, 2012: Panelist, “Federal Criminal Practice and Procedure Basics for Civil Practitioners - A Basic Overview: Bail/Detention, Discovery, Plea Negotiations and Sentencing.” Federal Bar Association Puerto Rico Chapter, San Juan, Puerto Rico. I participated in a panel on federal criminal practice and procedure. I have no notes, transcript or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

October 12, 2012: Speaker, Induction Ceremony Federal Bar Association Puerto Rico Chapter Student Divisions of the University of Puerto Rico School of Law, the Interamerican University of Puerto Rico School of Law, and the Pontifical Catholic University of Puerto Rico School of Law, San Juan, Puerto Rico. I gave remarks highlighting the benefits of belonging to the FBA as students and as attorneys. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

September 13, 2012: Moderator, “Conversatorium with Judge Silvia Carreño-Coll: Reflections on a career as a government attorney and life on the Federal Bench,” Federal Bar Association Puerto Rico Chapter, San Juan, Puerto Rico. The panel discussed Judge Carreño-Coll’s observations and experiences as a federal judge and as a litigator before the same court. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

September 2012: Panelist, “The Lost Art of Talking,” American College of Trial Lawyers, San Juan, Puerto Rico. I do not recall the topic covered in the talk. I have no notes, transcript, or recording. The address for the American College of Trial Lawyers is 1300 Dove Street, Suite 150, Newport Beach, California 92660.

August 28 – 29, 2012: Lecturer and Panelist, United States Department of Justice Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Programs for South and Central American Judges and Prosecutors, Mexico City, México. The panels and lectures covered the role of the Rule of Law, the Federal Rules of Criminal Procedure, and the Federal Rules of Evidence in an adversarial legal system, which Mexico is transitioning to. I have no notes, transcript, or recording. The address for OPDAT is 950 Pennsylvania Avenue, Northwest, Washington, District of Columbia 20530.

June 14, 2012: Panelist, “Role in The Offense & Other Chapter Three Adjustments,” United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines New Orleans, Louisiana. The panel discussed issues involving the guideline application and caselaw as to the federal sentencing manual. I have no notes, transcript, or recording. The address for the United States Sentencing Commission is One Columbus Circle, Northeast, Suite

2-500, Washington, District of Columbia 20002.

April 13, 2012: Speaker, Induction Ceremony, Federal Bar Association Puerto Rico Chapter Student Divisions of the University of Puerto Rico School of Law, the Interamerican University of Puerto Rico School of Law, and the Pontifical Catholic University of Puerto Rico School of Law, San Juan, Puerto Rico. I gave remarks highlighting the benefits of belonging to the FBA as students and as attorneys. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

2011 – 2019 [months & dates unknown]: Speaker, “Litigation of Criminal Cases in Federal Court and Comparison with Litigation in State Court,” Puerto Rico Department of Justice Annual Conference, San Juan, Puerto Rico. Each year I presented a CLE related to Federal Criminal Practice and Procedure. I have no notes, transcript, or recording. The address for the Puerto Rico Department of Justice is 685 Teniente César Luis González Street, San Juan, Puerto Rico 00918.

October 25, 2011: Speaker, “Federal Voting Rights of U.S. Citizens Residing in U.S. Territories,” San Juan Rotary Club, San Juan, Puerto Rico. The speech addressed the lack of federal voting rights of citizens residing in U.S. territories. I have no notes, transcript, or recording. The address for the Rotary Club of San Juan is 2 Cervantes Street, San Juan, Puerto Rico 00902.

October 13, 2011: Speaker, “How far does the Constitution Reach? The Insular Cases and the Territorial Clause in the United States Constitution (Puerto Rico and Overseas Territories 1898-Present),” Suffolk University Law School and Federal Bar Association Massachusetts. My presentation was about the constitutional evolution of U.S. territories. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

September 8, 2011: Panelist, “Effective Advocacy in Federal Court and Judicial Clerkships,” Lewis & Clark Law School, Portland, Oregon. I participated in a panel encouraging law students to apply for federal clerkships. I have no notes, transcript, or recording. The address for Lewis & Clark Law School is 10015 Southwest Terwilliger Boulevard 7768, Portland, Oregon 97219.

May 23, 2011: Speaker, “How far does the Constitution Reach? The Insular Cases and the Territorial Clause in the United States Constitution (Puerto Rico and Overseas Territories 1898-Present),” Federal Bar Association Puerto Rico and Southern District of New York Chapters, New York, New York. My presentation was about the constitutional evolution of U.S. territories. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

May 19, 2011, Panelist, United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, San Diego, California. I do not recall the issues covered in the panel. I have no notes, transcript, or recording. The address for the United States Sentencing Commission is One Columbus Circle, Northeast, Suite 2-500, Washington, District of Columbia 20002.

March 16, 2011: Speaker, "The Insular Cases: A comparative historical Study of Puerto Rico and other Overseas U.S. Territories," Inter American University of Puerto Rico School of Law, San Juan, Puerto Rico. My presentation was about the constitutional evolution of U.S. territories. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

February 25 – 26, 2011: Moot Court Judge, 2011 NALSA Moot Court Competition, Native American Law Students Association, Columbia Law School, New York, New York. I served as judge in the final round of the competition. I have no notes, transcript, or recording. The address for Columbia Law School is 435 West 116th Street, New York, New York 10027.

February 18, 2011: Speaker, "Hot Topics in the Tropics: Relevant Employment Law Issues for First Circuit and Puerto Rico Attorneys," 2011 Federal Bar Association Labor and Employment Law Conference, San Juan, Puerto Rico. I addressed recent federal employment law cases in the First Circuit. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

February 10, 2011: Panelist, "*Booker, Gall, Kimbrough & Spears: A View from the District Court Bench*," Administrative Office of the U.S. Courts Office of Defender Services Training Branch, Winning Strategies Seminar, San Antonio, Texas. I gave my perspective as a District Court Judge about the sentencing process following the Supreme Court's rulings in the *Booker, Gall, Kimbrough*, and *Spears* cases. I have no notes, transcript, or recording. The address for the Administrative Office of the U.S. Courts Office of Defender Services Training Branch is One Columbus Circle, Northeast, Suite 4-200, Washington, District of Columbia 20544.

December 10, 2010: Speaker, "The Insular Cases: A Comparative Historical Analysis of Hawai'i and Puerto Rico," Federal Bar Association Hawaii Chapter Second Annual Conference, Honolulu, Hawai'i. My presentation was about the legal and historical issues impacting U.S. Territories. I have no notes, transcript, or recording, but the presentation would have been substantially similar to the one on July 7, 2018, for which the PowerPoint has been supplied.

November 17, 2010: Panelist, "Judging at Sentencing," Administrative Office of the U.S. Courts Advocacy Workshop, San Juan, Puerto Rico. I discussed aspects of sentencing in federal criminal cases. I have no notes, transcript, or recording.

The address for the Administrative Office of the U.S. Courts is 1 Columbus Circle, Northeast, Washington, District of Columbia 20002.

October 5, 2010: Talk, "A View from the Bench," Latin American Law Student Association, Suffolk University Law School, Boston, Massachusetts. I discussed my duties and responsibilities as a federal district judge. I have no notes, transcript, or recording. The address for Suffolk University Law School is 120 Tremont Street, Boston, Massachusetts 02108.

October 4, 2010: Panelist, Discussion on the Work of Federal Judges and Careers Path to the Federal Bench, University of New Hampshire Law School, Concord, New Hampshire. I participated in a panel encouraging law students to apply for federal clerkships. I have no notes, transcript, or recording. The address for the University of New Hampshire School of Law is 2 White Street, Concord, New Hampshire 03301.

June 17, 2010: Panelist, United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, New Orleans, Louisiana. I do not recall the issues covered in the panel. I have no notes, transcript, or recording. The address for the United States Sentencing Commission is One Columbus Circle, Northeast, Suite 2-500, Washington, District of Columbia 20002.

March 26, 2010: Moot Court Judge, Annual Thurgood A. Marshall Memorial Moot Court, Federal Bar Association Younger Lawyers Division, Washington District of Columbia. I served as judge in the final round of the competition. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

February 15, 2010: Keynote Speaker, Official President's Day Ceremony, Puerto Rico Senate, San Juan, Puerto Rico. Speech supplied.

January 29, 2010: Speaker, Faculty Forum on the Judiciary of the Confederate States of America, Barry University Dwayne O. Andreas School of Law, Orlando, Florida. I do not recall the topic of the lecture. I have no notes, transcript, or recording. The address for Barry University Dwayne O. Andreas School of Law is 6441 East Colonial Drive, Orlando, Florida 32807.

November 5, 2009, Speaker, "Separation of Church and State: The Constitutionality of the Use of the word "God" and Religious Symbols in Government Activities," Pontifical Catholic University, Federalist Society Student Chapter. Remarks supplied.

October 14, 2009: Speaker, "Judging and Advocacy in a U.S. District Court," Vermont Law School, South Royalton, Vermont. I spoke to the students about the duties and responsibilities of a federal district judge. I have no notes, transcript, or recording. The address for Vermont Law School is 164 Chelsea Street, South

Royalton, Vermont 05068.

October 7, 2009: Speaker, "Judging and Advocacy in a U.S. District Court & the Role of Law Clerks in the Chambers of a Federal Judge," Suffolk University Law School, Boston, Massachusetts. The talk encouraged law students to apply for federal clerkships. I have no notes, transcript, or recording, but press coverage supplied. The address for Suffolk University Law School is 120 Tremont Street, Boston, Massachusetts 02108.

September 10, 2009: Moderator, "Federal Court Assisted Recovery Efforts: Innovations to Reduce Post-Conviction Substance Abuse and Recidivism," Federal Bar Association Annual Convention, Oklahoma City, Oklahoma. I moderated a panel on legal issues about post-conviction initiatives. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

July 25, 2009: Keynote Speaker, "Commemoration Acts of the Fifty-Seventh Anniversary of the Commonwealth of Puerto Rico," Government of Puerto Rico, San Juan, Puerto Rico. Remarks Supplied.

June 12, 2009: Panelist, United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, New Orleans, Louisiana. I do not recall the issues covered in the panel. I have no notes, transcript, or recording. The address for the United States Sentencing Commission is One Columbus Circle, Northeast, Suite 2-500, Washington, District of Columbia 20002.

February 13, 2009: Moderator, Federal Appellate Practice and Procedure CLE Seminar, U.S. District Court District of Puerto Rico and Federal Bar Association Puerto Rico Chapter, San Juan, Puerto Rico. The panel covered discussed federal appellate practice and procedure. I have no notes, transcript, or recording. The address for the Clemente Nazario U.S. Courthouse is 150 Chardón Avenue, San Juan, Puerto Rico 00918.

2009 (date unknown): Panelist, Federal Bar Association Labor and Employment Law Conference, Rio Grande, Puerto Rico. The panel discussed recent developments in federal employment law in the First Circuit. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

September 18, 2008: Panelist, "Professionalism and Bench-Bar Relations," Federal Bar Association Annual Convention, Huntsville, Alabama. I participated in a panel on attorney professionalism before federal courts. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

May 29, 2008: Speaker, Graduation Ceremony for Guayama, Puerto Rico Drug

Court Program, Guayama, Puerto Rico. Speech supplied.

May 16, 2008: Panelist, United States Sentencing Commission Annual National Seminar on the Federal Sentencing Guidelines, Orlando, Florida. I do not recall the issues covered in the panel. I have no notes, transcript, or recording. The address for the United States Sentencing Commission is One Columbus Circle, Northeast, Suite 2-500, Washington, District of Columbia 20002.

March 31, 2008: Keynote Speaker, “Mensaje del Orador Invitado, Hon. Gustavo A. Gelpí, Juez del Tribunal Federal para el Distrito de Puerto Rico, en ocasión de la semana de la Revista de Derecho Puertorriqueño,” Pontifical Catholic University Law School, Ponce, Puerto Rico. Speech supplied.

March 28, 2008: Moot Court Judge, Annual Thurgood A. Marshall Memorial Moot Court, Federal Bar Association Younger Lawyers Division, Washington, District of Columbia. I served as judge in the final round of the competition. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

December 6, 2007: Guest speaker, Chelsea High School, Chelsea, Massachusetts. I spoke to juniors and seniors about the Constitution and the role of courts. I have no notes, transcript, or recording. The address for Chelsea High School is 299 Everett Avenue, Chelsea, Massachusetts 02150.

December 6, 2007: Presiding Judge, Naturalization Ceremony, United States District Court for the District of Massachusetts, Boston, Massachusetts. I offered welcoming remarks and administered the oath of citizenship. I have no notes, transcript or recording. The address for the United States District Court for the District of Massachusetts is 1 Courthouse Way, Boston, Massachusetts 02210.

October 27, 2007: Speaker, “History, Roles and Evolution of the United States District Court of Puerto Rico,” The Military Order of the World Wars, Puerto Rico Chapter (121) San Juan, Puerto Rico. I spoke about the wartime history of the U.S. District Court in Puerto Rico. I have no notes, transcript, or recording. The address for The Military Order of the World Wars, Puerto Rico Chapter is 203 Presidente Ramírez Street, San Juan, Puerto Rico 00918.

October 5, 2007: Moderator and Panelist, “Advocating Effectively Before Any Court,” Hispanic National Bar Association Annual Convention, San Juan, Puerto Rico. Remarks supplied.

June 19, 2007: Speaker, Massachusetts Association of Hispanic Attorneys, Boston, Massachusetts. I do not recall the topics discussed in my speech. I have no notes, transcript, or recording. The address for the Massachusetts Association of Hispanic Attorneys is 16 Beacon Street, Boston, Massachusetts 02108.

April 20, 2007: Keynote Address, Puerto Rican Student Association Banquet, Cornell University, Ithaca, New York. Speech supplied.

April 17, 2007: Speaker, Graduation Ceremony of Drug Court Program, San Juan, Puerto Rico. Speech supplied.

February 16, 2007: Panelist, "Litigating Labor and Employment Law Cases: View from the Bench," Federal Bar Association Labor and Employment Law Conference, San Juan, Puerto Rico. The panel discussed litigation best practices for employment law cases in federal court. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

October 6, 2006: Speaker, "Hispanic Heritage Month – Our Rich Culture Contributing to America's Future," Federal Bureau of Prisons, Metropolitan Detention Center, Guaynabo, Puerto Rico. I spoke about Hispanic contributions to American history. I have no notes, transcript, or recording. The address for the Guaynabo Metropolitan Detention Center is 652 PR-28, Guaynabo, Puerto Rico 00969.

October 4, 2006: Keynote Speaker, Federal Bar Association Student Division Initiation and Swearing-in Ceremony, Pontifical Catholic University Law School, Ponce, Puerto Rico. I do not recall the topics discussed in my speech. I have no notes, transcript, or recording. The address for Pontifical Catholic University of Puerto Rico School of Law is 2250 Las Américas Avenue, Suite 543, Ponce, Puerto Rico 00717.

October 4, 2006: Luncheon Co-Speaker, "Off the Record: A Candid Chat on Appearing Before Me," Federal Bar Association, Puerto Rico Chapter, San Juan, Puerto Rico. I spoke about litigation best practices before federal courts. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

September 28, 2006: Keynote Speaker, Pontifical Catholic University Law School, Law Review Editorial Board Initiation and Swearing-in Ceremony, Pontifical Catholic University Law School, Ponce, Puerto Rico. I do not recall the subject of my speech. I have no notes, transcript, or recording. The address for Pontifical Catholic University of Puerto Rico School of Law is 2250 Las Américas Avenue, Suite 543, Ponce, Puerto Rico 00717.

September 21, 2006: Keynote Speaker, Pontifical Catholic University Law School, Legal Aid Clinic Swearing-in Ceremony, Pontifical Catholic University Law School, Ponce, Puerto Rico. I do not recall the topics discussed in my speech. I have no notes, transcript, or recording. The address for Pontifical Catholic University of Puerto Rico School of Law is 2250 Las Américas Avenue, Suite 543, Ponce, Puerto Rico 00717.

August 31, 2006: Speaker, Investiture of Gustavo A. Gelpí as U.S. District Judge for the District of Puerto Rico, U.S. District Court District of Puerto Rico, San Juan, Puerto Rico. Speech and press coverage supplied.

2006 – present [months & dates unknown]: Presiding Judge, Naturalization Ceremonies. I have presided over 20 naturalization ceremonies in the District of Puerto Rico. I always offer welcoming remarks and administer the oath of citizenship. I have no notes, transcript, or recording. The address for the José V. Toledo United States Courthouse is Recinto Sur Street, San Juan, 00901.

July 22, 2005: Moderator, Federal Bar Association Labor and Employment Law Seminar, Río Grande, Puerto Rico. I spoke about recent developments in federal employment law. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444 Arlington, Virginia 22201.

