

UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

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

Jennifer Louise Rochon

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

United States District Judge for the Southern District of New York

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

Girl Scouts of the United States of America  
420 Fifth Avenue  
New York, New York 10018

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

1970; St. Clair (or East China Township), Michigan

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.

1994 – 1997, New York University School of Law; J.D., 1997

1988 – 1992, University of Michigan; A.B., 1992

1988 – 1999, St. Clair County Community College; no degree received (summer courses)

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.

2013 – present  
Girl Scouts of the United States of America  
420 Fifth Avenue

New York, New York 10018  
General Counsel

1997, 1999, 2000 – 2013  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, New York 10036  
Partner (2006 – 2013)  
Associate (1999, 2000 –2006)  
Summer Associate (1997)

2000  
United States Court of Appeals for the Third Circuit  
United States Post Office and Courthouse Building  
Newark, New Jersey 07101  
Law Clerk to the Honorable Maryanne Trump Barry

1997 – 1999  
United States District Court for the District of New Jersey  
United States Post Office and Courthouse Building  
Newark, New Jersey 07101  
Law Clerk to the Honorable Maryanne Trump Barry

Summer 1996  
Willkie Farr & Gallagher LLP  
787 Seventh Avenue  
New York, New York 10019  
Summer Associate

Summer 1995  
Wayne County Prosecuting Attorney's Office, Juvenile Court Department  
1025 East Forest Avenue  
Detroit, Michigan 48207  
Intern

1994  
Lansner & Kubitschek LLP  
325 Broadway, Suite 203  
New York, New York 10007  
Intern

1992 – 1994  
United States Peace Corps  
All Saints Village, Antigua  
West Indies  
Mathematics Teacher

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

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

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

Legal 500 Recommended Counsel for Employment Litigation (2010 – 2013)

New York Super Lawyer (2011 – 2012)

New York University School of Law

Orison S. Marden Moot Court Competition, Semi-Finalist (1997)

New York University Law Review, Notes & Comment Editor (1995 –1997)

Public Interest Committee Grant (1995)

General Motors/Buick Volunteer Spirit Award (1994)

University of Michigan

Highest Honors for Psychology Thesis (1992)

High Honors for Philosophy Thesis (1992)

Psi Chi Vice President (National Honor Society in Psychology) (1992, 1991)

Class Honors (1992, 1991)

Honors College (1988 – 1992)

Business & Professional Women's Association Scholarship (1991)

Sophomore Honors Award (1990)

Regents Alumni Scholarship (1988)

Golden Key Honor Society (year unknown)

St. Clair County Community College Trustees Scholarship (1989, 1988)

National Honor Society Scholarship (1988)

Algonac Lioness Scholarship (1988)

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association (1998 – 2000)

Association of Corporate Counsel (2014 – 2018)

New York City Bar Association (2000 – 2013)

New York State Bar Association (2008 – 2013)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

New York, 1998

There have been no lapses in membership.

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

Supreme Court of the United States, 2001

United States Court of Appeals for the Third Circuit, 2001

United States Court of Appeals for the Tenth Circuit, 2001

United States District Court for the Eastern District of New York, 1999

United States District Court for the Southern District of New York, 1999

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.

Girl Scouts of the USA (2013-present)

McBurney YMCA (2018 – present)

National Peace Corps Association (2010 – 2012)

National Women's Law Center, Leadership Advisory Committee (2013)

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization

that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin, either through formal membership requirements or the practical implementation of membership policies.

**12. Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Mosaics Diversity and Community Service Newsletter, Kramer Levin Naftalis & Frankel LLP (Spring 2013). Copy supplied.

Client Alert, *U.S. Expands Sanctions Against Syria*, Kramer Levin Naftalis & Frankel LLP (May 23, 2011). Copy supplied.

Mosaics Diversity and Community Service Newsletter, Kramer Levin Naftalis & Frankel LLP (Spring 2008). Copy supplied.

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

None.

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

None.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you including commencement speeches, remarks, lectures, panel discussions,

conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

June 16, 2021: Panelist, “Nonprofit Diversity, Equity, and Inclusion Initiatives—In-House Counsel Support Beyond Employment Law,” Association of Corporate Counsel, New York, New York (virtual event). Slides and written materials supplied.

October 21, 2019: Luncheon, Women Lawyer Networking Event, Kramer Levin Naftalis & Frankel LLP, New York, New York. I discussed my career trajectory and work as the first General Counsel of Girl Scouts of the United States of America. I have no notes, transcript, or recording, but press coverage is supplied. The address for Kramer Levin Naftalis & Frankel LLP is 1177 Avenue of the Americas, New York, New York 10036.

March 8, 2019: Moderator, “Standard Chartered Bank Gender Engagement Network (GEN) Panel Discussion on International Women’s Day,” Standard Chartered Bank, New York, New York. I made brief introductory remarks highlighting the Girl Scouts’ efforts to promote women and girls’ leadership and then moderated a panel discussion about gender parity in the workplace and creating inclusive work environments. I have no notes, transcript, or recording for my remarks, but a copy of the panel questions I used is supplied. The address for Standard Chartered Bank is 1095 Avenue of the Americas, New York, New York 10036.

October 25, 2018: Panelist, “Grit 2.0: The Latest Research and Practical Strategies for a Successful, Fulfilling Career,” New York City Bar Association, New York, New York. I discussed perseverance and grit in the context of pursuing a legal career. I have no notes, transcript, or recording. The address for the New York City Bar Association is 42 West 44th Street, New York, New York 10036.

March 3, 2017: Panelist, “Leadership By In-House Counsel: Boards, Budgets and Business,” Texas Women Lawyers, Dallas, Texas. I spoke on a panel about supporting a board of directors, and the partnership between a general counsel and the business units of an organization. I have no notes, transcript, or recording. The address for Texas Women Lawyers is 100 Congress Avenue, Suite 1100, Austin, Texas 78701.

March 1, 2017: Panelist, “MetLife Legal Affairs Diversity Committee (LADC) Roundtable: General Counsel Discussion on ABA Resolution 113,” MetLife,

New York, New York. I spoke on a panel regarding the importance of diversity in legal practice. I have no notes, transcript, or recording. The address for MetLife is 200 Park Avenue, New York, New York 10017.

February 19, 2016: Panelist, “I Need A Hero: Exploring Public Interest, Pro Bono, and Service Careers,” Superwomen JDs Conference, NYU School of Law, New York, New York. I was a panelist discussing public service fields for lawyers and practical advice on how to prepare for or transition into these careers. I have no notes, transcript, or recording. The address for NYU School of Law is 40 Washington Square South, New York, New York 10012.

March 10, 2015: Panelist, “An Overview of Not-For-Profit Board Service,” Kramer Levin Naftalis & Frankel LLP, New York, New York. Presentation supplied.

November 6, 2014: Panelist, “Inclusive Leadership: Inspiring Innovation and Impacting the Bottom Line,” National Association of Women Lawyers General Counsel Institute, New York, New York. Notes supplied.

November 4, 2014: Panelist, “Women in the Law: Opting Up. How, When and Why Women Achieve the Brass Ring and Beyond,” Chambers & Partners’ Women in the Profession, New York, New York. Notes supplied.

September 10, 2014: Panelist, “The Business of Litigation—Getting Ahead, Benchmark Women in Litigation Forum,” New York, New York. During the panel discussion, I described various factors that contribute to a successful litigation practice and the need for diversity in the practice of litigation. I have no notes, transcript, or recording, but press coverage is supplied. The address for Benchmark Litigation is 1120 Sixth Avenue, New York, New York 10036.

Summer 2014: Mock Judge, Kramer Levin Legal Outreach Summer Internship Program, Kramer Levin Naftalis & Frankel LLP, New York, New York. I served as a judge for a mock oral argument conducted by high school students in underserved urban areas participating in the Legal Outreach Summer Law Institute program. I have no notes, transcript, or recording. The address for Kramer Levin Naftalis & Frankel LLP is 1177 Avenue of the Americas, New York, New York 10036.

July 23, 2014: Panelist, “Defining C-Suite Positions from the Perspectives of General Counsels,” Financial Women’s Association, New York, New York. I discussed serving as a general counsel, partnering with business units, and the need to elevate women to leadership positions. I have no notes, transcript, or recording, but press coverage is supplied. The address for the Financial Women’s Association is 580 Fifth Avenue, Suite 820, New York, New York 10036.

March 12, 2014: Panelist, “Women in the Law: Opting Up. How, When and Why

Women Achieve the Brass Ring and Beyond,” Chambers & Partners’ Women in the Profession, New York, New York. I used the same notes that were provided for the panel on November 4, 2014.

October 2, 2013: Moderator, “The Inside Scoop: How Associates Can Connect with In-House Counsel,” New York City Bar Association, New York, New York. Notes supplied.

Summer 2013: Mock Judge, Kramer Levin Legal Outreach Summer Internship Program, Kramer Levin Naftalis & Frankel LLP, New York, New York. I served as a judge for a mock oral argument conducted by high school students in underserved urban areas participating in the Legal Outreach Summer Law Institute program. I have no notes, transcript, or recording. The address for Kramer Levin Naftalis & Frankel LLP is 1177 Avenue of the Americas, New York, New York 10036.

March 6, 2013: Presenter, “Women’s Initiative Event with Goldie Hawn,” Kramer Levin Naftalis & Frankel LLP, New York, New York. Remarks and press coverage supplied.

Summer 2011: Mock Judge, Kramer Levin Legal Outreach Summer Internship Program, Kramer Levin Naftalis & Frankel LLP, New York, New York. I served as a judge for a mock oral argument conducted by high school students in underserved urban areas participating in the Legal Outreach Summer Law Institute program. I have no notes, transcript, or recording. The address for Kramer Levin Naftalis & Frankel LLP is 1177 Avenue of the Americas, New York, New York 10036.