October 15, 2004: Speaker, Portrait Unveiling for United States Magistrate Judge Joyce London Alexander, U.S. District Court for the District of Massachusetts, Boston, Massachusetts. Remarks supplied.

September 24, 2004: Panelist, Federal Public Defender Office Round Table Discussion with the U.S. Magistrate Judge for CJA Panel Attorneys, United States District Court for the District of Puerto Rico, San Juan, Puerto Rico. I do not recall the topic discussed in the panel. I have no notes, transcript, or recording. The address for the José V. Toledo United States Courthouse is Recinto Sur Street, San Juan, 00901.

September 24, 2004: Speaker, Basic Federal Drug Law Enforcement School, United States Department of Justice Drug Enforcement Administration Caribbean Division, Guaynabo, Puerto Rico. I do not recall the topics discussed in my speech. I have no notes, transcript, or recording. The address for the Drug Enforcement Administration Caribbean Division is Metro Office Park, Millennium Park Plaza, 15 Street 2 Suite 710, Guaynabo, Puerto Rico 00968-1743.

November 12, 2003: Panelist, Luncheon on Litigation Pointers from the Magistrate's Point of View, United States District Court for the District of Puerto Rico, San Juan, Puerto Rico. I discussed litigation best practices before federal courts. I have no notes, transcript, or recording. The address for the José V. Toledo United States Courthouse is Recinto Sur Street, San Juan, 00901.

October 28, 2002: Speaker, Maritime Law in Puerto Rico, Pontifical Catholic University School of Law, Law Review and Federal Bar Association Student Division, Ponce, Puerto Rico. I addressed aspects of maritime law relating to Puerto Rico. I have no notes, transcript, or recording. The address for Pontifical

Catholic University of Puerto Rico School of Law is 2250 Las Américas Avenue, Suite 543, Ponce, Puerto Rico 00717.

April 23, 2002: Speaker, "The Federal Bail Reform Act," University of Puerto Rico School of Law, Law Review and Federal Bar Association Student Division. I spoke about the Federal Bail Reform Act of 1984. I have no notes, transcript, or recording. The address for the University of Puerto Rico School of Law is 7 Avenida Universidad 701, San Juan, Puerto Rico 00925.

April 5, 2002: Panelist, First Symposium of the Law of Evidence, CLE Program at Inter American University of Puerto Rico School of Law, San Juan, Puerto Rico. The panels addressed the Federal Rules of Evidence. I have no notes, transcript, or recording. The address for Inter American University of Puerto Rico School of Law is 170 Federico Costas Street, San Juan, Puerto Rico.

November 7, 2001: Panelist, Federal Bar Association Appellate Practice Seminar, San Juan, Puerto Rico. The panel discussed appellate litigation best practices. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

October 26, 2001: Panelist, Federal Public Defender Skills Development Seminar, the Administrative Office of the U.S. Courts Office of Defender Services Training Branch, San Juan, Puerto Rico. The panel discussed effective criminal litigation practices. I have no notes, transcript, or recording. The address for the Administrative Office of the U.S. Courts Office of Defender Services Training Branch is One Columbus Circle, Northeast, Suite 4-200, Washington, District of Columbia 20544.

August 27, 2001: Speaker, Investiture of Gustavo A. Gelpí as U.S. Magistrate Judge for the District of Puerto Rico, U.S. District Court for the District of Puerto Rico, San Juan, Puerto Rico. Speech supplied.

August 31, 2000: Keynote Speaker, Investiture Ceremony of U.S. District Judge Jay A. García Gregory, U.S. District Court District of Puerto Rico, San Juan, Puerto Rico. Speech supplied.

June 9, 2000: Speaker, Federal Bar Association Immigration Practice Seminar, San Juan, Puerto Rico. I discussed recent developments in immigration law. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

March 4, 1999: Panelist, "The Right to Not Incriminate Oneself in Light of Freedom of the Press," Colegio de Abogados y Abogadas de Puerto Rico, Commissions on Criminal Law and Human Rights and the Association of Journalist Forum, San Juan, Puerto Rico. I spoke about legal and constitutional aspects about criminal law and the First Amendment. I have no notes, transcript,

or recording. The address for the Colegio de Abogados y Abogadas de Puerto Rico is 808 Avenida de la Constitución, San Juan, Puerto Rico 00907.

June 26, 1998: Panelist, Federal Public Defender Skills Development Seminar, Administrative Office of the U.S. Courts Office of Defender Services Training Branch, San Juan, Puerto Rico. The panel discussed effective criminal litigation practices. I have no notes, transcript, or recording. The address for the Administrative Office of the U.S. Courts Office of Defender Services Training Branch is One Columbus Circle, Northeast, Suite 4-200, Washington, District of Columbia 20544.

June 5, 1998: Panelist, National Association of Drug Court Professionals Annual Training Conference, Washington, District of Columbia. I do not recall the topics discussed in the panel. I have no notes, transcript, or recording. The address for the National Association of Drug Court Professionals is 625 North Washington Street, Suite 212, Alexandria, Virginia 22314.

June 27, 1997: Panelist, Federal Public Defender Skills Development Seminar, Administrative Office of the U.S. Courts Office of Defender Services Training Branch, San Juan, Puerto Rico. The panel discussed effective criminal litigation practices. I have no notes, transcript, or recording. The address for the Administrative Office of the U.S. Courts Office of Defender Services Training Branch is One Columbus Circle, Northeast, Suite 4-200, Washington, District of Columbia 20544.

November 11 – 15, 1996: Instructor, Federal Judicial Center Training Program for Assistant Federal Public Defenders, Administrative Office of the U.S. Courts Office of Defender Services Training Branch, Seattle, Washington. I discussed effective criminal litigation practices. I have no notes, transcript, or recording. The address for the Administrative Office of the U.S. Courts Office of Defender Services Training Branch is One Columbus Circle, Northeast, Suite 4-200, Washington, District of Columbia 20544.

June 8, 1995: Panelist, Federal Bar Association Criminal Law Seminar, San Juan, Puerto Rico. The panel discussed effective criminal litigation practices. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

1994 – 1995; 2001: Instructor, Federal Criminal Procedure and Federal Sentencing, Federal Bar Association Bar Examination Review Course, San Juan Puerto Rico. I reviewed federal criminal procedure. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

November 17, 1994: Panelist, Federal Bar Association Criminal-Civil Practice Seminar, San Juan, Puerto Rico. The panel discussed effective criminal and civil

litigation practices. I have no notes, transcript, or recording. The address for the Federal Bar Association is 1220 North Fillmore Street, Suite 444, Arlington, Virginia 22201.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Frances Rosario, *Listo el tribunal federal para casos presenciales*, Primera Hora, Mar. 11, 2021. Copy supplied.

Melissa Correa Velázquez, *En turno la vacunación de los confinados federales*, El Vocero, Mar. 2, 2021. Copy supplied (reprinted in multiple outlets).

Melissa Correa Velázquez, *Fallece el juez federal Juan Pérez Giménez*, El Vocero, Dec. 10, 2020. Copy supplied.

Daniel Rivera Vargas, *Confirman el fallecimiento del juez Juan Pérez-Giménez*, Microjuris, Dec. 10, 2020. Copy supplied.

Daniel Rivera Vargas, *'Para mí siempre seguirá presente en espíritu y memoria', dice juez Gelpí de Torruella*, Microjuris, Oct. 26, 2020. Copy supplied.

Daniel Rivera Vargas, *Destacan aportaciones de Ginsburg a personas con diversidad funcional cognitiva*, Microjuris, Sept. 21, 2020. Copy supplied.

Bárbara Sepúlveda, *Gustavo Gelpí reacciona al aumento de jueces federales en la Isla*, El Vocero, Oct. 2, 2019. Copy supplied.

Impresionado Gustavo Gelpí con los avances en la Academia de la Policía, El Nuevo Día, July 3, 2019. Video available at <https://www.elnuevodia.com/noticias/seguridad/videos/impresionado-gustavo-gelpi-con-los-avances-en-la-academia-de-la-policia-256141>.

Alex Figueroa Cancel, *Favorecido el nombramiento de Stephen Muldrow*, El Nuevo Día, June 21, 2019. Copy supplied (reprinted in multiple outlets).

Serie de entrevistas: La Ley en tu Vida | Hon. Gustavo Gelpí, Microjuris, Feb. 13, 2019. Video available at <https://www.youtube.com/watch?v=gCDsOGS1ITg&t=18s>.

FedBarBlog, *Labor of Love: Chief Judge Gustavo A. Gelpí of the District Court of Puerto Rico Discusses Puerto Rico and the Labor and Employment Law Conference*, Federal Bar Association, Jan. 3, 2019. Copy supplied.

Federal Bar Flashbacks, Federal Bar Association, 2019. Copy supplied.

Melissa Correa Velázquez, *Continuidad a la misión de servicios en la corte federal*, El Vocero, Nov. 4, 2018. Copy supplied.

Detrás de la Toga: Entrevista al Hon. Gustavo A. Gelpí, Microjuris, July 24, 2018. Video available at https://www.youtube.com/watch?v=_qEVqCAa5ho.

Puerto Rico judge visits Guam, KuamNews, July 6, 2018. Video available at <https://www.youtube.com/watch?v=fvYqt8l0VYs>.

Puerto Rico: The Impact of No Federal Voting Rights (Life In The Law), ThinkTech Hawaii, June 28, 2018. Video available at <https://www.youtube.com/watch?v=1pCw55yJqgw>.

Rafael Lenin López, Interview at Noticentro TV station, Jan. 18, 2018. In this interview I discussed my book about the constitutional development of U.S. territories. Video not available.

Melissa Correa Velázquez, *Libro de juez recoge historia de los territorios de EE.UU.*, El Vocero, Dec. 27, 2017. Copy supplied.

¿Es posible la justicia perfecta?, Eco TV Panamá. Dec. 8, 2017. Video available at https://www.ecotvpanama.com/actualidad/es-posible-la-justicia-perfecta_1_19155.

De las designaciones y el amplio concepto de idoneidad, Eco TV Panamá, Dec. 8, 2017. Video available at https://www.ecotvpanama.com/actualidad/de-las-designaciones-y-el-amplio-concepto-de-idoneidad_1_19153.

“Sobre la mesa” radio show with Aníbal Acevedo Vilá, Radio Isla 1320, Nov. 16, 2017. Videos available at <https://fb.watch/5ufkvyX4HT> (Part I) and https://fb.watch/5ufIXlekp_ (Part II).

“US District Judge Gustavo Gelpí,” ThinkTech Hawaii, Jan. 4, 2017. Video available at <https://www.youtube.com/watch?v=FDW8E3HXwas>.

Radio Interview with Jay Fonseca, WKAQ 580, Dec. 19, 2017. Video available at <https://fb.watch/5ufnPPalT2>.

Raúl Álzaga, *Juez federal goza con Arroyo en España*, Primera Hora, Oct. 17, 2015. Copy supplied.

Crónica: Una noche de baloncesto con Fufi Santori, El Nuevo Día, June 12, 2015. Copy supplied.

Entrevista - Hon. Gustavo Gelpí - presidente saliente de la FBA, Microjuris, Sept. 17, 2014. Video available at <https://www.youtube.com/watch?v=yTBVGq5fmL4>.

Women in the Law: Power and Progress, 61 Fed. Law. 30 (Sept. 2014). Copy supplied.

On Topic: Judge Gelpí Discusses Federal Bar Association, United States Courts, July 8, 2014. Audio available at <https://www.uscourts.gov/news/2014/07/08/topic-judge-gelpi-discusses-federal-bar-association>.

Liza M. Rios-Morales, Héctor L. Ramos-Vega, *Hon. Camille L. Vélez-Rivé U.S. Magistrate Judge, District of Puerto Rico*, 61 Fed. Law. 79 (May/June 2014). Copy supplied.

Daniel Rivera Vargas, *Se va el monitor federal*, El Nuevo Día, Feb. 22, 2014. Copy supplied.

Ricardo Córtes Chico, *Visto Bueno de Gelpí al monitor*, El Nuevo Día, Oct. 31, 2013. Copy supplied.

Hon. Gustavo A. Gelpí habla de cómo afecta el cierre del gobierno federal a la corte federal en PR, Microjuris, Oct. 9, 2013. Video available at <https://www.youtube.com/watch?v=BLUz2kxpWo>.

Entrevista a Hon. Gustavo A. Gelpí y Robert J. DeSousa, Microjuris, Oct. 2, 2013. Video available at <https://www.youtube.com/watch?v=LxulmO1ecGI>.

Entrevista a Hon. Gustavo Gelpí, Microjuris, Oct. 1, 2013. Video available at <https://www.youtube.com/watch?v=rh-VZ3QeahQ>.

John Marino, *Gelpí begins serving as president of the Federal Bar Association*, Caribbean Business, Sept. 23, 2013. Copy supplied.

Richard Graffam, *Hon. Raymond L. Acosta Senior U.S. District Judge, District of Puerto Rico*, 60 Fed. Law. 43 (Sept. 2013) (Copy supplied).

An Interview with Leaders of the Puerto Rico Chapter of the FBA, 60 Fed. Law. 32 (Sept. 2013). Copy supplied.

Héctor L. Ramos-Vega, Oreste R. Ramos, *Hon. Gustavo A. Gelpí, Jr. U.S. Judge, District of Puerto Rico and Incoming FBA President*, Judicial Profile, Federal Bar Association (Sept. 2013). Copy supplied.

Limarys Suárez Torres, *Fallece el fiscal federal Ernesto López Soltero*, El Nuevo Día, May 2, 2013. Copy supplied.

Héctor L. Ramos-Vega, *Hon. Justo Arenas Chief U.S. Magistrate Judge, District of Puerto Rico*, Judicial Profile, Federal Bar Association (Oct. 2010). Copy supplied.

Ken Herman, *Bush logra récord en nombrar jueces hispanos*, El Nuevo Herald (Sept. 23, 2007), 2007 WLNR 18637460. Copy supplied.

Melissa Correa Velázquez, *Deja la cancha por el estrado*, El Vocero, Sept. 5, 2006. Copy supplied.

Andrea Martínez, *Al trote en el maratón de justicia*, El Nuevo Día, Sept. 1, 2006. Copy supplied.

Rosita Marrero, *Emoción ante nuevo reto*, Primera Hora, Aug. 30, 2006. Copy supplied.

Xavira Neggers Crescioni, *Gelpi to make expediting cases his top priority*, San Juan Star, Aug. 7, 2006. Copy supplied.

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

I have served as a United States District Judge in the District of Puerto Rico since August 2, 2006, and as Chief Judge by virtue of seniority since April 13, 2018. I was nominated by President George W. Bush on April 24, 2006, and unanimously confirmed by the Senate of the United States on July 20, 2006. I took my oath of office on August 1, 2006. The jurisdiction of a federal district judge is general in nature and extends to all federal criminal cases and all civil cases in which there is federal subject-matter jurisdiction. Previously, I served as a United States Magistrate Judge in the District of Puerto Rico from 2001 to 2006, by appointment of the district judges. The jurisdiction of a federal magistrate judge is limited to matters that federal district judges may delegate under 28 U.S.C. § 636.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?

I have presided over approximately 2,140 civil and 1,268 criminal cases for a total of 3,408 cases. However, in the District of Puerto Rico criminal indictments frequently include multiple defendants. It is thus, not uncommon for a case to have 20, 30, 40, or more defendants. Accordingly, I conservatively estimate having sentenced approximately 1,900 defendants for whom a separate judgment is entered. Thus, as a District Judge, I have entered over 4,000 separate judgments in civil and criminal cases combined.

- i. Of these cases, approximately what percent were:

As a district judge, I have presided over 62 jury trials of which 37 were criminal and 25 civil. I have also presided over seven bench trials. As a magistrate judge, I estimate having also presided over at least five civil jury trials and approximately 15 criminal misdemeanor bench trials.

jury trials:	95%
bench trials:	5%

- ii. Of these cases, approximately what percent were:

civil proceedings:	40%
criminal proceedings:	60%

- b. Provide citations for all opinions you have written, including concurrences and dissents.

Please see attached list of opinions. I have searched my files, electronic databases, and reports generated by the Court's electronic filing system (CM/ECF) in an effort to locate all of the opinions that I have written. I found a total of 1,019 opinions, of which more than 650 have been officially reported or published in electronic databases, such as Westlaw or Lexis. Of the total number of opinions, I issued approximately 880 as a district judge and 130 as a magistrate judge. There may be, however, other opinions which I was unable to find.

- 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).