Summer 2009: Mock Judge, Kramer Levin Legal Outreach Summer Internship Program, Kramer Levin Naftalis & Frankel LLP, New York, New York. I served as a judge for a mock oral argument conducted by high school students in underserved urban areas participating in the Legal Outreach Summer Law Institute program. I have no notes, transcript, or recording. The address for Kramer Levin Naftalis & Frankel LLP is 1177 Avenue of the Americas, New York, New York 10036.

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

*Influencing and Forming the Future Woman Leader... Like a Girl*, Corp. Counsel Bus. J. (May 17, 2019). Copy supplied.

Michele Gorman, *15 Minutes with the Girl Scouts’ General Counsel*, Law360 (Mar. 11, 2019). Copy supplied.



*Kramer Levin Alumni Profiles, Jennifer Rochon, General Counsel, Girl Scouts of the USA* (July 11, 2018). Copy supplied.

Jennifer Openshaw, *4 Ways to Climb the Ladder, It's Not What You Think*, MarketWatch (Oct. 28, 2014). Copy supplied.

Jake Simpson, *Government Work Leads to BigLaw Success, Female Litigators Say*, Law360 (Sept. 10, 2014). Copy supplied.

Rebecca Mintzer, *A First For the Girl Scouts; Moves, Corp. Counsel* (Dec. 1, 2013). Copy supplied.

*Kramer Levin's Jennifer Rochon Joins Girl Scouts of America As First-Ever General Counsel*, Kramer Levin Naftalis & Frankel LLP (Sept. 3, 2013). Copy supplied.

Press Release, *Jennifer Rochon Appointed as First Ever General Counsel at Girl Scouts of the USA*, PR Newswire (Aug. 27, 2013). Copy supplied.

*An Interview with Litigation Partner Jennifer Rochon*, Kramer Levin Mosaics Diversity & Cmty. Serv. Newsl. (Fall 2011). Copy supplied.

Press Release, *Kramer Levin Puts a New "Spin" on Networking With Women's Ping Pong Event: Ping Pong Champ Sooyeon Lee Offers Top Women Executives Lessons on Table Tennis and Success*, Kramer Levin Naftalis & Frankel LLP (Oct. 28, 2010). Copy supplied.

Irwin Speizer, *Building up Barnegat*, Absolute Return + Alpha (May 2010). Copy supplied.

Press Release, *"The Black Widow" Offers Women Executives Lessons on Billiards and Success: More Than 100 Leading Women Executives Shoot it Out at Kramer Levin's Women's Billiards Night*, Kramer Levin Naftalis & Frankel LLP (Sept. 29, 2008). Copy supplied.

*Kramer Levin Named One of the Nation's Top Ten Family Friendly Firms by Yale Law Women: Firm is Only One of Two New York Firms Listed*, Kramer Levin Naftalis & Frankel LLP (Sept. 11, 2008). Copy supplied.

*Women in Litigation*, Metro. Corp. Counsel (Mar. 1, 2008) (reprinted in multiple outlets). Copy supplied.

Press Release, *Kramer Levin Hosts Its First Women's Poker Night: New York Area Women Executives Hone High-Stakes Skills*, Kramer Levin Naftalis & Frankel LLP (Oct. 30, 2007). Copy supplied.

David. L. Greene, *Voice of Protest is Raucous, Passionate, Wide-Ranging*, Balt. Sun (Aug. 30, 2004). Copy supplied.

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

I have not held judicial office.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment? \_\_\_\_\_
  - i. Of these cases, approximately what percent were:  

jury trials:	_____%
bench trials:	_____%
  - ii. Of these cases, approximately what percent were:  

civil proceedings:	_____%
criminal proceedings:	_____%
- b. Provide citations for all opinions you have written, including concurrences and dissents.
- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature of the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (4) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported).
- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.
- e. Provide a list of all cases in which certiorari was requested or granted.
- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.
- g. Provide a description of the number and percentage of your decisions in which

you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.
- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

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

I have not held judicial office.

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

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

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

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

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

the campaign, including the candidate, dates of the campaign, your title and responsibilities.

In November 2020, I volunteered for the Pennsylvania Democratic Party Voter Protection Team during the 2020 presidential election. As a volunteer, I canvassed and called voters in Pennsylvania to remind them to vote, and was a poll observer on November 3, 2020.

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

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

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

From 1997 to 1999, I served as a law clerk to the Honorable Maryanne Trump Barry on the United States District Court for the District of New Jersey.

From January to August 2000, I served as a law clerk to the Honorable Maryanne Trump Barry on the United States Court of Appeals for the Third Circuit.

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

I have never 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;

1997, 1999, 2000 – 2013  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, New York 10036  
Summer Associate (1997)  
Associate (1999, 2000 –2006)  
Partner (2006 – 2013)

2013 – present  
Girl Scouts of the United States of America  
420 Fifth Avenue  
New York, New York 10018  
General 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 or arbitrator in alternative dispute resolution proceedings.

b. Describe:

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

After graduating from law school in 1997, I worked as a summer associate at Kramer Levin Naftalis & Frankel LLP (Kramer Levin). I then clerked on the United States District Court for the District of New Jersey from 1997 to 1999. I briefly returned to Kramer Levin when my district court clerkship ended, and then left to clerk again for almost a year on the United States Court of Appeals for the Third Circuit in 2000.

After my Third Circuit clerkship, I returned to practice at Kramer Levin from late 2000 to 2013. While at the firm, I litigated a wide array of commercial matters at both the trial and appellate levels, as well as in the arbitration context. My cases included sophisticated commercial matters, such as disputes concerning licensing, supply, distribution, and development agreements, false advertising disputes, employment matters, antitrust cases, and tax matters. I conducted extensive legal research and writing, and litigated numerous motions of all types. I also conducted or led teams through significant discovery related to complex civil matters, took and defended depositions of parties, third parties, and experts, and prepared cases for trial or arbitration. Additionally, I represented clients in jury trials, bench trials, arbitrations, appeals, and preliminary injunction hearings, including by presenting evidence and examining witnesses.

During my latter years at Kramer Levin, my practice grew to include many criminal and regulatory matters, including investigations into widespread financial fraud, market manipulation, and violations of international sanctions. I conducted extensive internal investigations. I also represented clients before the United States Department of Justice, the Securities and Exchange Commission, the Commodity Futures Trading Commission, and other government agencies. Further, I worked on several significant bankruptcy matters, including claims evaluation for various creditors' committees.

In 2013, I left the firm's partnership to become the first General Counsel of the Girl Scouts of the United States of America, and I continue to serve in this role. As General Counsel, I provide legal counsel, guidance, and

strategic advice on a wide range of legal matters, including contracts and transactions, trademark and copyright prosecution and enforcement, employment issues, cybersecurity risk mitigation, insurance coverage, corporate governance, pension regulations, trusts and estates, executive compensation, and nonprofit and tax issues. I also manage significant litigation, including cases involving trademark infringement, employment disputes, personal injury matters, pension and ERISA issues, and corporate governance.

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

From 2000 to 2013, at Kramer Levin, my civil clients were typically large companies involved in disputes in federal and state courts and in the arbitration context. I was a general commercial litigator, with extensive experience in false advertising disputes, employment matters, and litigation concerning licensing, development, and distribution agreements. With respect to my criminal and regulatory work, my clients were generally individuals who were being investigated individually or as witnesses in investigations by state or federal criminal or regulatory agencies. I also represented several individuals in pro bono civil rights litigation.

Since 2013, I have solely represented the Girl Scouts of the United States of America, a congressionally chartered nonprofit organization.

- 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.

Until I became the General Counsel of Girl Scouts of the United States of America in 2013 (and other than as a law clerk), my entire practice has been in litigation. I appeared in court or arbitration fora often, generally as a member of a litigation team on large complex litigations. Toward the latter half of my time at Kramer Levin, I appeared in court less frequently given that my practice included more criminal and regulatory investigations. Since 2013, I have not appeared in court, but I internally manage and oversee outside counsel for numerous litigations involving the Girl Scouts of the United States of America.

- i. Indicate the percentage of your practice in:
  - 1. federal courts: 80%
  - 2. state courts of record: 15%
  - 3. other courts: 5%
  - 4. administrative agencies: 0%

- ii. Indicate the percentage of your practice in:

1. civil proceedings: 80%
2. criminal proceedings: 20%

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

I have tried two cases in court to verdict. First, in *Innomed v. ALZA Corp.*, No. 01 Civ. 9095 (S.D.N.Y.), I served as the central associate working with the senior partner representing ALZA Corporation in a commercial antitrust jury trial. As a key member of the team, I managed all pretrial discovery and motion practice, and at trial, participated in jury selection, drafted jury instructions, prepared all exhibits, drafted examination outlines and deposition digests for cross examination, and assisted the senior partner with trial strategy and presentation. Second, in *Pharmathene v. SIGA Technologies*, No. 2627, 2011 WL 4390726 (Del. Ch. Sept. 22, 2011), I served as the co-lead counsel on the SIGA Technologies team in a bench trial between biotech companies regarding the development of a smallpox anti-viral drug. As co-lead counsel, I managed all pre-trial discovery and briefing, and at trial, coordinated all trial materials, drafted witness outlines, presented evidence, examined several witnesses, and drafted the extensive post trial briefing.

Additionally, in *McFadden v. O'Melveny & Myers LLP*, No. 109105-2002 (N.Y. S. Ct.), I tried an employment dispute before a jury as the central associate for the defendant. The case settled only after all evidence had been presented and just before the jury returned a verdict. Finally, I conducted several week-long evidentiary arbitrations to conclusion as both a partner and an associate.

- i. What percentage of these trials were:
  1. jury: 50%
  2. non-jury: 50%

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

I have never argued before the Supreme Court of the United States, but I did contribute to briefing in the following cases:

*Girl Scouts of Middle Tenn., Inc. v. Girl Scouts of the USA*, No. 14-1511 (U.S. Aug. 24, 2015) (petition for certiorari). The matter was resolved before the Supreme Court acted upon the petition. Copy supplied.