1. *United States v. Commonwealth of Puerto Rico*, 460 F. Supp. 3d 159 (D.P.R. 2020); 437 F. Supp. 3d 139 (D.P.R. 2020), *amended*, 456 F. Supp. 3d 347 (D.P.R. 2020); 398 F. Supp. 3d 1 (D.P.R. 2019); 922 F. Supp. 2d 185 (D.P.R. 2013)

On December 21, 2012, the United States, represented by the Department of Justice, filed suit against the Commonwealth of Puerto Rico and its police department pursuant to the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141, alleging that the Puerto Rico Police engaged in a pattern and practice of violating the First, Fourth, and Fourteenth Amendments to the Constitution. The parties submitted an Agreement for the Sustainable Reform of the Puerto Rico Police Department. This is, to date, the most comprehensive federal police reform consent decree in the Nation and addresses eleven areas such as professionalization, training, searches and seizures, profiling, and use of

force. The case is still ongoing, and I have appointed a Monitor and Special Master. I regularly hold public hearings and status conferences, as well as conduct on-site visits.

Counsel for Plaintiff:

Luis E. Saucedo
U.S. Department of Justice, Civil Rights Division
300 North Los Angeles Street
Federal Building, Suite 7516
Los Angeles, CA 90012
(202) 598-0482

Counsel for Defendants:

Ángel A. Valencia-Aponte
City Towers, Suite 400
252 Ponce De León Avenue
San Juan, PR 00918
(787) 245-0009

César Miranda
(Previously Attorney General, Commonwealth of Puerto Rico (2013 – 2016)
(787) 310-2444
(Other contact information unavailable)

2. *United States v. Commonwealth of Puerto Rico*, 2020 WL 7024358 (D.P.R. Aug. 11, 2020); 2020 WL 2305295 (D.P.R. May 7, 2020); 26 F. Supp. 3d 139 (D.P.R. 2014)

In 1999, the United States Department of Justice and the Commonwealth of Puerto Rico entered into a consent decree, as amended over time, to safeguard the rights of several hundred mentally disabled individuals under state *parens patriae*. These persons, under the United States Supreme Court's opinion in *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581 (1999) and the Americans with Disabilities Act (ADA), 41 U.S.C. § 12101, *et seq.*, must transition from institutionalized settings to community ones. An appointed federal monitor oversees compliance and files reports to the Court. The Commonwealth, over the years, has never achieved sustained compliance. Issues such as institutionalization, overmedicalization, and inadequate program and provider resources persist. As a result, I have held numerous public hearings, conferences, and on-site visits. I also have had to take remedial measures, including a finding of civil contempt against the Commonwealth.

Counsel for Plaintiff:

Richard J. Farano
U.S. Department of Justice, Special Litigation Section
150 M Street, Northeast

4CON 10.133
Washington, DC 20530
(202) 307-3116

Counsel for Defendants:

Rafael E. Barreto-Solá
Cancio, Nadal, Rivera & Díaz
Post Office Box 364966
San Juan, PR 00936-4966
(787) 767-9625

3. *Watchtower Bible Tract Soc. of N.Y., Inc. v. Mun. of Ponce*, 197 F. Supp. 3d 340 (D.P.R. 2016)

In 2004, Watchtower Bible Tract Society brought suit against eight municipalities and gated communities seeking declaratory and injunctive relief under 42 U.S.C. § 1983 and the First Amendment for violation to the right to free speech and exercise of religion. Watchtower argued that the Commonwealth's Controlled Access Law deprived Jehovah's Witnesses of the constitutional right to profess their faith in public streets within gated communities. The late Judge Jaime Pieras, Jr. held that the Controlled Access Law was constitutional and thus, did not violate the First Amendment. This ruling was appealed and during the pendency of the same Judge Pieras died. I then substituted for him in presiding over the case. The United States Court of Appeals for the First Circuit affirmed Judge Pieras's ruling holding that the Controlled Access Law was constitutional on its face, but found that the law was unconstitutional as applied to public streets within, manned and unmanned gated communities. On remand, I issued a permanent injunction requiring all 78 island municipalities (which had been subsequently included as defendants) to ensure that Jehovah's Witnesses could access all public streets within gated urbanizations. I further issued an opinion holding that streets in a particular gated urbanization were public, hence covered by my injunction. I have also issued rulings involving other municipalities which failed to comply with the injunction and remedial scheme detailed therein. Following this, all defendant municipalities have complied with the constitutional remedial scheme. Other citations for officially reported or published opinions in this case are: *Watchtower Bible Tract Soc. of N.Y., Inc v. Mun. of Santa Isabel*, Civil No. 04-1452, 2013 WL 1856331 (D.P.R. Mar. 21, 2013), *aff'd in part, vacated in part, remanded sub nom. Watchtower Bible Tract Soc. of N.Y., Inc v. Mun. of San Juan*, 773 F.3d 1 (1st Cir. 2014), *cert. denied*, 135 S. Ct. 2395 (2015); *Watchtower Bible Tract Soc. of N.Y., Inc v. Mun. of Santa Isabel*, 982 F. Supp. 2d 127 (D.P.R. 2013); *Watchtower Bible Tract Soc. of New York, Inc. v. Mun. of Santa Isabel*, 869 F. Supp. 2d 215 (D.P.R. 2012).

Counsel for Plaintiffs:

Paul D. Polidoro
Watchtower Bible & Tract Society of New York, Inc., Legal Department

2891 Route 22
Patterson, NY 12563
(845) 306-0709

Counsel for Defendants:
Maraliz Vázquez-Marrero
644 Avenue Fernández Juncos, Suite 301
San Juan, PR 00907
(787) 679-7132

4. *United States v. Castro-Correa*, Crim. No. 16-153 (PG-GAG)

Mr. Castro-Correa was indicted for violating 7 U.S.C. § 2156(b) by unlawfully possessing and training dogs for fighting purposes. Following trial, a jury found Mr. Castro-Correa guilty of this charge and he was sentenced to 21 months of imprisonment. This case was the first federal prosecution of dog fighting in the District of Puerto Rico.

Counsel for the United States:
Scott H. Anderson
U.S. Attorney's Office
District of Puerto Rico
Torre Chardón, Suite 1201
350 Chardón Avenue
San Juan, PR 00918
(787) 766-5656

Counsel for Defendant:
Emilio F. Soler-Ramírez
Cobián Plaza Suite 213
1607 Ponce de León Avenue
San Juan, PR 00909
(787) 998-5343

5. *United States v. Martínez Hernández*, Crim. No. 15-075 (GAG-BJM)

This case involved a nine-defendant indictment charging Mr. Martínez Hernández and other defendants with the murder for hire of Lieutenant Albarati, a Federal Bureau of Prisons correctional officer. All defendants entered guilty pleas, except Mr. Martínez Hernández who stood trial. The trial lasted three weeks, given the complexity of establishing that Mr. Martínez Hernández, while serving a prior federal sentence, orchestrated the murder from within the penal institution. Approximately 20 witnesses testified, including multiple cooperators. Throughout trial, I had to make evidentiary rulings regarding such testimonies on a daily basis. The jury convicted Mr. Martínez Hernández and he was sentenced to mandatory life imprisonment.

Counsel for the United States:

Max J. Pérez-Bouret
U.S. Attorney's Office
District of Puerto Rico
Torre Chardón Suite 1201
350 Chardón Avenue
San Juan, PR 00918
(787) 429-3468

Counsel for Defendant:

José L. Novas-Debien
PMB 382
400 Calaf Street
San Juan, PR 00918
(787) 754-8300
(787) 640-2174

6. *Bouret Echevarría et al. v. Caribbean Aviation Maint. Corp. et al.*, 845 F. Supp. 2d 467 (D.P.R. 2012); 841 F. Supp. 2d 588 (D.P.R. 2012); 841 F. Supp. 2d 565 (D.P.R. 2012); 839 F. Supp. 2d 467 (D.P.R. 2012); 839 F. Supp. 2d 464 (D.P.R. 2012); *Echevarría v. Robinson Helicopter Co.*, 824 F. Supp. 2d 275 (D.P.R. 2011)

Plaintiffs brought this action seeking compensatory damages against Caribbean Aviation Maintenance Corporation and others under Puerto Rico tort law for damages arising out of the death of Mr. Vidal González. On November 12, 2008, a helicopter carrying Mr. Vidal González went out of control while attempting to land. Trial lasted for approximately one month and involved multiple evidentiary rulings regarding expert testimony as to design defect, negligent manufacture, and negligent maintenance. The reported opinions address evidentiary issues such as the admissibility of expert testimonies and economic loss assessment reports. A jury found in favor of defendants as to all claims.

Counsel for Plaintiffs:

Antonio Rosselló-Rentas
Rossello & Morales, CSP
262 Uruguay Street, Suite C-3
San Juan, PR 009018
(787) 765-4540

Counsel for Defendants:

Louis R. Martínez
Martínez & Ritorto PC
67 Wall Street, 25th Floor
New York, NY 10005

(212) 348-0800

Tim A. Goetz
Tim A. Goetz, Attorney at Law
2901 Airport Drive
Torrance, CA 90505
(310) 539-0508

7. *Banco Popular de P.R., Inc. v. Latin American Music Co., Inc.*, Civil No. 01-1142, 2010 WL 2900366 (D.P.R. July 21, 2010), *aff'd sub nom. Banco Popular de P.R. v. Asociación de Compositores y Editores de Música Latinoamericana (ACEMLA)*, 678 F.3d 102 (1st Cir. 2012); *Banco Popular de P.R., Inc. v. Latin Am. Music Co., Inc.*, 685 F. Supp. 2d 259 (D.P.R. 2010)

This case involved multiple copyright ownership claims as to traditional Puerto Rican songs, including recordation of their assignment contracts. A bench trial to determine ownership of various songs was held as well as a separate jury trial regarding infringement and damages. Following the bench trial, I found that several particular songs were not validly assigned. A jury subsequently found that copyright infringement took place, but awarded nominal damages.

Counsel for Plaintiff:

Edwin Prado-Galarza
Prado, Nuñez & Associates, PSC,
403 Del Parque Street, 8th Floor
San Juan, PR 00907
(787) 977-9411

Counsel for Defendant:

Mauricio Hernández-Arroyo
Mauricio Hernández Arroyo Law Office
818 Hostos Avenue, Suite B
Ponce, PR 00716
(787) 984-0789
(787) 597-4815

8. *Marrero Hernández v. Esso Standard Oil Co. (P.R.)*, 600 F. Supp. 2d 325 (D.P.R. 2009); 599 F. Supp. 2d 175 (D.P.R. 2009); 597 F. Supp. 2d 272 (D.P.R. 2009); 571 F. Supp. 2d 305 (D.P.R. 2008); 453 F. Supp. 2d 374 (D.P.R. 2006); 429 F. Supp. 2d 469 (D.P.R. 2006); 321 F. Supp. 2d 301 (D.P.R. 2004)

In this case approximately 100 residents of La Vega Ward, Barranquitas, Puerto Rico brought an environmental action against Esso Standard Oil Co. for an extensive gasoline storage tank underground spill alleging violations of federal and state environmental laws, including the Clean Water Act, the Resource

Conservation and Recovery Act, and the Comprehensive Environmental Response, Compensation, and Liability Act. This was the first case in the Nation in which a Clean Water Act claim was tried before a jury. As a threshold matter, I issued an opinion addressing why the Seventh Amendment required a jury trial in this case: *Marrero Hernández v. Esso Standard Oil Co. (P.R.)*, 599 F. Supp. 2d 175 (D.P.R. 2009). Following a jury verdict of liability, the case was settled.

Counsel for Plaintiffs:

José A. Hernández-Mayoral
206 Tetuán Street Suite 702
San Juan, PR 00901
(787) 607-4867

Manuel San-Juan-De Martino
Manuel San Juan Law Office
Post Office Box 9023587
San Juan, PR 00902
(787) 404-1216

Counsel for Defendant:

John F. Nevares
John F. Nevares & Assoc. PSC,
Post Office Box 13667
San Juan, PR 00908-3667
(787) 502-2165

9. *United States v. Heredia Ortiz*, Crim. No. 08-330 (GAG)

This case involved the prosecution of 40 defendants stemming from a drug and weapons conspiracy indictment. Specifically, defendants were charged in a six-count indictment with conspiracy to distribute controlled substances as well as to possess firearms in furtherance thereof; aiding and abetting in the distribution of multiple controlled substances; possession of firearms, and forfeiture. After most defendants entered pleas, four stood trial. The same lasted one month and involved approximately 20 witnesses, including cooperators. During the course of the trial I made multiple evidentiary rulings, the most important being the admissibility of co-conspirator statements and cooperator testimony. A jury found all four defendants guilty as to all counts.

Counsel for the United States:

Mariana E. Bauzá
U.S. Attorney's Office
District of Puerto Rico
Torre Chardón Suite 1201
350 Chardón Avenue

San Juan, PR 00918
(787) 766-5656

Counsel for Defendants:

Juan Masini Soler
G-14 O'Neill Street
L & M Building Suite B
San Juan, PR 00918
(787) 396-4747

David Ramos-Pagán
Urb. El Valle
372 Yagrumo Street
Caguas, PR 00727-3234
(787) 423-3114

Carlos M. Sánchez-La-Costa
Post Office Box 9023027
San Juan, PR 00901
(787) 217-3712

Elfrick Méndez-Morales
Méndez & Méndez
Urb. Roosevelt
259 Ing. Ramon Ramos
San Juan, PR 00918
787-765-3920

10. *Reyes Cañada v. Rey Hernández*, 411 F. Supp. 2d 53 (D.P.R. 2006); 233 F.R.D. 238 (D.P.R. 2005); 224 F.R.D. 46 (D.P.R. 2004); 221 F.R.D. 294 (D.P.R. 2004); 340 F. Supp. 2d 142 (D.P.R. 2004); 326 F. Supp. 2d 255 (D.P.R. 2004); 286 F. Supp. 2d 174 (D.P.R. 2003); 193 F. Supp. 2d 409 (D.P.R. 2002)

This First Amendment civil rights action seeking compensatory and punitive damages was brought by 16 plaintiffs against the Secretary of Education of Puerto Rico for alleged adverse employment actions against them based on their political affiliation. The trial lasted for approximately one month and involved multiple evidentiary issues, particularly as to circumstantial evidence of politically discriminatory animus. The reported opinions in this case address the awarding of attorney's fees, discovery and evidentiary issues, the denial of a summary judgment motion, a motion to disqualify counsel, and whether plaintiffs were in fact career or trust public employees. A jury found in favor of plaintiffs and awarded each of them damages.

Counsel for Plaintiffs:

Eliezer Aldarondo-Ortiz
Aldarondo & López Brás
ALB Plaza, 16 Road 199 Suite 400
Guaynabo, PR 00969
(787) 474-5447

Counsel for Defendants:

Marie L. Cortés-Cortés
Post Office Box 192056
San Juan, PR 00918-2056
(787) 691-3178

- 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.

1. *P.R. Ass'n of Mayors v. Vélez-Martínez*, 482 F. Supp. 3d 1 (D.P.R. 2020)

Counsel for Plaintiff:

Emil J. Rodríguez-Escudero
M.L. & R.E. Law Firm
513 Juan Jiménez Street
San Juan, PR 00918
(787) 999-2972

Counsel for Defendant:

Carlos E. Cardona-Fernández,
Post Office Box 810
Carolina, PR 00981-0412
(787) 550-9280

2. *López-Correa v. United States*, Civil No. 18-1930, 2020 WL 5074412 (D.P.R. Aug. 27, 2020)

Counsel for Petitioner:

Linda Backiel
Linda Backiel Law Office
267 Sierra Morena Street BMB 597
San Juan, PR 00926-5583
(787) 751-4941

Counsel for Respondent:

Mariana E. Bauzá
U.S. Attorney's Office
District of Puerto Rico

Torre Chardón, Suite 1201
350 Chardón Avenue
San Juan, PR 00918
(787) 766-5656

3. *Club Gallístico de P.R. Inc. v. United States*, 414 F. Supp. 3d 191 (D.P.R. 2019), *aff'd sub nom. Hernández-Gotay v. United States*, 985 F.3d 71 (1st Cir. 2021)

Counsel for Plaintiff:
Rafael A. Ojeda-Diez
Ojeda & Ojeda
Post Office Box 9023392
San Juan, PR 00902-3392
(787) 510-0277/(787) 728-4120

Defendant's Counsel:
Christopher R. Healy
U.S. Department of Justice
Civil Division
1100 L Street, Northwest
Washington, DC 20005
(202) 514-8095

4. *United States v. Vaello-Madero*, 356 F. Supp. 3d 208 (D.P.R. 2019), *aff'd on other grounds*, 956 F.3d 12 (1st Cir. 2020), *cert. granted*, 20-303, 141 S.Ct. 1462 (U.S. Mar. 1, 2021)

Counsel for Plaintiff:
Daniel Riess
U.S. Department of Justice
Civil Division
Post Office Box 837
Washington, DC 20044
(202) 353-3098

Counsel for Defendant:
Hermann Ferré
101 Park Avenue
New York, NY 10178
(646) 872-4345
(212) 696-8871

5. *Watchtower Bible Tract Soc. of N.Y., Inc. v. Mun. of Ponce*, 197 F. Supp. 3d 340 (D.P.R. 2016)

Counsel for Plaintiffs:

Paul D. Polidoro
Watchtower Bible & Tract Society of New York, Inc., Legal Department
2891 Route 22
Patterson, NY 12563
(845) 306-0709

Counsel for Defendants:

Maraliz Vázquez-Marrero
644 Avenue Fernandez Juncos Street 301
San Juan, PR 00907
(787) 679-7132

6. *United States v. Rivera-Hernández*, 155 F. Supp. 3d 137 (D.P.R. 2015), *aff'd sub nom. United States v. Vega-Martínez*, 949 F.3d 43 (1st Cir. 2020)

Counsel for the United States:

Mark C. Grundvig
U.S. Department of Justice
Antitrust Division
450 5th Street, Northwest, Suite 1130
Washington, DC 20530
(202) 305-4766

Counsel for Defendant:

Jason González-Delgado
Post Office Box 191365
San Juan, PR 00919
(787) 536-5306

7. *Situ v. O'Neill*, 124 F. Supp. 3d 34 (D.P.R. 2015)

Counsel for Plaintiff:

Jane A. Becker-Whitaker
Post Office Box 9023914
San Juan, PR 00902-3914
(787) 945-2406
(787) 585-3824

Counsel for Defendant:

Keith Graffan
420 Ponce de León Avenue, Suite 309
San Juan, PR 00918
(787) 646-7585

8. *Hoff v. Popular, Inc.*, 727 F. Supp. 2d 77 (D.P.R. 2010)

Counsel for Plaintiff:
Andrés W. López
Andrés W. López Law Office
Post Office Box 13909
San Juan, PR 00908
(787) 406-9075

Counsel for Defendant:
Néstor Méndez-Gómez
Pietrantonio, Méndez & Álvarez
Popular Center 19th Floor
208 Ponce de León Avenue
San Juan, PR 00918
(787) 505-0644

9. *Marrero Hernández v. Esso Standard Oil Co. (P.R.)*, 599 F. Supp. 2d 175
(D.P.R. 2009)

Counsel for Plaintiff:
José A. Hernández-Mayoral
206 Tetuán Street, Suite 702
San Juan, PR 00901
(787) 607-4867

Manuel San-Juan-De Martino
Manuel San Juan Law Office
Post Office Box 9023587
San Juan, PR 00902
(787) 404-1216

Counsel for Defendant:
John F. Nevares
John F. Nevares & Assoc. PSC
Post Office Box 13667
San Juan, PR 00908-3667
(787) 502-2165

10. *Ramos v. P.R. Med. Examining Bd.*, 491 F. Supp. 2d 238 (D.P.R. 2007)

Counsel for Plaintiff:
Emil J. Rodríguez-Escudero
M.L. & R.E. Law Firm
513 Juan Jiménez Street
San Juan, PR 00918
(787) 999-2972

Defendant's Counsel:

Iris Alicia Martínez-Juarbe
Commonwealth of Puerto Rico, Department of Justice
Post Office Box 9020192
San Juan, PR 00902-0192
(787) 474-3374, Extension 6402

- e. Provide a list of all cases in which certiorari was requested or granted.

My research has found that Supreme Court has granted certiorari in one of my cases. The matter is currently pending before the Supreme Court:

United States v. Vaello-Madero, 356 F. Supp. 3d 208 (D.P.R. 2019), *aff'd on other grounds*, 956 F.3d 12 (1st Cir. 2020), *cert. granted*, 20-303, 141 S. Ct. 1462 (U.S. Mar. 1, 2021)

My research has found that a party requested certiorari in the following other cases of mine:

Ortiz-Torres v. United States, Case Nos. 15-23-22 & 19-1031, *aff'd*, 873 F.3d 346 (1st Cir. 2017), *cert. denied*, 141 S. Ct. 865 (U.S. Nov. 2020)

United States v. Santiago, Crim. No. 18-1802, *aff'd*, 947 F.3d 1 (1st Cir. 2020), *cert. denied*, 140 S. Ct. 2818 (U.S. May 26, 2020)

United States v. Pagán-Romero, Crim. No. 16-1396, *aff'd*, 894 F.3d 441 (1st Cir. 2018), *cert. denied*, 139 S. Ct. 391 (U.S. Oct. 15, 2018)

United States v. Díaz-Rosado, Crim. No. 15-1010, *aff'd*, 857 F.3d 116 (1st Cir. 2017), *cert. denied*, 138 S. Ct. 270 (U.S. Oct. 2, 2017)

United States v. Amaro-Santiago, Crim. No. 14-2065, *aff'd*, 824 F.3d 154 (1st Cir. 2016), *cert. denied*, 137 S. Ct. 142 (U.S. Oct. 3, 2016)

United States v. Maymí-Maysonet, Crim. No. 14-2183, *aff'd*, 812 F.3d 233 (1st Cir. 2016), *cert. denied*, 137 S. Ct. 100 (U.S. Oct. 3, 2016)

United States v. Vélez-Soto, Crim. No. 13-1885, *aff'd*, 804 F.3d 75 (1st Cir. 2015), *cert. denied*, 577 U.S. 1110 (2016)

United States v. Torres-Colón, Crim. No. 14-1563, *aff'd*, 790 F.3d 26 (1st Cir. 2015), *cert. denied*, 577 U.S. 882 (2015)

United States v. Díaz-Castro, Crim. No. 12-2038, *aff'd*, 752 F.3d 101 (1st Cir. 2014), *cert. denied*, 574 U.S. 1103 (2015)

Watchtower Bible Tract Soc. of N.Y., Inc v. Mun. of Santa Isabel, Civil No. 04-1452, 2013 WL 1856331 (D.P.R. Mar. 21, 2013), *aff'd in part, vacated in part, remanded sub nom. Watchtower Bible Tract Soc. of N.Y., Inc v. Mun. of San Juan*, 773 F.3d 1 (1st Cir. 2014), *cert. denied*, 575 U.S. 1037 (2015)

United States v. Santos-Rivera, Crim. Nos. 10-1687, 10-1931, 10-2155, *aff'd*, 726 F.3d 17 (1st Cir. 2013), *cert. denied*, 571 U.S. 1226 (2014)

V. Suárez & Co., Inc. v. Bacardí Int'l Ltd., 826 F. Supp. 2d 433 (D.P.R. 2011), *rev'd*, 719 F.3d 1 (1st Cir. 2013), *cert. denied*, 571 U.S. 1024 (2013)

Consejo de Salud de la Comunidad de la Playa de Ponce, Inc. v. González-Feliciano, Civil Nos. 11-1121, 11-1126, 11-1733, *aff'd in part, remanded in part*, 695 F.3d 83 (1st Cir. 2012), *cert. denied*, 571 U.S. 816 (2013)

United States v. Ayewoh, Crim. No. 07-00467, 2009 WL 10690822 (D.P.R. Jan. 8, 2009), *aff'd*, 627 F.3d 914 (1st Cir. 2010), *cert. denied*, 565 U.S. 836 (2011)

Monteagudo v. Asociación de Empleados del Estado Libre Asociado de Puerto Rico, Civil No. 03-2357, 2007 WL 2245944 (D.P.R. Aug. 2, 2007), *aff'd*, 554 F.3d 164 (1st Cir. 2009), *cert. denied*, 558 U.S. 821 (2009)

Rodríguez-García v. Miranda-Marín, Civil Nos. 08-2319, 08-2320, *aff'd*, 610 F.3d 756 (1st Cir. 2010), *cert. denied*, 562 U.S. 1180 (2011)

- 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.

As stated above, as a United States District Judge I have presided over approximately 2,140 civil and 1,268 criminal cases for a total of 3,408. However, in the District of Puerto Rico criminal indictments frequently include multiple defendants. It is thus, not uncommon for a case to have 20, 30, 40, or more defendants. Accordingly, I have entered over 4,000 separate judgments in civil and criminal cases combined. Through a review of my own records and searching my cases, using query language devised for this purpose or the Court's electronic case filing system (CM/ECF), I have identified 24 decisions in which the First Circuit has reversed or partially reversed my judgments; 27 decisions in which the First Circuit has vacated and/or remanded my judgments, and four decisions in which the First Circuit has affirmed my judgment, while criticizing my substantive rulings. Similarly, I have identified six decisions in which the District Court rejected or partially rejected my Report and Recommendation, issued while I served as a Magistrate Judge.

1. The First Circuit reversed or partially reversed my decision in the following 24 cases.

United States v. Muñíz-López, Crim. No. 10-244-45, Judg., Docket No. 5384 (D.P.R. Dec. 27, 2018), *rev'd and remanded*, 977 F.3d 55 (1st Cir. 2020). Copy supplied. The defendant's sentence was reversed and remanded because at sentencing I imposed conditions of supervised release based on a probable cause finding that rested in part on a complaint written in Spanish and no English translation was in the record.

In re Reyes-Colón, Civil 16-2638, 2017 WL 6365433 (D.P.R. Aug. 9, 2017), *rev'd*, 922 F.3d 13 (1st Cir. 2019). In this case, I reversed a bankruptcy court's dismissal order and remanded the case finding that the involuntary petition did not need three or more petitioning creditors. On appeal, the banks claimed that the involuntary debtor had waived several arguments. The First Circuit held that the involuntary debtor did not waive his ability to argue that the bankruptcy court correctly dismissed his petition. Thus, the First Circuit directly reviewed and affirmed the bankruptcy court's decision. As such, my ruling was reversed because the three or more petitioning creditors were indeed eligible.

Río Grande Comm. Heal v. Commonwealth of Puerto Rico, Civil No. 03-1640, Order, Docket No. 1123 (D.P.R. July 11, 2018), *rev'd and remanded sub nom. Mun. of San Juan v. Puerto Rico*, 919 F.3d 565 (1st Cir. 2019). Copy supplied. In this case I ruled that under Title III of the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA), an automatic stay did not apply to certain proceedings held to determine the amount of federal court-ordered payments that the Commonwealth owes to several federally qualified health centers ("FQHCs") as per a 2010 injunction I had entered. The First Circuit reversed and remanded concluding that the litigation was subject to the PROMESA automatic stay.

United States v. Colón, 213 F. Supp. 3d 297 (D.P.R. 2016), *rev'd and vacated sub nom. United States v. Santiago-Colón*, 917 F.3d 43 (1st Cir. 2019). Because Puerto Rico and the United States constitute a single sovereign for purposes of the Double Jeopardy Clause, I suppressed identification evidence based on a final Puerto Rico court determination. The First Circuit held that that suppression of evidence by a Puerto Rico court does not require a federal court to suppress that same evidence unless federal prosecutors were a party or were in privity with a party to the suppression hearing in the Puerto Rico court.

Cortés-Ramos v. Sony Corp. of Am., Civil No. 14-1578, 2016 WL 6537631 (D.P.R. Nov. 2, 2016), *rev'd*, 889 F.3d 24 (1st Cir. 2018). My post-judgment ruling awarding attorney's fees was reversed because the defendants did not qualify as "prevailing parties" under the Copyright Act.

López-Erquicia v. Weyne-Roig, Civil No. 13-1915, 2015 WL 5330384 (D.P.R. Sept. 14, 2015), *rev'd and remanded*, 846 F.3d 480 (1st Cir. 2017). My ruling denying qualified immunity was reversed on appeal.

Guadalupe-Báez v. Police Officers A-Z, Civil No. 13-1529, 2014 WL 4656663 (D.P.R. Sept. 17, 2014), *aff'd in part, rev'd in part sub nom. Guadalupe-Báez v. Pesquera*, 819 F.3d 509 (1st Cir. 2016). My ruling dismissing supervisory liability claims in a Section 1983 action was affirmed in part and reversed in part. The First Circuit held that the complaint pleaded sufficient facts for the supervisory claims to go forward.

Martínez-Rivera v. Puerto Rico, Civil No. 11-1184, 2011 WL 5844533 (D.P.R. Nov. 21, 2011), *aff'd in part, rev'd in part and remanded sub nom. Martínez-Rivera v. Commonwealth of Puerto Rico*, 812 F.3d 69 (1st Cir. 2016). My ruling was affirmed in part, reversed in part, and remanded given that the right to sue letter requirement in an Americans with Disabilities Act claim is mandatory, but not a jurisdictional prerequisite, and hence may be waived.

Batista v. Cooperativa de Vivienda Jardines de San Ignacio, Civil No. 10-1953, 2013 WL 2123487 (D.P.R. May 15, 2013), *aff'd in part, rev'd in part and remanded*, 776 F.3d 38 (1st Cir. 2015). My summary judgment ruling in this Fair Housing Act case was affirmed in part, reversed in part, and remanded as to plaintiff's retaliation claim.

OMJ Pharm., Inc. v. United States, Civil No. 11-1312, 2012 WL 5197238 (D.P.R. Oct. 19, 2012), *rev'd and remanded*, 753 F.3d 333 (1st Cir. 2014). This was a case of first impression as to the effect on a United States taxpayer's credit cap of a sale of a line of business in Puerto Rico to a foreign corporation that does not pay United States corporate income taxes. I ruled in favor of the government which argued that regardless of whether the purchaser of a line of business could increase or establish a credit cap, a seller was required to reduce its own cap by the amount associated with the line of business. The First Circuit held that the controlling provisions of the Internal Revenue Code require otherwise, and thus reversed and remanded with instructions to enter summary judgment in plaintiff's favor.

Bonilla v. Federación de Ajedrez de P.R., Inc., 832 F. Supp. 2d 108 (D.P.R. 2011), *aff'd in part, rev'd in part, and remanded sub nom. Ortiz-Bonilla v. Federacion de Ajedrez de P.R., Inc.*, 734 F.3d 28 (1st Cir. 2013). In this case I consolidated two cases brought by chess players against a chess federation in Puerto Rico courts that were removed to federal court. My ruling was affirmed in part, reversed in part, and remanded because I did not have jurisdiction over the second suit but was not barred from presiding over the first suit.

García-Rubiera v. Fortuño, 873 F. Supp. 2d 421 (D.P.R. 2012), *rev'd in part, vacated in part sub nom. García-Rubiera v. Fortuño*, 727 F.3d 102 (1st Cir.

2013). My order that the Commonwealth notify individual vehicle owners of their reimbursement rights, publish information regarding the reimbursement procedure in two newspapers, and allow at least 120 days for vehicle owners to claim the reimbursements to which they are entitled was reversed. The First Circuit remanded the case with instructions to craft, with the benefit of further guidance, an injunction that more fittingly remedied the Commonwealth's constitutional violations. It also reversed my denial of plaintiffs' request for an award of interim attorneys' fees.

V. Suárez & Co., Inc. v. Bacardí Intern. Ltd., 826 F. Supp. 2d 433 (D.P.R. 2011), *rev'd*, 719 F.3d 1 (1st Cir. 2013). My ruling dismissing the case for lack of subject-matter jurisdiction was reversed and remanded.

Consejo de Salud de la Comunidad de la Playa de Ponce, Inc. v. González-Feliciano, Civil No. 06-1260, Order, Docket No. 743 (D.P.R. Nov. 8, 2010), *aff'd in part, rev'd in part and remanded*, 695 F.3d 83 (1st Cir. 2012). Copy supplied. My ruling was affirmed in part, reversed in part and remanded in order to further clarify the formula for calculating Medicaid reimbursement payments I applied in issuing a preliminary injunction.

Rodríguez-Ramos v. Hernández-Gregorat, 660 F. Supp. 2d 220 (D.P.R. 2009), *aff'd in part, rev'd in part*, 685 F.3d 34 (1st Cir. 2012). My ruling was affirmed in part, vacated in part, and remanded with instructions to allow plaintiff to amend his complaint to assert facts in support of his claim.

García-Rubiera v. Fortuño, 752 F. Supp. 2d 180 (D.P.R. 2010), *aff'd in part, rev'd in part, and remanded*, 665 F.3d 261 (1st Cir. 2011). My ruling was affirmed in part, vacated in part, and remanded because I held that a challenged motor vehicle insurance liability law did not violate the Due Process Clause. The First Circuit ruled that it did.

García-Rubiera v. Flores-Galarza, 516 F. Supp. 2d 180 (D.P.R. 2007), *aff'd in part, rev'd in part sub nom. García-Rubiera v. Calderón*, 570 F.3d 443 (1st Cir. 2009). My ruling was affirmed in part, reversed in part, and remanded with instructions to certify the putative class and consider plaintiff's Due Process claims.