*Daiwa Secs. Am. Inc. v. Kayne*, 124 S. Ct. 432 (2003) (petition for writ of certiorari, 2003 WL 22429798; reply brief, 2003 WL 22428804) (cert. denied).

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. *Girl Scouts of Middle Tenn. v. Girl Scouts of the USA*, 770 F.3d 414 (6th Cir. 2014) (Siler, Clay, Gibbons, JJ.)

Girl Scouts of the United States of America (GSUSA) administers a multiple employer pension plan for the benefit of the roughly 100 local Girl Scout councils who participate as employers in this plan. One of the local Girl Scout employers, the Girl Scouts of Middle Tennessee (GSMT), brought an action against GSUSA seeking, among other things, a declaratory judgment that GSMT could withdraw from the plan and not make certain contributions to the plan. The United States District Court for the Middle District Court of Tennessee dismissed all of GSMT's claims and GSMT appealed. The United States Court of Appeals for the Sixth Circuit affirmed, agreeing that the state law and federal common law claims brought by GSMT were preempted by the Employee Retirement Income Security Act of 1974 (ERISA) and refusing to extend federal common law to create a private right of action for employers in a multiple employer plan. The Sixth Circuit then denied GSMT rehearing *en banc*. Thereafter, GSMT filed for a petition for a writ of certiorari to the Supreme Court of the United States, but the parties settled the case before the Supreme Court acted on the petition. From 2013 to 2014, I served as lead in-house counsel for GSUSA during the appellate stages of the case. In that role, I internally managed the litigation, including by evaluating the documents, facts, and legal research, analyzing the court decisions, and providing legal and risk assessments to executive management and the National Board of Directors. Additionally, I worked closely with outside counsel to develop the legal arguments, edit the briefs, and prepare the arguing attorney for the appellate oral argument.

Outside Counsel:  
Kenneth Kirschner  
Hogan Lovells LLP



390 Madison Avenue  
New York, NY 10017  
(212) 918-3260

Neal Katyal  
Hogan Lovells LLP  
555 13th Street, Northwest  
Washington, DC 20004  
(202) 637-5528

Mary Helen Wimberly (formerly with Hogan Lovells LLP)  
United States Department of Justice  
Antitrust Division, Appellate Section  
950 Pennsylvania Avenue, Northwest  
Washington, DC 20530  
(202) 514-2414

Opposing Counsel:

Ames Davis  
Waller Lansden Dortch & Davis LLP  
511 Union Street, Suite 2700  
Nashville, TN 37219  
(615) 850-8932

2. *In re: Platinum and Palladium Commodities Litigation*, 828 F. Supp. 2d 588 (S.D.N.Y. 2011) (Pauley, J.)

From approximately 2009 to 2013, I represented a portfolio manager in an investigation by the Commodity Futures Trading Commission (CFTC) and in a subsequent related consolidated class action. The CFTC alleged that the portfolio manager attempted to manipulate palladium and platinum futures contracts on the New York Mercantile Exchange (NYMEX) by entering market-on-close buy orders that were executed in the last ten seconds of the closing period in an attempt to exert upward pressure on the settlement prices of the futures contracts. I reviewed extensive documentation, conducted significant legal analysis, drafted submissions to the CFTC, and overall represented my client throughout the CFTC investigative process. I was lead counsel in negotiating an ultimate consent order with the CFTC. I also represented the portfolio manager in the related class action lawsuit that was filed against him and his former investment firm in the Southern District of New York, alleging violations of the Sherman Act, the Commodities Exchange Act, and the Racketeer Influenced and Corrupt Organizations Act. I worked with co-counsel for the other defendants to file a consolidated motion to strike and dismiss the complaint, which was ultimately granted. Plaintiffs later engaged in several attempts to replead and the matter ultimately settled after I left the law firm.

Co-Counsel:

Barry H. Berke  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-7560

Counsel for Co-Defendants:

James Benjamin  
David Zensky  
Akin Gump Strauss Hauer & Feld LLP  
One Bryant Park  
Bank of America Tower  
New York, NY 10036  
(212) 872-1000

Therese Dougherty  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
666 Third Avenue  
New York, NY 10017  
(212) 692-6722

CFTC Counsel:

Michael Solinsky  
Three Lafayette Centre  
1155 21st Street, Northwest  
Washington, DC 20581  
(202) 418-5000

Opposing Counsel:

Christopher Lovell  
Lovell Stewart Halebian Jacobson LLP  
500 5th Avenue, Suite 2440  
New York, New York 10110  
(212) 608-1900

3. *Pharmathene, Inc. v. SIGA Techs., Inc.*, No. 2627-VCP, 2011 WL 4390726 (Del. Ch. Sept. 22, 2011) (Parsons, V.C.); *SIGA Techs., Inc. v. Pharmathene, Inc.*, 67 A.3d 330 (Del. 2013) (Steele, Holland, Berger, Jacobs, Ridgely, JJ.) (*en banc*)