Rivera v. Miranda, 376 B.R. 382 (D.P.R. 2007), *rev'd sub nom. In re Acosta-Rivera*, 557 F.3d 8 (1st Cir. 2009). My ruling that the bankruptcy court lacked the authority to enter an order excusing non-disclosure after the time for a filing has expired was reversed given that the bankruptcy court has discretion to enter said order.

Concilio de Salud Integral de Loíza v. Pérez Perdomo, 479 F. Supp. 2d 247 (D.P.R. 2007), *rev'd and remanded sub nom. Concilio de Salud Integral de Loíza, Inc. v. Pérez-Perdomo*, 551 F.3d 10 (1st Cir. 2008). In this case I vacated a

preliminary injunction I had issued previously and dismissed claims on grounds of mootness based on my finding that defendant's actions (setting up an office to make Medicaid payments) were sufficient to comply with federal law. The First Circuit reversed, finding this to be insufficient.

Velázquez Linares v. United States, Civil No. 08-1267, Judg., Docket No. 3 (D.P.R. Mar. 24, 2008), *rev'd*, 546 F.3d 710 (1st Cir. 2008). Copy supplied. In this case I dismissed plaintiff's complaint without prejudice and imposed a mandatory sanction of \$150 for failing to comply with an institutional Court Standing Order. The First Circuit held that the long-standing case filing order was uncertain in its terms and, thus, reversed the dismissal.

Puerto Ricans for Puerto Rico Party v. Dalmau, 517 F. Supp. 2d 601 (D.P.R. 2007), *vacated*, 544 F.3d 58 (1st Cir. 2008); *Puerto Ricans For Puerto Rico Party v. Dalmau*, 517 F. Supp. 2d 604 (D.P.R. 2007), *rev'd*, 544 F.3d 58 (1st Cir. 2008). My rulings dismissing this action were vacated, reversed, and remanded because I did not order defendants to file a certified translation of the Puerto Rico Supreme Court opinion that their motion relied on.

United States v. Uribe-Londono, Crim. No. 00-92, Order, Docket No. 255, (D.P.R. July 18, 2006), *rev'd and remanded*, 238 F. App'x 628 (1st Cir. 2007) (per curiam). Copy supplied. My ruling denying the petitioner's request to return seized property following his conviction was reversed and remanded as I could not rely on the government's unsworn assertions that the property was "inextricably intertwined" with the underlying offense.

Rodríguez-García v. Mun. of Caguas, Civil No. 01-2525, Order, Docket No. 166 (D.P.R. May 4, 2005), *aff'd in part, rev'd in part*, 495 F.3d 1 (1st Cir. 2007). Copy supplied. My ruling dismissing one the defendants at trial was vacated and remanded because I excluded letters when they should not have been.

Río Grande Comm. Heal v. Commonwealth of Puerto Rico, Civil No. 03-1640, Order, Docket No. 447, (D.P.R. Dec. 28, 2006), *rev'd and remanded sub nom. Dr. José Belaval, Inc. v. Pérez-Perdomo*, 488 F.3d 11 (1st Cir. 2007). Copy supplied. My ruling dismissing Medicaid reimbursements claims based on the unclean hands doctrine was reversed. The First Circuit held that plaintiff's misconduct in another suit was not sufficiently related to the present reimbursement suit for the doctrine to apply.

2. The First Circuit vacated and/or remanded my decision in the following 27 cases.

Colón-Torres v. Negrón-Fernández, Civil No. 14-1300, 2018 WL 2208053 (D.P.R. May 14, 2018), *vacated and remanded sub nom.* 2021 WL 1850555 (1st Cir. May 10, 2021). My order directing payment by an individual capacity civil rights defendant pursuant to a settlement agreement was reversed. In a matter of

first impression, the First Circuit held that the Puerto Rico Oversight, Management and Economic Stability Act (PROMESA) stays actions against individual capacity government defendants.

Pagán-Lisboa v. Soc. Sec. Administration, Civil No. 18-1830, Order & Judg., Docket Nos. 43 and 85 (D.P.R. June 19, 2019) (D.P.R. Feb. 28, 2020), *aff'd in part, vacated in part, remanded*, 2021 WL 1573786 (1st Cir. Apr. 22, 2021). Copy supplied. In this case, I dismissed the case for lack of jurisdiction over all of plaintiffs' claims except one as to her action under 42 U.S.C. § 405(g) and for failure to state a claim. As a result, I decided the case should be treated as a social security appeal and remanded it for further administrative proceedings. The First Circuit affirmed the judgment, but vacated my dismissal. It remanded the case for the limited purpose that I accept an amended complaint and then enter a new judgment remanding said plaintiff's case for a new administrative proceeding.

United States v. González-Flores, Crim. No. 16-147, Order & Judg., Docket Nos. 54 and 67 (D.P.R. May 30, 2018), *aff'd and remanded*, 988 F.3d 100 (1st Cir. 2021). Copies supplied. In this case, the sentence imposed was affirmed, but the First Circuit remanded to give defense counsel access to the written Statement of Reasons (SOR).

Borges v. El Conquistador Partn., 280 F. Supp. 3d 295 (D.P.R. 2017), *aff'd in part, vacated in part, remanded sub nom. Nieves-Borges v. El Conquistador Partn., L.P., S.E.*, 936 F.3d 1 (1st Cir. 2019). My summary judgment ruling in favor of defendant-employer was affirmed in part, vacated in part, and remanded. The dismissal of the Title VII retaliation claim was affirmed, while that of hostile work environment was vacated.

Pagán-González v. Moreno, 202 F. Supp. 3d 220 (D.P.R. 2016), *aff'd in part, vacated in part sub nom.* 919 F.3d 582 (1st Cir. 2019). This civil case was filed following the voluntary dismissal of child pornography charges against plaintiff. Before me, the plaintiff asserted Fourth Amendment and malicious prosecution claims against the law enforcement agents. I granted defendants' motion to dismiss reasoning that plaintiffs' Fourth Amendment claims were time-barred. The ruling was affirmed in part, vacated in part, and remanded because the limitations period for the action did not commence until plaintiff learned that he had been deceived by defendants, who did not enjoy qualified immunity.

United States v. Lawson, Crim. No. 15-392, Judg., Docket No. 39 (D.P.R. Sept. 12, 2016), *vacated and remanded*, 891 F.3d 407 (1st Cir. 2018). Copy supplied. My ruling was vacated and remanded because I lacked jurisdiction to subsequently vacate, alter, or revise a criminal sentence which I previously imposed.

Ortiz-Rivera v. United States, 203 F. Supp. 3d 216 (D.P.R. 2016), *vacated and remanded*, 891 F.3d 20 (1st Cir. 2018). My ruling was vacated and remanded

because I considered an incomplete record when dismissing Federal Tort Claims Act claims on the ground that these had not been timely presented to the appropriate federal agency.

United States v. Torres-Rivera, Crim. No. 10-244, Judg., Docket No. 4619 (D.P.R. Aug. 5, 2015), *vacated and remanded*, 874 F.3d 40 (1st Cir. 2017). Copy supplied. In this case, I denied a motion to reduce sentence based on amendments to Sentencing Guidelines. On appeal, my ruling was vacated, and remanded for the limited purpose that I review and consider defendant's clarified prison record.

United States v. Mercado-Flores, 109 F. Supp. 3d 467 (D.P.R. 2015), *adhered to*, 124 F. Supp. 3d 55 (D.P.R. 2015), *and vacated*, 872 F.3d 25 (1st Cir. 2017). In this case, I vacated the sentence I originally imposed on the ground that the statute of conviction did not apply to purely intrastate criminal conduct committed within the Commonwealth of Puerto Rico. The First Circuit reversed and held that I lacked jurisdiction to vacate the sentence. In a subsequent opinion, *United States v. Maldonado-Burgos*, 844 F.3d 339 (1st Cir. 2016), the First Circuit did, however, hold that said statute was inapplicable within the Commonwealth of Puerto Rico.

González-Oyarzun v. Caribbean City Builders, Inc., 27 F. Supp. 3d 265 (D.P.R. 2014), *vacated and remanded*, 798 F.3d 26 (1st Cir. 2015) (per curiam). In this case I dismissed an employment dispute based on a valid forum selection clause and issued a declaratory judgment stating that the Seventh Amendment requires Commonwealth of Puerto Rico courts to provide civil litigants with a jury trial. My ruling was vacated and remanded because Supreme Court precedent had not extended the Seventh Amendment to the States.

United States v. Dávila-Ruiz, Crim. No. 13-305, Order, Docket Nos. 38 and 40 (D.P.R. Dec. 11, 2013) (D.P.R. Dec. 13, 2013), *vacated and remanded*, 790 F.3d 249 (1st Cir. 2015). Copy supplied. My ruling denying defendant's motion to withdraw her guilty plea was vacated given that she so moved before I accepted the plea.

United States v. Cordero-Rosario, Crim. No. 11-556, Order & Judg., Docket Nos. 54 and 114 (D.P.R. July 3, 2012) (D.P.R. Nov. 21, 2013), *vacated and remanded*, 786 F.3d 64 (1st Cir. 2015). Copies supplied. In this case, I denied a motion to suppress. On appeal, this ruling was vacated and remanded so that I could determine whether consent to search a computer was tainted by earlier unlawful searches.

Bouret Echevarría v. Caribbean Aviation Maint. Corp., Civil No. 09-2034, 2013 WL 5723260 (D.P.R. Oct. 21, 2013), *vacated*, 784 F.3d 37 (1st Cir. 2015). In this case, eighteen months after the jury returned a verdict, the parties were informed that the verdict was influenced by the jurors' improper knowledge of a confidential settlement offer. I rejected a request for an evidentiary hearing,

pursuant to Federal Rule of Civil Procedure 60(b)(6), to explore the alleged jury taint. The ruling was vacated and remanded for the holding of an evidentiary hearing, which in fact was held and no evidence of jury misconduct was found.

United States v. Correy, Crim. No. 95-405-7, Judg., Docket No. 3166, (D.P.R. Oct. 25, 2011), *vacated and remanded*, 773 F.3d 276 (1st Cir. 2014). Copy supplied. My sentence was vacated and remanded with instructions to make further individualized, record-based drug-quantity findings on remand.

Watchtower Bible Tract Soc. of New York, Inc. v. Municipality of Santa Isabel, Civil No. 04-1452, 2013 WL 1856331 (D.P.R. Mar. 21, 2013), *aff'd in part, vacated in part, remanded sub nom. Watchtower Bible and Tract Socy. of New York, Inc. v. Municipality of San Juan*, 773 F.3d 1 (1st Cir. 2014), *cert. denied*, 135 S. Ct. 2395 (2015). The First Circuit affirmed my issuance of an injunction, but vacated and remanded for the limited purpose of amending the injunction such that the requirement of compliance within a 24-hour period, only applied on business days.

United States v. Pizarro, Crim. No. 95-405-10, Judg., Docket No. 3281 (D.P.R. May 17, 2012), *aff'd in part, vacated, and remanded*, 772 F.3d 284 (1st Cir. 2014). Copy supplied. In this case the criminal conviction was affirmed, but the sentence was vacated for failure to instruct the jury on the element of individualized drug quantity for the aggravated conspiracy count and the element of drug quantity for the aggravated possession count before applying a statutory sentencing range that included a mandatory minimum sentence on each count.

Medina-Velázquez v. Hernández-Gregorat, Civil No. 09-1692, Op. & Order, Docket No. 93 (D.P.R. Aug. 27, 2010), *vacated and remanded*, 767 F.3d 103 (1st Cir. 2014). Copy Supplied. The First Circuit held that I erred in granting a motion to dismiss employees' political discrimination claims since Plaintiffs' allegations supported a reasonable inference of knowledge and causation.

Pérez v. Developers Diversified Realty Corp., 904 F. Supp. 2d 156 (D.P.R. 2012), *aff'd in part, vacated in part sub nom. Velázquez-Pérez v. Developers Diversified Realty Corp.*, 753 F.3d 265 (1st Cir. 2014). In this case a male former employee brought an action against his former employer claiming that he was terminated based on the discriminatory actions of a female coworker, who subjected him to a hostile work environment, and retaliated against him for complaining of sexual harassment, in violation of Title VII. I granted summary judgment in favor of the employer. As matter of first impression, the First Circuit ruled that an employer can be held liable under Title VII if the plaintiff's co-worker makes statements maligning the plaintiff, for discriminatory reasons and with the intent to cause the plaintiff's firing; the co-worker's discriminatory acts proximately cause the plaintiff to be fired; and the employer acts negligently by allowing the co-worker's acts to achieve their desired effect though it knows (or reasonably should know) of the discriminatory motivation. My grant of summary

judgment as to the employee's discriminatory termination claim was reversed, however all my other rulings were affirmed.

Dorpan, S.L. v. Hotel Meliá, Inc., 851 F. Supp. 2d 398 (D.P.R. 2012), *vacated and remanded*, 728 F.3d 55 (1st Cir. 2013). My ruling was vacated and remanded as the First Circuit held there existed genuine issues of material fact precluding summary judgment.

Polanco-Quinoñes v. Astrue, Civil No. 10-1705, Order, Docket No. 12 (D.P.R. Mar. 21, 2011), *vacated and remanded*, 477 F. App'x 745 (1st Cir. 2012). Copy supplied. My ruling affirming an Administrative Law Judge's denial of Plaintiff's application for social security benefits was vacated so that I could consider a treating psychiatrist's opinion.

Portugués-Santana v. Rekomdiv Int'l, Inc., Civil No. 07-1103, Order, Docket No. 185 (D.P.R. Dec. 22, 2011), *aff'd in part and remanded*, 657 F.3d 56 (1st Cir. 2011). Copy supplied. Following a jury verdict, I awarded damages against defendants and denied their motions for judgment as a matter of law, a new trial, and offset of the damages award by another party's settlement amount. My ruling was remanded for me to determine whether the damages award should be offset by the amount of the settlement between the parties.

Ocasio-Hernández v. Fortuño-Burset, 639 F. Supp. 2d 217 (D.P.R. 2009), *vacated and remanded*, 640 F.3d 1 (1st Cir. 2011). Applying the federal notice pleading standard I dismissed a complaint for failing to state a plausible claim for relief. The First Circuit reversed and remanded, finding that the complaint did state a plausible claim of political discrimination.

Consejo de Salud Playa Ponce v. González-Feliciano, Civil No. 06-1260, Op. & Order, Docket No. 258 (D.P.R. May 12, 2009), *vacated and remanded sub nom. Concilio de Salud Integral de Loíza, Inc. v. Pérez-Perdomo*, 625 F.3d 15 (1st Cir. 2010). Copy supplied. My ruling denying a request for an injunction ordering Medicaid reimbursements was vacated and remanded. The First Circuit held that, while the formula for Medicaid reimbursements was still subject to reformulation, obligations to pay remained and the claim was not for retroactive relief barred under the Eleventh Amendment.

Nazario v. Rodríguez, Civil. 04-195, 2007 WL 1760644 (D.P.R. June 18, 2007), *vacated and remanded sub nom. De Jesús Nazario v. Morris Rodríguez*, 554 F.3d 196 (1st Cir. 2009). My ruling denying post-judgment attorney's fees was vacated and remanded.

Lee-Barnes v. Puerto Ven Quarry Corp., Civil No. 03-2358, Op. & Order, Docket No. 145 (D.P.R. July 31, 2006), *vacated*, 513 F.3d 20 (1st Cir. 2008). Copy supplied. In this case, after defendant declared bankruptcy, I issued an order declaring the prejudgment bond null. The First Circuit vacated my underlying

Rule 54(b) certification because the order failed to meet either the “party” or “claim” requirement; it subsequently dismissed the appeal for want of appellate jurisdiction.

Reyes Cañada v. Rey Hernández, Civil No. 01-1542, Judg., Amend. Judg., Op. & Order, Docket Nos. 878 and 904 (D.P.R. Dec. 14, 2005) (D.P.R. Jan. 10, 2006), 411 F. Supp. 2d 53 (D.P.R. 2006), *aff'd in part, vacated and remanded sub nom. Martínez-Vélez v. Rey-Hernández*, 506 F.3d 32 (1st Cir. 2007). Copies supplied. In this case a jury verdict was reached in favor of an employee who filed a political discrimination action. The First Circuit held that the record against a direct supervisor was insufficient to allow judgement against him. The ruling was affirmed in part and reversed in part.