In this case, I represented defendant SIGA Technologies, Inc. (SIGA) in a bench trial before the Delaware Chancery Court. The dispute centered around Pharmathene, Inc.'s (Pharmathene) supposed rights with respect to SIGA's development and anticipated commercialization of an antiviral drug for the treatment of smallpox. Pharmathene claimed, among other things, that SIGA breached its obligations to negotiate in good faith a license agreement when it deviated from the terms of a nonbinding term sheet

during the negotiations. The trial court concluded that, based on the facts surrounding the negotiation of the term sheet and its incorporation in other related agreements, the parties mutually understood that any future license agreement would contain terms substantially similar to the term sheet. Therefore, the court applied the equitable principles of a constructive trust and awarded Pharmathene a stream of future payments if and when commercial sales of the antiviral commenced. SIGA appealed, and the Delaware Supreme Court reversed the damages award and remanded the matter for a new trial on damages. From 2006 to 2013, I was co-lead counsel on the case. In that capacity, I managed extensive document discovery, took and defended depositions, conducted legal research, prepared expert witnesses, and drafted numerous dispositive motions and briefs. At trial, I also coordinated all trial materials, drafted witness outlines, presented evidence, and examined several witnesses, including the principal virologist who developed the antiviral drug. Additionally, I drafted the extensive post trial briefing for the first trial. I worked with co-counsel in strategizing about the appeal and preparing for oral argument. I left the firm after the appeal and before the second trial and further appeals.

Co-Counsel:

Harold P. Weinberger  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9132

Chancellor Andre Bouchard (retired)  
Paul, Weiss, Rifkind, Wharton & Garrison LLP  
500 Delaware Avenue, Suite 200  
Wilmington, DE 19899  
(302) 655-4413

Opposing Counsel:

Roger R. Crane  
K&L Gates LLP  
599 Lexington Avenue  
New York, NY 10022  
(212) 536-4064

*4. Criminal Investigation into Violations of OFAC Sanctions*

In this matter, I represented more than 75 current and former employees of London-based financial institutions during internal company investigations and before the United States Department of Justice and the New York County District Attorney's Office. The investigations centered around compliance with sanctions administered by the Office of Foreign Assets Control (OFAC) in the processing of United States Dollar (USD) payments in England. The companies and authorities examined the policies and protocols around information contained in the SWIFT (Society for Worldwide Interbank Financial Telecommunication) messaging related to transactions with countries who were

registered on the OFAC lists. From 2008 to 2010, I served as lead counsel for more than 70 individuals and co-lead counsel on a few of the more senior representations. In both roles, I investigated and reviewed the relevant information and documents, prepared my clients for interviews with their companies, and, in some cases, represented my clients in interviews before the authorities. None of the individuals whom I represented were criminally charged.

Co-Counsel:

Barry H. Berke  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-7560

Government Counsel:

Frederick Reynolds (formerly with United States Department of Justice)  
Brex  
140 Crosby Street, Fifth Floor  
New York, NY 10012  
(833) 228-2044

Kevin Gerrity (formerly with United States Department of Justice)  
(Current business contact information unavailable.)

Richard T. Preiss (formerly with New York County District Attorney's Office)  
(Current business contact information unavailable.)

Aaron T. Wolfson (formerly with New York County District Attorney's Office)  
King & Wood Mallesons  
500 Fifth Avenue, Suite 50  
New York, NY 10036  
(212) 319-4755

5. *Med. Device Co. 1 v. Med. Device Co. 2*, No. G-10-15 (Int'l Inst. for Conflict Prevention & Resolution)

In this matter, I represented a medical device company that sold drug eluting stents in an arbitration that it filed against another medical device company that supplied the rapid exchange catheters that were used with the stent in the United States. The case presented questions about the catheter company's obligations to supply the stent company with catheters, whether the distribution agreement was a requirements contract, and whether stent company had violated the covenant of good faith and fair dealing. From 2009 to 2010, I served as co-lead counsel for the matter. In that capacity, I managed the discovery process, took and defended depositions, conducted legal research, and drafted pre-hearing briefs. I also coordinated all pre-hearing preparations, and presented evidence and examined witnesses during the week-long arbitration hearing. The three-

arbitrator panel issued an award at the conclusion of the arbitration hearing. The award, as well as the identity of the parties, remains confidential.

Co-Counsel:

Harold P. Weinberger  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9132

Opposing Counsel:

Jeffrey Weinberger  
Munger, Tolles & Olson LLP  
350 South Grand Avenue, 50th Floor  
Los Angeles, CA 90071  
(213) 683-9127

6. *Schering-Plough, Ltd. v. Centocor, Inc.*, No. 50 181 T 00350 05 (Am. Arb. Ass'n) (Cahn, J.); *Centocor, Inc. v. Schering-Plough, Ltd.*, Civ. Docket No. 2:06-04255 (D.N.J. Nov. 27, 2006) (Hayden, J.)