New Comm Wireless Services, Inc. v. SprintCom, Inc., Civil No. 01-2270, Op. & Order, Docket No. 27 (D.P.R. Oct. 29, 2001), *vacated and remanded*, 287 F.3d 1 (1st Cir. 2002). Copy supplied. My ruling granting a motion for preliminary injunction was vacated. The First Circuit held that plaintiff had failed to establish a likelihood of success on the merits for its claims.

3. The First Circuit affirmed my judgment, while criticizing my substantive rulings, in the following four cases below.

United States v. Vaello-Madero, 356 F. Supp. 3d 208 (D.P.R. 2019), *aff'd on other grounds*, 956 F.3d 12 (1st Cir. 2020), *cert. granted*, 20-303, 141 S. Ct. 1462 (U.S. Mar. 1, 2021). In this case, I ruled as matter of first impression that the exclusion of United States citizens domiciled in Puerto Rico from the Supplemental Security Income (SSI) program under the Social Security Act violated the Equal Protection clause. My legal reasoning was predicated on the fact that said statute both failed to pass rational basis constitutional muster and discriminated on the basis of a suspect classification based on Hispanic origin. The First Circuit affirmed my decision, but exclusively on the grounds that the statute failed to meet the rational basis standard.

Fed. Deposit Ins. Corp. v. Estrada-Rivera, 813 F. Supp. 2d 265 (D.P.R. 2011), *aff'd on other grounds sub nom. F.D.I.C. v. Estrada-Rivera*, 722 F.3d 50 (1st Cir. 2013). I ruled that defendants had failed to timely exhaust the mandatory claims process and thus, lacked subject-matter jurisdiction to entertain their counterclaim. The First Circuit affirmed, but found it unnecessary to delve into the parties' arguments about compliance, or lack thereof, with the statutory claims procedures. It held that defendants failed to satisfy the constitutional case or controversy requirement.

Muñoz v. Sociedad Española de Auxilio Mutuo y Beneficiencia de Puerto Rico, Inc., Civil No. 05-1463, 2008 WL 11333407 (D.P.R. Oct. 8, 2008); 2008 WL 11333321 (D.P.R. June 10, 2008), *aff'd on other grounds*, 671 F.3d 49 (1st Cir. 2012). In this age discrimination and retaliation case, a jury entered verdict in

physician's favor and awarded damages. During post-trial proceedings, I entered a judgment as a matter of law in favor of plaintiff as to his tort claims. The First Circuit affirmed on other grounds concluding I did not commit plain error.

Collazo v. Nicholson, Civil No. 05-1783, 2006 WL 8444611 (D.P.R. Sept. 20, 2006), *aff'd on other grounds*, 535 F.3d 41 (1st Cir. 2008). In this case, I entered summary judgment in favor of defendant because plaintiff failed to meet the burden required to establish a hostile work environment claim. The First Circuit affirmed, but on other grounds because the remedy plaintiff sought (compensatory damages for mental anguish, pain, suffering, humiliation, and loss of enjoyment) was not available under the Age Discrimination in Employment Act (ADEA).

4. The District Court rejected or partially rejected my Report and Recommendation, issued while I served as a Magistrate Judge, in the following six cases below.

Acevedo v. United Parcel Serv., Inc., Civil No. 02-2704, Rep. & Rec., Docket No. 182 (D.P.R. Aug. 23, 2005), *adopted in part and rejected in part*, 2005 WL 8167891 (D.P.R. Nov. 30, 2005). Copy supplied. In this case, I issued a Report and Recommendation recommending summary disposition of plaintiff's age discrimination claim. The District Court approved and adopted all my recommendations, except that pertaining to plaintiffs' termination claim under the ADA requesting a reasonable accommodation.

Mateo-Espada v. Commonwealth of Puerto Rico, Civil No. 02-2603, 2005 WL 1640485 (D.P.R. June 30, 2005), *rejected*, Docket No. 81 (D.P.R. July 20, 2005). In this race and gender discrimination case, I recommended that summary judgment be entered in favor of defendant as to a specific retaliation claim only. The District Court rejected my recommendation because material issues of fact precluded summary disposition.

Ortiz v. Margo Caribe, Inc., Civil No. 03-2128, Rep. & Rec., Docket No. 82 (D.P.R. Sept. 29, 2004), *adopted in part and rejected in part*, 2005 WL 2077793 (D.P.R. Aug. 29, 2005), *aff'd sub nom. Rodríguez-Ortiz v. Margo Caribe, Inc.*, 490 F.3d 92 (1st Cir. 2007). Copy Supplied. In this case, I issued a Report and Recommendation regarding defendants' motion to dismiss for failure to state a claim under the Private Securities Litigation Reform Act and the Consolidated Omnibus Budget Reconciliation Act. The District Court adopted all my recommendations, except that regarding the exercise of supplemental jurisdiction as to a state law claim. The district court disagreed with my recommendation that it retain jurisdiction over the state claim as it would predominate over the remaining federal claim.

Vélez Rivera v. Agosto Alicea, Civil No. 01-2240, Rep. & Rec., Docket No. 106 (D.P.R. Feb. 19, 2004), *rejected*, 334 F. Supp. 2d 72 (D.P.R. 2004), *aff'd*, 437 F.3d 145 (1st Cir. 2006). Copy supplied. In this political discrimination case, I

recommended the denial of defendants' motion for summary judgment because of the existence of material issues of fact. The District Court held that no factual disputes existed and, thus, entered summary judgment in plaintiffs' favor.

Sloan Const. Co. v. Am. Renovation and Const. Co., Civil No. 02-1751, Rep. & Rec., Docket No. 83 (D.P.R. Feb. 9, 2004), *adopted in part and rejected in part*, 313 F. Supp. 2d 24 (D.P.R. 2004). Copy supplied. In this case I issued a Report and Recommendation recommending the denial of defendants' motion for summary judgment and motion to dismiss because a valid contract existed. The District Court rejected said ruling and held that no contract existed but rather a pre-contractual agreement.

Las Marias Farm Corp. v. Toledo Fernández, Civil No. 03-1395, Rep. & Rec., Docket Nos. 47 and 88 (D.P.R. Mar. 29, 2004) (D.P.R. July 7, 2014), *adopted in part and rejected in part*, Docket No. 103. Copies supplied. In both Reports and Recommendations, I concluded that plaintiffs had met their burden pursuant to Rule 12(b)(6) regarding their prima facie case of discrimination and that defendants prematurely raised the qualified immunity defense. As such, I recommended denial of the motions. The District Court adopted all of my recommendations because further discovery needed to take place. However, it rejected my recommendation applying the *Mt. Healthy* defense issue.

- 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.

I estimate that approximately 50% of my decisions and rulings are unpublished. These are stored in court's electronic filing system (CM/ECF) for each case. Most of these opinions entail summary memorandum orders for the issues involved or rulings from the bench, as is common in sentencing hearings.

- 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 have searched my files, electronic databases, and the court's electronic filing system (CM/ECF) in an effort to locate all of my significant opinions on federal or state constitutional issues in response to this question. The significant opinions of mine that concern constitutional issues are listed below.

Rosario v. Fin. Oversight and Mgt. Bd. for Puerto Rico, Civil No. 20-1307, 2020 WL 7689592 (D.P.R. Dec. 23, 2020)

López-Correa v. United States, Civil Case No. 18-1930, 2020 WL 5074412 (D.P.R. Aug. 27, 2020)

Puerto Rico Assn. of Mayors v. Vélez-Martínez, Civil No. 20-1405, 2020 WL

4731349 (D.P.R. Aug. 14, 2020), *reconsideration denied*, 482 F. Supp. 3d 1 (D.P.R. 2020)

Consejo de Salud de P.R., Inc. v. United States, 450 F. Supp. 3d 103 (D.P.R. 2020), *reconsideration denied*, Civil No. 18-1045, 2020 WL 1934447 (D.P.R. Apr. 22, 2020)

Club Gallístico de P.R. Inc. v. United States, 414 F. Supp. 3d 191 (D.P.R. 2019), *aff'd sub nom. Hernández-Gotay v. United States*, 985 F. 3d 71(1st Cir. 2021)

United States v. Pedro-Vidal, 371 F. Supp. 3d 57 (D.P.R. 2019)

United States v. Vaello-Madero, 356 F. Supp. 3d 208 (D.P.R. 2019), *aff'd on other grounds*, 956 F.3d 12 (1st Cir. 2020), *cert. granted*, 20-303, 141 S. Ct. 1462 (U.S. Mar. 1, 2021)

United States v. Cordero-Rosario, 252 F. Supp. 3d 79 (D.P.R. 2017)

Santana-Rios v. United States, 235 F. Supp. 3d 386 (D.P.R. 2017)

Watchtower Bible Tract Soc. of New York, Inc. v. Mun. of Ponce, 197 F. Supp. 3d 340 (D.P.R. 2016)

United States v. Quintana, Crim. No. 16-591-46, Orders, Docket Nos. 536 and 565 (D.P.R. Jun. 9, 2017) (Jun. 29, 2017). Copies supplied. The appeal was voluntarily dismissed.

Vidal, et al. v. Padilla, et al., Civil No. 14-1253, Order & Decl. Judg., Docket Nos. 73 and 76, (D.P.R. Apr. 7, 2016) (Apr. 11, 2016). Copies supplied.

Morales v. Commonwealth of Puerto Rico, Crim. No. 15-1096, 2015 WL 4742512 (D.P.R. Aug. 11, 2015)

United States v. Mercado-Flores, 312 F. Supp. 3d 249 (D.P.R. 2015)

United States v. Mercado-Flores, 109 F. Supp. 3d 467 (D.P.R. 2015), *adhered to*, 124 F. Supp. 3d 55 (D.P.R. 2015), *and vacated*, 872 F. 3d 25 (1st Cir. 2017)

Toledo-Colón v. Puerto Rico, 937 F. Supp. 2d 211 (D.P.R. 2013)

Consejo de Salud Playa de Ponce v. Sec 'y of Health of P.R., 705 F. Supp. 2d 163 (D.P.R. 2010)

Rivera v. Díaz, Civil No. 09-1919, 2010 WL 1542191 (D.P.R. Apr. 15, 2010)

Consejo de Salud Playa de Ponce v. Rullán, 586 F. Supp. 2d 22 (D.P.R. 2008)

United States v. Oquendo-Cedeno, 531 F. Supp. 2d 224 (D.P.R. 2008)

United States v. Rodríguez-Pomales, 500 F. Supp. 2d 51 (D.P.R. 2007)

Ramos v. P.R. Med. Examining Bd., 491 F. Supp. 2d 238 (D.P.R. 2007)

Broadwell v. Municipality of San Juan, 312 F. Supp. 2d 132 (D.P.R. 2004)

United States v. Acevedo-Delgado, 167 F. Supp. 2d 477 (D.P.R. 2001)

- 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.

I have sat by designation in the United States Court of Appeals for the First Circuit on five occasions, participated in 36 cases, and have issued six opinions to date.

United States v. Gurry, Case No. 20-1457

United States v. Rowan, Case No. 20-1413

United States v. Simon, Case No. 20-1412

United States v. Lee, Case No. 20-1411

United States v. Gurry, Case No. 20-1410

United States v. Kapoor, Case No. 20-1409

United States v. Kapoor, Case No. 20-1382

United States v. Rowan, Case No. 20-1370

United States v. Lee, Case No. 20-1369

United States v. Simon, Case No. 20-1368

Covidien LP v. Esch, 993 F.3d 45 (1st Cir. 2021). The opinion I authored affirmed the district court's denial of an equitable declaratory judgment following a nine-day jury trial.

United States v. Rougeau, 835 F. App'x 613 (1st Cir. 2021)

Sonoiki v. Harvard University, et al., Case No. 20-1689

N.R. v. Raytheon Company, et al., Case No. 20-1639

Benson v. Wal-Mart Stores East L.P., Case No. 20-1495

Foss v. Marvic, Case No. 20-1008

Cason v. Puerto Rico Elec. Power Authority, 770 F.3d 971 (1st Cir. 2014). The opinion I authored held that the absence of a non-diverse heir in a wrongful death action did not divest the district court of subject-matter jurisdiction where estate members voluntarily withdrew from the action, leaving only non-heirs as parties. The opinion reversed the district court's ruling that the entire case had to be dismissed.

Acevedo Pérez v. United States, 768 F.3d 51 (1st Cir. 2014)

United States v. Felix, 763 F.3d 105 (1st Cir. 2014)

United States v. Montañez, 756 F. 3d 1 (1st Cir. 2014). The opinion I authored affirmed a firearm conviction and sentence over evidentiary challenges regarding a possession count, but reversed the conviction and sentence as to the possession of a firearm in a school zone count.

Boston Gas Co. v. Century Indemn. Co., 588 F.3d 20 (1st Cir. 2009)

Scottsdale Ins. Co. v. Torres, 561 F.3d 74 (1st Cir. 2009)

United States v. Rheault, 561 F.3d 55 (1st Cir. 2009)

In re Citigroup, 535 F.3d 20 (1st Cir. 2008)

Boston Gas Co. v. Century Indemn. Co., 529 F.3d 8 (1st Cir. 2008)

United States v. Pridgen, 518 F.3d 87 (1st Cir. 2008). The opinion I authored affirmed a firearm conviction over evidentiary challenges as to statements admitted at trial.

United States v. Lewis, 517 F.3d 20 (1st Cir. 2008)

United States v. Richardson, 515 F. 3d 74 (1st Cir. 2008). The opinion I authored affirmed the conviction and sentence of a defendant convicted of narcotics and weapons charges.

Rotinsulu v. Mukasey, 515 F.3d 68 (1st Cir. 2008)

Nascimento v. Preferred Mut. Life Ins. Co., 513 F.3d 273 (1st Cir. 2008). The opinion I authored affirmed the district court's ruling that under Massachusetts law, a general liability insurance policy did not cover underground storage tank leak damages.

Alexander v. Brigham and Women's Physicians Organizations Inc., 513 F.3d 37 (1st Cir. 2008)

Lumanauw v. Mukasey, 258 F. App'x 351 (1st Cir. 2007)

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:
- 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.

According to reports generated by the Court's electronic case filing system (CM/ECF), I have recused myself *sua sponte*, as a district judge, in 42 civil cases and in one criminal case. I have done so whenever an appearing party or counsel is a former client, close acquaintance, or individual with whom personal contact is frequent. I also disqualify myself from all cases in which one of the universities where I teach appears as a party. All other recusals I decide on a case-by-case basis. The CM/ECF system does not have available information of any recusals for the period I served as a magistrate judge. However, I used the same guiding principles to recuse myself when appropriate.

The United States District Court for the District of Puerto Rico has a recusal list with names of relatives who are attorneys, attorneys who have close ties with me, and companies where a close family member is employed. If any of these individuals appear as a party or counsel in any case, then the system flags these newly assigned cases. The system permits me to identify potential conflicts *ex ante*, and then decide whether to recuse *sua sponte* in a newly assigned case.

I recused myself *sua sponte* in the following 43 cases, for the reasons described below.

I recused myself from *Ruiz-Romero v. Department of Education of the United States of America et al.*, Civil No. 21-1040, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Condado Plaza Acquisition LLC et al v. ROK Acquisitions LLC et al.*, Civil No. 20-1712, because counsel for one of the defendants is a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with one of the defendants' counsel and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Díaz-Morales et al v. Universidad de Puerto Rico et al.*, Civil No. 20-01630, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Ramos v. Commonwealth of Puerto Rico*, Civil No. 20-1400, because plaintiff had previously sued me in my official capacity in an unrelated matter. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *D&Z Auction Resellers, LLC et al v. Chinae*, Civil No. 20-1251, because counsel for plaintiff is a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with plaintiff's counsel and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Colón-Marín et al v. Presbyterian Community Hospital, Inc. et al*, Civil No. 20-1220, because one of the defendants was my mother's personal physician. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *International Food Service Purchasing Group, Inc. v. Beavers et al.*, Civil No. 20-1162, because counsel for one of the defendants is a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with one of the defendants' counsel and that this issue was

incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Ballester Hermanos, Inc. v. Brugal & Ca. C. por A.*, Civil No. 19-02100, because the plaintiff corporation is owned by a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with the plaintiff's owner and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *López-Torres v. Universidad Interamericana de Puerto Rico, Inc. et al.*, Civil No. 19-1905, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Pagán-Caraballo et al. v. Puerto Rico Farm Credit, ACA et al.*, Civil No. 19-1649, because one of the counsels for defendant had become senior counsel to the court-appointed monitor in the Puerto Rico Police Reform consent decree case I preside over. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Carrasquillo-González v. Rossello-Nevarés et al.*, Civil No. 19-1414, because I currently preside over the Puerto Rico Police Reform consent decree case and the basis for this action occurred during the Reform process. I do not disqualify myself from every case involving the Puerto Rico Police Bureau. I do so on a case-by-case basis. In this particular case, after reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *D&Z Auction Resellers, LLC et al. v. Medi Data Corporation et al.*, Civil No. 19-1242, because counsel for plaintiff is a close acquaintance with whom personal contact is frequent. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with plaintiff's counsel and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Cruz v. University of Puerto Rico*, Civil No. 18-1575, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality

might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Acevedo-Feliciano et al. v. Archidiocese of San Juan et al.*, Civil No. 18-1060, because several of my high school teachers, with whom I remain close, were plaintiffs in this case. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Ruiz-Colón et al. v. Rodríguez-Elías et al.*, Civil No, 17-2223, because while working at the Puerto Rico Justice Department two decades ago, I gained personal knowledge of the case during post-conviction proceedings. After reviewing the Code of Conduct for United States Judges, specifically Canons 3(C)(1)(a), (b), and (e), I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Rodríguez-Ramos v. United States*, Civil No. 17-1772, because while serving as a Federal Public Defender more than two decades ago I represented the defendant in the underlying criminal case. After reviewing the Code of Conduct for United States Judges, specifically Canons 3(C)(1)(b) and (e), I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was reassigned to the District Court Judge who currently presides over defendant's criminal case using the Court's Case Assignment System.

I recused myself from *Bautista Cayman Asset Company v. North Bay Development, Inc. et al.*, Civil No. 17-1203, because one of the defendants was my second cousin. After reviewing the Code of Conduct for United States Judges, specifically Canons 3(C)(1)(d), I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *United States v. Pereira-Estrada*, Crim. No. 16-776, because counsel for defendant is a close acquaintance with whom personal contact is frequent. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with defendant counsel and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *UBS Financial Services, Inc. et al. v. Vizcarrondo et al.*, Civil No. 16-3220, because one of the respondents is a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Ruiz-Morales v. American Airlines, Inc.*, Civil No. 16-2837 because I personally knew the plaintiff, with whom personal contact is frequent. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Centeno-Navarro v. Caldero-López et al.*, Civil No. 16-2483, because I currently preside over the Puerto Rico Police Reform consent decree case and the basis for this action occurred during the Reform process. I do not disqualify myself from every case involving the Puerto Rico Police Bureau. I do so on a case-by-case basis. In this particular case, after reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Rivera-Díaz v. McConnell Valdés LLC*, Civil No. 16-1680, because I previously worked at the defendant law firm. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Rivera-Astacio et al. v. Commonwealth of Puerto Rico et al.*, Civil No. 15-3181, because I currently preside over the Puerto Rico Police Reform consent decree case and the basis for this action occurred during the Reform process. I do not disqualify myself from every case involving the Puerto Rico Police Bureau. I do so on a case-by-case basis. In this particular case, after reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Quiles-Maldonado v. University of Puerto Rico et al.*, Civil No. 15-03113, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Ruiz-Colón v. Miranda-Rodríguez et al.*, Civil No. 15-01754, because while serving as an attorney at the Puerto Rico Department of Justice, I worked on matters and provided opinions and advise pertaining to the underlying conviction in this case. After reviewing the Code of Conduct for United States Judges, specifically Canons 3(C)(1)(a), (b), and (e), I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Rivera-Santiago et al v. Municipality of Ponce et al.*, Civil No. 15-1731, because I personally knew one of the plaintiffs, with whom personal contact is frequent. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Nicole, Inc. v. Novus, Inc. et al.*, Civil No. 15-1296, because I personally knew and frequently coincided with the owner of the defendant corporation. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Villaman-Santiago et al. v. Presbyterian Community Hospital, Inc. et al.*, Civil No. 15-1057, because I personally knew one of the defendant doctors, with whom personal contact is frequent. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Gelabert-De-Peguero et al. v. Municipality of San Juan et al.*, Civil No. 14-1812, because I personally knew one of the parties, with whom personal contact is frequent. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Arroyo-Planas et al. v. Lamoutte et al.*, Civil No. 14-1468, because the defendant is a bankruptcy judge with whom I enjoy a close relationship. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The First Circuit ordered that this case be assigned to District Court Judge not sitting in the District of Puerto Rico.

I recused myself from *Fernández et al. v. UBS AG et al.*, Civil No. 14-1441, because at the time one of my close family members had a pending claim against one of the defendants. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Quiñones v. University of Puerto Rico et al.*, Civil No. 14-1331, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality

might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Maldonado-Vinas et al. v. National Western Life Insurance Co.*, Civil No. 14-01192, because counsel for plaintiffs is a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with plaintiffs' counsel and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself *Martínez et al. v. Kindred Spirits, Inc. et al.*, Civil No. 13-1792, because previously I was involved in a litigation including the defendant. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Nazario v. Pesquera et al.*, Civil No. 13-1588, because I currently preside over the Puerto Rico Police Reform case and, at the time, I had constant interaction with the parties of the case, the Puerto Rico Police Department (PRPD) Superintendent and high-ranking officials. Moreover, while presiding over the police reform case I had a more detailed look at the intricacies of the PRPD regarding the areas subject the reform process, such as workplace discrimination and sexual harassment. The latter were the allegations in this case. I do not disqualify myself from every case involving the Puerto Rico Police Bureau. I do so on a case-by-case basis. In this particular case, after reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. I issued an order further explaining my reasoning for *sua sponte* disqualification. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *The Quaker Oats Corp. v. Ballester Hermanos Inc.*, Civil No. 12-1712, because the defendant corporation is owned by a close acquaintance with whom personal contact is frequent. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Arroyo v. FDIC et al.*, Civil No. 12-1433, because counsel for one of the defendants was also counsel for a defendant in a civil state court case wherein, I was named plaintiff. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. I issued an order and explained that I disqualified myself "[t]o avoid even the appearance of impropriety, or a conflict of interest, as well as to avoid any future claim for disqualification or ethical violation." The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Universal Insurance Company et al. v. Department of Justice, et al.*, Civil No. 11-1968, because counsel for plaintiff is a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with plaintiff's counsel and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Torres v. NBC Universal, Inc.*, Civil No. 11-1308, because counsel for plaintiff is a close acquaintance. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned in light of this connection with plaintiff's counsel and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Tormos-Pol v. Conte-Miller et al.*, Civil No. 10-1935, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Efrón et al. v. Jet First, Inc. et al.*, Civil No. 07-1230, because I had personal knowledge of the underlying case. After reviewing the Code of Conduct for United States Judges, specifically Canon 3(C)(1)(a), I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *García-Monagas et al v. W. Holding Company, Inc. et al.*, Civil No. 07-1217, because my father served as counsel for one of the defendants. After reviewing the Code of Conduct for United States Judges, specifically Canon 3(C)(1)(d), I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

I recused myself from *Ortiz-Cruz et al. v. The University of Puerto Rico et al.*, Civil No. 06-2152, because one of the defendants is a university where I teach. After reviewing the Code of Conduct for United States Judges, I determined that my impartiality might reasonably be questioned and that this issue was incurable. The case was randomly reassigned using the Court's Case Assignment System.

As to the remaining parts of questions 14(a), (b), (c), and (d), I recall only one case in which I was asked to disqualify or recuse myself.

I denied motions for recusal, and did not recuse myself, in the following case:

In *UBS Financial Services, Inc. et al. v. Asociacion de Empleados del Estado Libre Asociado de Puerto Rico*, Civil No. 16-2017, the defendant moved for post-judgment disqualification because my father had a minimal and limited appearance as local counsel in the case's arbitration hearing. The parties failed to inform the Court of this matter. I did not disqualify myself because the issue should have been brought to my attention at an early stage of the proceedings rather than raised after considerable judicial time, effort, and resources had been invested. I issued an order explaining my reasoning for denying the defendant's request. Although I did not disqualify myself, "to maintain the Court's appearance of impartiality," the matter was referred to the then-Chief Judge of the District, "to attend to the pending Rule 59(e)/Rule 60(b) motion for relief from judgment or reassign the matter to another judge." The Chief Judge ordered that the case be randomly reassigned using the Court's Case Assignment System. The Rule 59(e)/Rule 60(b) motion was ultimately denied by a subsequent District Court Judge. In turn, this denial was appealed and recently affirmed by the First Circuit.

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

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

I served as Solicitor General for the Commonwealth of Puerto Rico from 1999 to 2000. I was appointed by the Governor of Puerto Rico, Hon. Pedro J. Rosselló González, and unanimously confirmed by the Commonwealth of Puerto Rico Senate.

I have never had any unsuccessful nomination for appointed office, and I have never run for public office.

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

None.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge,

the court and the dates of the period you were a clerk;

I served as law clerk to the Honorable Juan M. Pérez-Giménez in the United States District Court for the District of Puerto Rico from 1991 to 1993.

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

I have not practiced alone.

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

1993 – 1997

Federal Public Defender's Office, District of Puerto Rico
500 Tanca Street
San Juan, Puerto Rico 00901
Assistant Federal Public Defender

July – December 1996

United States Sentencing Commission
One Columbus Circle, Northeast, Suite 2-500
Washington, District of Columbia 20002
Special Counsel (on detail from the Federal Public Defender's Office)

January – November 1997

Commonwealth of Puerto Rico Department of Justice, Office of Legal Counsel
2 Olimpo Street
San Juan, Puerto Rico 00907
Special Counsel to the Attorney General

November 1997 – September 1999

Commonwealth of Puerto Rico Department of Justice, Office of Legal Counsel
2 Olimpo Street
San Juan, Puerto Rico 00907
Assistant Attorney General

1999 – 2000

Commonwealth of Puerto Rico Department of Justice, Office of the Solicitor General
2 Olimpo Street
San Juan, Puerto Rico 00907
Solicitor General

January – June 2001
McConnell Valdés LLC
270 Muñoz Rivera Avenue
San Juan, Puerto Rico 00918
Special Litigation Counsel

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

I have never served as a mediator nor an arbitrator.

b. Describe:

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

1993 – 1997: As an Assistant Federal Public Defender, I represented indigent defendants who were criminally charged before the United States District Court for the District of Puerto Rico. I handled all my assigned cases from the defendant's initial appearance through trial or guilty plea, and sentencing, and on appeal before the United States Court of Appeals for the First Circuit. I also worked on various post-conviction relief matters.

July – December 1996: As Special Counsel to the United States Sentencing Commission, I worked on multiple projects involving the revision and application of the United States Sentencing Guidelines.

January 1997 – September 1999: As Special Counsel to the Attorney General from January to November 1997, and later as Assistant Attorney General for the Office of Legal Counsel at the Puerto Rico Department of Justice from November 1997 to September 1999, I was responsible for advising and representing the Attorney General of Puerto Rico in both civil and criminal matters. These matters involved the preparation of legal opinions for the Governor, Attorney General, and other Executive Branch officials; appearing before the Commonwealth Senate and House of Representatives to comment on proposed legislation; drafting bills for the Governor and Attorney General to submit to the Legislature, and advising the Governor whether to sign bills into law or veto the same; drafting and reviewing all contracts and agency agreements involving the Department of Justice; coordinating special legislative and administrative projects involving multiple agencies or branches of governments; and litigating before federal district and appellate courts cases involving important constitutional questions and other matters of public policy. I also served at

times as acting Attorney General and acting Solicitor General.

1999 – 2000: As Solicitor General of the Commonwealth of Puerto Rico I led an office composed of a Deputy Solicitor General, thirty-five Assistant Solicitors General, and support staff. My office represented the Commonwealth of Puerto Rico, its Governor, and Executive branch officers in all appellate civil and criminal cases before the Puerto Rico Supreme Court and intermediate Appeals Courts, as well as before the United States Court of Appeals for the First Circuit. On numerous occasions, I personally appeared and/or argued before said Courts, as well as before the United States District Court for the District of Puerto Rico, and in one specific instance before the United States District Court for the Southern District of New York and the United States Court of Appeals for the Second Circuit. These cases involved matters of public importance, mostly regarding constitutional questions. I filed amicus briefs before the United States Supreme Court and United States Court of Appeals for the District of Columbia Circuit, as well as advised the Attorney General whether to join amicus briefs led by other Attorneys General. My office was assigned by the Puerto Rico Supreme Court the investigation and prosecution of complaints involving ethical misconduct by attorneys. I was also a member of the Department of Justice's committee for evaluation of candidates for district attorney and deputy prosecutor positions.

January – June 2001: As Special Litigation Counsel at McConnell Valdés I worked almost exclusively on commercial litigation before the U.S. District Court for the District of Puerto Rico. I also worked on two cases before the Puerto Rico Court of First Instance, Superior Court, and in one matter before an administrative agency.

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

1993 – 1997: My clients at the Federal Public Defender office were exclusively indigent criminal defendants in federal courts. 100% of my practice was devoted to criminal litigation before the United States District Court and United States Court of Appeals for the First Circuit.

January 1997 – September 1999: My clients at the Department of justice were the Commonwealth of Puerto Rico, its Governor, Attorney General, and Executive Branch officers. About 40% of my practice was devoted to federal litigation involving constitutional and important public policy matters before the United States District Court and the United States Court of Appeals for the First Circuit.

1999 – 2000: My clients as Solicitor General of Puerto Rico were the

Commonwealth of Puerto Rico, its Governor, Attorney General, and Executive Branch officers. About 70% of my practice was devoted to appellate work, 15% to investigating and prosecuting cases of attorney ethical misconduct, and 15% to litigating constitutional matters before the United States District Court and other courts.

January – June 2001: My clients at McConnell Valdés LLC were all corporate clients. The bulk of my legal practice was devoted to federal court litigation.

- 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.

As Assistant Federal Public Defender from 1993 to 1997, 100% of my practice consisted of criminal federal litigation at the district and appellate levels. I estimate that I represented over 100 defendants. I also appeared in court on a daily basis. I served as counsel in seven jury trials and argued several cases before United States Court of Appeals of the First Circuit.

As Assistant Attorney General from 1997 to 1999, 40% of my practice involved constitutional litigation before the United States District Court and United States Court of Appeals of the First Circuit. The remaining 60% of my practice did not involve litigation. I worked on diverse matters such as evaluating and preparing opinions for the Attorney General on proposed Commonwealth legislation and agency matters, and assisted in the drafting of administrative orders establishing prosecutor protocols for drug courts and domestic violence units.

As Solicitor General of Puerto Rico from 1999 to 2000, my practice consisted of approximately 70% appellate litigation, both civil and criminal, before the Puerto Rico Supreme Court and Appeals court, as well as the United States Court of Appeals of the First Circuit and on one occasion before the Second Circuit. I argued once before the Puerto Rico Supreme Court and several times before the First Circuit and once before the Second Circuit. Moreover, 15% of my practice involved prosecuting attorney ethical misconduct cases, and the other 15% to litigating constitutional matters before the United States District Court and state courts.

At McConnell Valdés LLC from January to June 2001, my practice consisted entirely of civil litigation. I appeared in both federal and state court.

- i. Indicate the percentage of your practice in:
1. federal courts: 80%
 2. state courts of record: 20%
 3. other courts: 0%
 4. administrative agencies: 0%

ii. Indicate the percentage of your practice in:

1. civil proceedings: 50%
2. criminal proceedings: 50%

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

I tried to verdict seven cases as sole counsel and three cases as co-counsel.

i. What percentage of these trials were:

1. jury: 70%
2. non-jury: 30%

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.

My practice before the Supreme Court of the United States consisted of filing one petition for certiorari during my time as a Federal Public Defender. Certiorari was denied. I do not have copy of the petition and do not recall the name of the case. To the best of my recollection it involved a sentencing issue under the Sentencing Guidelines.

As Solicitor General of Puerto Rico, I filed an amicus brief in support of a certiorari petition. The case was *Efrón v. United States*, 189 F.3d 482 (11th Cir. 1999), *cert. denied* 528 U.S. 987 (1999). Copy supplied.

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. *Romeu v. Cohen*, before Judge Shira Sheindlin of the United States District Court for the Southern District of New York and Court of Appeals for the Second Circuit (Chief Judge John Walker, Judge James Oakes, and Judge Pierre Leval). The citations for the published opinions are: 121 F. Supp. 2d 264 (S.D.N.Y. 2000) and 265 F.3d 118 (2nd Cir. 2001).

This case involved the declaratory judgment request of a United States citizen who moved from New York to Puerto Rico to vote absentee in the 2000 presidential election. He challenged the Uniformed and Overseas Citizens Absentee Voting Act on constitutional grounds as it deprived United States citizens who relocate to a United States territory from voting, however, permitted United States citizens who moved to a foreign country to vote absentee. Both courts held that the federal statute passed muster under a rational basis standard. As Solicitor General I represented the Commonwealth of Puerto Rico as plaintiff-appellant intervenor and briefed the case before both courts, as well as argued before the Court of Appeals for the Second Circuit.