In this case, I represented Centocor, a company that developed a patented anti-TNF chimeric (or mouse-based) monoclonal antibody called Remicade that treats Crohn's Disease and rheumatoid arthritis. Schering-Plough, an exclusive licensed distributor of this product, filed an arbitration against Centocor because the parties disputed the timeframe under which Schering-Plough allegedly had the rights to participate in the development and commercialization of Centocor's next generation fully human antibody. From 2004 to 2006, I was the primary senior associate on the case. In that capacity, I managed the discovery process, took and defended depositions, conducted legal research, and drafted pre-hearing briefs. I also coordinated all pre-hearing preparations, and presented evidence and examined several witnesses during the week-long arbitration hearing. Following the hearing, the arbitrator ruled in favor of Schering-Plough, the underlying details of which are confidential. Centocor appealed, but the appeal was withdrawn when the matter settled shortly after the notice of appeal was filed.

Co-Counsel:

Harold P. Weinberger  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9132

Opposing Counsel:

Scott Vernick  
Fox Rothschild LLP  
200 Market Street, 20th Floor

Philadelphia, PA 19103  
(215) 299-2860

7. *McFadden v. O'Melveny & Myers LLP*, No. 109105-2002 (N.Y. S. Ct.) (Richter, J.)

In this matter, I represented the law firm of O'Melveny & Myers LLP and a partner of the firm in an employment action brought against them by a former legal assistant. Central issues in the case included whether there was an adverse employment action, constructive discharge, or pervasive wrongful conduct. The case progressed through motion practice, discovery, and ultimately to trial before a jury. From 2003 to 2005, I was the central associate on the case, working with the senior partner on all aspects of the matter before and during trial. I managed the document discovery process, prepared deposition outlines, conducted legal research, drafted briefs and motions, and prepared witnesses and exhibits for trial. At trial, I also examined a central partner at the law firm, participated in jury selection, drafted jury instructions, prepared all exhibits, drafted examination outlines and deposition digests for cross examination, and assisted the senior partner with trial strategy and presentation. The matter settled just before the jury delivered its verdict.

Co-Counsel:

Kevin Leblang  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9306

Opposing Counsel:

John T. Brennan  
Law Offices of John T. Brennan  
26 Court Street, Suite 710  
Brooklyn, NY 11242  
(718) 923-5640

8. *McNeil-PPC, Inc. v. Pfizer, Inc.*, 351 F. Supp. 2d 226 (S.D.N.Y. 2005) (Chin, J.)

In 2004, Pfizer launched a consumer advertising campaign in television commercials, print advertisements, and product labeling regarding its Listerine mouthwash product. The advertising asserted that Listerine was clinically proven to be "as effective as floss at fighting plaque and gingivitis." I represented McNeil-PPC, Inc., a manufacturer of dental floss, in its suit against Pfizer alleging that this campaign constituted false advertising and unfair competition. McNeil sought a preliminary injunction to immediately enjoin Pfizer from continuing to make its claims. From 2004 to 2005, I served as the primary associate on the case. In that capacity, I drafted the complaint, managed the expedited document discovery process, coordinated expert witness reports, prepared witness deposition outlines, defended depositions, conducted legal research, and drafted extensive pre-hearing briefs. During the preliminary injunction hearing, at which significant evidence

and expert testimony was presented, I worked closely with the senior partner, including by preparing all evidence, drafting examination outlines and deposition digests for cross examination, and assisting the senior partner with hearing strategy and presentation. The district court granted McNeil's request for a preliminary injunction, holding that the advertisements were false and misleading, and directed immediate corrective advertising. The parties thereafter settled the matter.

Co-Counsel:

Harold P. Weinberger  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9132

Opposing Counsel:

Aaron Stiefel  
Arnold & Porter Kaye Scholer LLP  
250 West 55th Street  
New York, NY 10019  
(212) 836-8442

Thomas Smart (formerly with Arnold & Porter Kaye Scholer LLP)  
(Current business contact information unavailable.)

9. *Harris v. Senkowski*, 298 F. Supp. 2d 320 (E.D.N.Y. 2004) (Block, J.)

Mr. Harris, who had been imprisoned for 12 years on a state robbery conviction, filed a petition for habeas corpus, alleging that he had been denied effective assistance of counsel at trial. Mr. Harris's conviction was based primarily on the testimony of the victim as the sole identifying witness. Despite the critical importance of this testimony, Mr. Harris's defense counsel failed to elicit the highly relevant evidence that the victim's initial description of the assailant contained in a contemporaneous police report was markedly inconsistent with the witness's identification of Mr. Harris. From 2002 to 2004, I served as the primary associate on the case. In that capacity, I investigated the claim, met with Mr. Harris in prison, and prepared affidavits and pre-hearing briefs. I drafted hearing outlines, examined a witness at the habeas hearing before the district court, and assisted the senior counsel with hearing strategy and presentation. The court ultimately agreed that Mr. Harris was not afforded effective assistance of counsel because his counsel failed to introduce this prior inconsistent identification, which prejudiced Mr. Harris and undermined confidence in the outcome of the trial. The court accordingly granted Mr. Harris a writ of habeas corpus and ordered him released from custody unless he was retried within 60 days. Ultimately, Mr. Harris was not released because of a subsequent conviction in another matter.