Appellant proceeded pro se

Counsel for the United States-Appellee:

Daniel S. Alter
Yankwitt LLP
140 Grand Street, Suite 705
White Plains, NY 10601
(914) 686-1500

Co-Counsel for Appellee:

Deborah Porder
60 Centre Street, Room 555
New York, NY 10007-1402
(646) 386-3363

2. *Igartúa de la Rosa v. United States*, before the United States Court of Appeals for the First Circuit (Chief Judge Juan Torruella, Judge Sandra Lynch, and Judge Kermit Lipez). The citation for the published opinion on appeal is 229 F.3d 80 (1st Cir. 2000).

This case involved the issue of whether United States citizens living in Puerto Rico may vote in presidential elections. On appeal, the declaratory judgment of the district court in the affirmative was reversed on the ground that only States are entitled under the Constitution to have electors. As Solicitor General I represented the Commonwealth as plaintiff-appellant intervenor and argued the case on appeal.

Counsel for the United States:

Matthew M. Collette

U.S. Department of Justice
Office of the Solicitor General
950 Pennsylvania Avenue, Northwest
Washington, DC 20530-0001
(202) 514-2203

Appellee proceeded pro se

Counsel for Intervenor-Appellee:

Ángel E. Rotger Sabat
Post Office Box 71449
San Juan, PR 00936- 8549
(787)-756-9640

John F. Nevares
John F. Nevares & Assoc. PSC
Post Office Box 13667
San Juan, PR 00908-3667
787-502-2165

3. *Jusino Mercado v. Commonwealth of Puerto Rico*, before the United States Court of Appeals for the First Circuit (Judges Bruce Selya, Kermit Lipez, and Frank Coffin). The citation for the published opinion is 214 F.3d 34 (1st Cir. 2000).

In this case public employees of the Commonwealth brought an action for overtime pay and liquidated damages under the Fair Labor Standards Act. As Solicitor General I represented the Commonwealth and argued on appeal. The Court of Appeals held that Puerto Rico, like the fifty States, is immune from such federal action.

Counsel for Appellant:

Michael Leibig (deceased)

4. *Partido Acción Civil v. Estado Libre Asociado (Commonwealth of Puerto Rico)*, Case AC-1999-20 before the Supreme Court of Puerto Rico (Chief Justice José Andreu and Associate Justices Antonio Negron-García, Francisco Rebollo-Lopez, Myriam Naveira- Merly, Federico Hernández-Denton, Jaime Fuster-Berlingeri, and Baltasar Corrada Del Río). The citation for the reported opinion is 150 D.P.R. 359, 2000 WL 223543 (P.R.), *and on reconsideration* 150 D.P.R. 805, 2000 WL 462276 (P.R.).

In this case a political organization challenged on state and federal constitutional grounds the then-existing provision of Puerto Rico's electoral law requiring that all signatures accompanying its petition to register as a political party be sworn before a notary public. The Supreme Court upheld the validity of said law. As

Solicitor General I represented the Commonwealth of Puerto Rico and argued the case before the Supreme Court in 2000.

Counsel for Appellant:

Nelson Rosario
1112 Palmas Street, Esquina Roberto H. Todd
San Juan, PR 00908
(787) 777-0995

Counsel for Appellee:

Ramón Walker
Post Office Box 9023550
San Juan, PR 00902
(787) 340-6440

Pedro Delgado Hernández
Clemente Nazario U.S. Courthouse
150 Charcón Avenue
San Juan, PR 00918
(787) 772-3133

5. *Cruz v. Melecio*, Civil No. 99-1296 before Judge Juan M. Pérez-Giménez in the United States District Court for the District of Puerto Rico. My representation commenced in 1999 and concluded in 2000 upon conclusion of the appeal before the United States Court of Appeals for the First Circuit (Judges Bruce Selya, Michael Boudin, and Sandra Lynch). The citation for the published opinion on appeal is 204 F.3d 14 (1st Cir. 2000).

This case is related to *Partido Acción Civil v. Estado Libre Asociado* (described previously) and I also presented a parallel constitutional attack to the notarized signature requirement in Puerto Rico's then existing Electoral Law. The District Court dismissed the case. The Court of Appeals affirmed, holding that considerations of comity and federalism warranted that the federal court abstain from entertaining the same as it was at the time pending before the Puerto Rico Supreme Court. As Solicitor General I argued the case before both courts.

Counsel for Appellant:

Roberto Fernández
Westernbank World Plaza
268 Muñoz Rivera Avenue, Suite 1500
San Juan, PR 00919
(787) 758-4152

Counsel for Appellee:

Pedro Delgado Hernández
Clemente Nazario U.S. Courthouse

150 Chardón Avenue
San Juan, PR 00918
(787) 772-3133

6. *Olguin Arroyo v. State Elections Brd*, 30 F. Supp. 2d 183 (D.P.R. 1998), before Judge Jaime Pieras of the United States District Court for the District of Puerto Rico. This case involved a constitutional challenge to the voter registration deadline for the 1998 Commonwealth status plebiscite. The court, following a bench trial, held that the challenged deadline was valid. As Assistant Attorney General I represented the Commonwealth of Puerto Rico.

Counsel for Plaintiff:

Pedro Varela
154 José Padín Street
San Juan, PR 00918
(787) 751-0447

Counsel for Co-Defendant:

Pedro Delgado Hernández
Clemente Nazario U.S. Courthouse
150 Chardón Avenue
San Juan, PR 00918
(787) 772-3133

7. *Popular Democratic Party v. Commonwealth of Puerto Rico*, 24 F. Supp. 2d 184 (D.P.R. 1998), before Judge Juan M. Pérez-Giménez of the United States District Court for the District of Puerto Rico.

This case involved a constitutional challenge to the definition of “Commonwealth” in the state law calling for a status plebiscite in 1998. The same was filed in state court and removed to federal court by the Commonwealth on federal question grounds. Plaintiffs challenged the court’s jurisdiction and moved to remand. The court upheld the removal and the United States Court of Appeals for the First Circuit denied a *mandamus* petition for remand. Following the appellate ruling plaintiffs voluntarily dismissed the case. As Assistant Attorney General I was counsel of record for the Commonwealth before both the district and appeals courts.

Counsel for Plaintiff:

José A. Hernández-Mayoral
206 Tetuán Street, Suite 702
San Juan, PR 00901
(787) 607-4867

Co-Counsel for Defendant:

José Fuentes Agostini

801 Pennsylvania Avenue, Northwest
Washington, DC 20004
(202) 236-8993

Carlos Lugo Fiol
Urbanización El Dorado F8 Calle D
San Juan, PR 00926
(787) 645-4211

8. *People of Puerto Rico v. Salas*, Crim. No. 97-2447 before Judge Carmen Cerezo of the United States District Court for the District of Puerto Rico.

The criminal defendant, a federal agent, was charged in Puerto Rico court of felony assault for actions taken while in the performance of his duty. He removed the action to federal court and moved to dismiss given that a grand jury did not indict him. As Assistant Attorney General I represented the Commonwealth and prepared the brief opposing the motion to dismiss. The court denied the motion, agreeing with my argument that the Commonwealth has no access to the grand jury, and that Puerto Rico criminal procedure (which applied on removal) allows it to charge by way of information.

Counsel for Defendant:

Fidel Sevillano
350 Chardón Avenue
San Juan, PR 00918
(787) 282-1844

9. *United States v. Rivera*, Crim. No. 94-272 before Judge Juan M. Pérez-Giménez in the United States District Court for the District of Puerto Rico.

As Assistant Federal Defender my representation of the defendant commenced in 1994 and concluded in 1996 upon conclusion of the appeal before the United States Court of Appeals for the First Circuit (Chief Judge Juan Torruella, Judge Conrad Cyr, and Senior Judge Frank Coffin). The citation for the reported opinion on appeal is 83 F.3d 542 (1st Cir. 1996). A jury convicted my client of carjacking. At sentencing the court imposed a ten-year statutory enhancement to his 15-year sentence based upon a finding of serious bodily injury. On appeal, the sentence was vacated, and the case remanded for resentencing. I tried the case before the District Court and also argued on appeal.

Counsel for the United States:

Silvia Carreño-Coll
Clemente Nazario U.S. Courthouse
150 Chardón Avenue
San Juan, PR 00918
(787) 772-3190

10. *United States v. Héctor Ramos Vázquez*, Crim. No. 94-53, before Judge Carmen Cerezo in the United States District Court for the District of Puerto Rico.

As Assistant Federal Defender my representation of the defendant commenced in 1994 and concluded in 1995 with the disposition of the case. I challenged on behalf of my client the lawfulness of the search of the defendant's apartment pursuant to a state court-issued warrant, and the ensuing seizure of narcotics and firearms therein. Following an evidentiary hearing, I was able to demonstrate that the officer who provided the search affidavit had provided materially false statements. As a result, the government voluntarily dismissed the case.

Counsel for the United States:

Charles Fitzwilliams
Post Office Box 9021157
San Juan, PR 00902
(787) 381-7108

Counsel for Co-Defendant:

María H. Sandoval
María H. Sandoval Law Office
Post Office Box 9878
San Juan, PR 00908
(787) 282-0281

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.)

As Solicitor General and Assistant Attorney General I evaluated proposed amicus curiae briefs prepared by the National Association of Attorneys General for filing before the United States Supreme Court. I would then make a recommendation to the Attorney General of Puerto Rico whether or not to join.

As Solicitor General I settled the case of *Schneider v. Colegio de Abogados*, Civil No. 82-1459 (JRT), before the United States District Court for the District of Puerto Rico. The same commenced in 1982 and involved a federal constitutional challenge to Puerto Rico's compulsory bar association requirement. While legal issues had been long since been resolved on appeal, the issue of attorney fees (in excess of half a million dollars plus interest) for plaintiff had been pending litigation for several years. I also settled the case of *Alvarado v. Alvarado*, Civil Case No. 93-2083 (CCC), also before the United States

District Court for the District of Puerto Rico. The same involved a significant number of government employees who were dismissed following a post-electoral change in administration. Both settlements involved a considerable time-consuming effort by all counsel involved, yet in the end benefited the parties and limited the Commonwealth's possible liability should the matters have continued.

As Assistant Attorney General I was involved in the implementation and expansion of the Drug Program across Puerto Rico's thirteen judicial regions. The program was a joint effort between law enforcement executive branch agencies, headed by the Justice Department, and the judicial branch. At the inception of the program, first time, nonviolent offenders with substance abuse problems were admitted to a diversionary, intensive, court supervised program. If a participant completed the program the criminal case would be dismissed. To date, this program enjoys enormous, continued success. On several occasions as a judge, I have participated in drug-court graduation ceremonies. Years later, on April 2021, as Chief Judge of the United States District Court, I approved the creation of a reentry program for medium- to high-risk supervisees. My earlier experience with the drug-court program played a crucial role in the endorsement of the reentry program.

As Assistant Attorney General I also was involved in the implementation of protocols and preparation of administrative directives for the creation and organization of specialized domestic violence prosecutor units.

I have never performed lobbying activities or registered as a lobbyist.

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

Since 2008 I have taught two (2) courses at Inter American University of Puerto Rico School of Law: "Federal Criminal Practice and Procedure" and "The Constitutional and Historical Development of United States Territories: 1898 – Present." The first course has been taught either as a two- or four-credit course and consists of a detailed study of the federal criminal process, beginning with the pre-indictment investigatory phase, and covering all the subsequent phases from indictment and arrest until sentencing and post-trial procedures. The second course is taught as an intersession course and constitutes of a comparative study of the historical and constitutional development of the various United States territories acquired since 1898. Representative syllabi supplied.

Since 2009 I have taught two (2) courses at University of Puerto Rico School of Law: "Federal Criminal Practice and Procedure" and "The Constitutional and Historical Development of United States Territories: 1898 – Present." The course description is the same as detailed above for the Inter American University of Puerto Rico School of Law. Representative syllabus supplied. I no longer teach the "Federal Criminal Practice and Procedure." The course on U.S. Territories is an intersession one. Representative syllabi

supplied.

In August 2011, I taught a week-long course at the University of New Hampshire School of Law, titled “Judicial Opinion Writing.” The intersession course covered the basics of judicial writing. I am unable to locate the syllabus.

Since 2012 I have been teaching one two-credit intersession course at Suffolk University Law School: “Federal Criminal Practice and Procedure.” The course description is same as detailed above for the for the Inter American University of Puerto Rico School of Law. Representative syllabus supplied.

Since 2014 I have been teaching two courses at Pontifical Catholic University of Puerto Rico School of Law: “Federal Criminal Practice and Procedure” and “The Constitutional and Historical Development of United States Territories: 1898 – Present.” Both courses are taught as an intersession or one-credit seminar. The course descriptions are the same as provided above for the Inter American University of Puerto Rico School of Law. Representative syllabi supplied.

In 2018 and since 2020 I have taught ad honorem a course at University of Hawai‘i, Mānoa William S. Richardson School of Law: “The Constitutional and Historical Development of United States Territories: 1898 – Present.” The course is taught as an intersession one-credit seminar. The course description is the same as provided above for the Inter American University of Puerto Rico School of Law. Representative syllabus supplied.

Since 2018 I have taught three courses at Tarleton State University, School of Criminology, Criminal Justice and Strategic Studies as part of their Master of Criminal Justice Program: “The American Judiciary,” “Legal Aspects in Criminal Justice,” and “Federal Criminal Practice and Procedure.” All courses are taught online. The first course encompasses a critical evaluation of the role courts play in the American justice system to include topics that cover the structure, function, and operations of the courts at the state and federal level. The second studies the major legal issues of criminal justice management and the effect of constitutional provisions, statutes, ordinances, and judicial decisions in justice administrations. The third course’s description is similar to that provided above for the Inter American University of Puerto Rico School of Law. Representative syllabi supplied.

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I do not have any deferred income arrangements.

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.

If confirmed, my only commitment, to the extent my judicial duties so permit, is to continue teaching.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

My father and former spouse are admitted to practice before the United States Court of Appeals for the First Circuit. As in the District Court, I would automatically disqualify myself from any matter in which they appear as counsel of record. I would also disqualify myself from all cases where any person close to me is a party or has an interest, including the universities where I teach.

I do not foresee any category of litigation that would present me with a potential conflict of interest.

I have not entered into any financial arrangements that would present me with a potential conflict of interest.

- 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 resolve any other potential conflict of interest that arises in the same manner I have done for the past 20 years as a district and, previously, magistrate judge. I will continue to guide myself by the Code of Conduct for United States Judges, as well as all other applicable statutes, jurisprudence, and

guidelines. When assigned any case I immediately verify who the parties and their counsel are to determine whether disqualification is warranted. I would also recuse from any case over which I presided as a district court judge.

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.

Almost my entire career has been in public service, and I have therefore been precluded from personally engaging in active pro bono representation.

From 1993 to 1996, I served as an Assistant Federal Defender, and as such, 100% of my time was devoted to representing the disadvantaged. I represented indigent criminal defendants at both the trial and appellate levels.

Similarly, as Assistant Attorney General, from 1997 to 1999, I was active in aiding the Attorney General's efforts to successfully advocate for additional federal and state funding for the Puerto Rico Legal Aid Society, which had earlier sustained budget cuts. Without adequate funding indigent defendants in the Commonwealth would not have obtained high-quality legal representation.

As District Court Judge, it has been my philosophy that no party litigating before me shall go underrepresented. I routinely assign pro bono representation to indigent or pro se litigants. An example is the case *United States v. Vaello-Madero*, 356 F. Supp. 3d 208 (D.P.R. 2019), *aff'd on other grounds*, 956 F.3d 12 (1st Cir. 2020), *cert. granted*, 20-303, 141 S.Ct. 1462 (U.S. Mar. 1, 2021), now before the United States Supreme Court. I appointed pro bono counsel from a large New York firm for Defendant, aware that his defense in this civil action would entail complex constitutional research and analysis, as well as result in appellate litigation.

As Chief Judge, I continue to support and promote the District Court's Pro-Bono Program, which connects people unable to afford counsel in a civil action with a pro bono attorney from a selected panel or through court-appointment. The program provides legal help for issues including social security appeals, employment discrimination actions, and civil rights actions filed by persons in custody, among other civil rights actions.

26. **Selection Process:**

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or

communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

On April 15, 2012, I was contacted by the White House Counsel's Office for an interview that same day concerning my potential nomination to the United States Court of Appeals for the First Circuit. Since that day, I have been in contact with officials from the White House Counsel's Office and the Office of Legal Policy at the Department of Justice. On May 10, 2021, I met with President Biden. On May 12, 2021, my nomination was submitted to the Senate.

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

No.