Co-Counsel:

Eric Tirschwell (formerly with Kramer Levin Naftalis & Frankel LLP)

Everytown For Gun Safety  
P.O. Box 3886  
New York, NY 10163  
(646) 324-8222

Opposing Counsel:

Susan Odessky (formerly with Office of the New York Attorney General)  
(Current business contact information unavailable.)

10. *Innomed v. ALZA Corp.*, No. 01 Civ. 9095 (S.D.N.Y.) (Baer, J.), 368 F.3d 148 (2d Cir. 2004) (Sotomayor, Wesley, JJ.)

This case was one of only a very few jury trials concerning the Robinson-Patman federal antitrust statute. My client, ALZA Corporation (ALZA), licensed Innomed to be a semi-exclusive distributor of cold and allergy products. Innomed initially filed suit, claiming that ALZA had breached the distribution agreement by refusing to permit Innomed to assign its rights to a third party in order to cure Innomed's default, breached an oral agreement purported allowing the assignment, and tortiously interfered with Innomed's relationship with that third party. Discovery demonstrated that ALZA had entered into another distributorship agreement with Warner-Lambert to distribute the same cold and allergy products. Innomed thereafter amended its claims, alleging that ALZA engaged in prohibited price discrimination when it charged Warner-Lambert lower prices than it charged Innomed. From 2001 to 2004, I served as the central associate for ALZA in this matter. In that capacity, I managed the discovery process, prepared deposition outlines, conducted legal research, drafted briefs, pleadings, and motions, and prepared for trial. At trial, I participated in jury selection, drafted jury instructions, prepared all exhibits, drafted examination outlines and deposition digests for cross examination, and assisted the senior partner with trial strategy and presentation. Following trial, the jury rejected Innomed's antitrust and other claims and awarded ALZA a full recovery on its counterclaim for Innomed's arrears. Innomed appealed, arguing that certain jury instructions were erroneous, and I was the primary drafter of ALZA's brief on appeal. The United States Court of Appeals for the Second Circuit affirmed, concluding that any instructional errors were harmless.

Co-Counsel:

Harold P. Weinberger  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9132

Opposing Counsel:

Paul Corcoran  
Jennifer Tafet Klausner  
Davis & Gilbert LLP  
1675 Broadway



New York, NY 10019  
(212) 468-4800

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

In addition to the significant litigation experience described above, I have been involved in various legal activities that did not progress to trial or involve litigation. At Kramer Levin Naftalis & Frankel LLP, I handled many complex commercial cases that did not progress to trial, and I worked on potential claims related to various significant bankruptcy restructurings. I also conducted extensive internal investigations for various clients. For example, I conducted an internal investigation of a rating company concerning the methodology for rating collateralized debt obligations; the investigation required significant document review, interviews of numerous individuals, extensive factual and legal analysis, and advising the client and regulators of the findings.

Additionally, I represented clients being investigated by various agencies and authorities for whom no criminal or regulatory actions were brought or that resulted in a settlement. For instance, I represented a religious organization investigated for tax and private benefit violations by state/federal law enforcement. I also represented a former portfolio and liquidity manager at a London-based financial institution in an investigation by the United States Department of Justice, and other regulatory agencies in the United States and the United Kingdom, regarding alleged efforts to manipulate the London Interbank Offered Rate (LIBOR).

Further, throughout my career in private practice, I repeatedly volunteered in the Legal Outreach program, an initiative that seeks to empower low-income youth of color residing in underserved neighborhoods of New York City. For example, in 2009, 2011, 2013 and 2014, I served as a "judge" in mock oral arguments that the Legal Outreach students presented as part of their summer programming while they investigated a career in the legal profession. I also founded and chaired the Women's Initiative Committee at Kramer Levin, which worked to improve the firm's hiring, retention, and advancement of women lawyers. I was elected by the Kramer Levin partnership to be the first woman to serve on the firm's Executive Committee, which manages all of the firm's offices. As an Executive Committee member, I played a significant role in determining firm policies, the promotion and advancement of attorneys, firm management, and business development.

Finally, as General Counsel of the Girl Scouts of the United States of America, I have overseen numerous litigation matters that were resolved without trials, including in the areas of employment, personal injury, trademark infringement, and pension plans. I am

also involved in many transactional and non-litigation legal matters. For example, I draft and counsel the organization regarding licensing agreements, vendor agreements, and sponsorship agreements. I also oversee the organization's intellectual property portfolio, including enforcement efforts to protect our trademarks and copyrights. Additionally, I evaluate and provide legal advice regarding deed restrictions, donor and trust obligations, charitable registration requirements, and other exempt organization issues, including those concerning unrelated business income tax, private benefit issues, excess benefit transactions, and conflicts of interest. I also advise the organization's Board of Directors on their fiduciary duties and other legal matters.

Girl Scouts of the USA has retained lobbyists to advocate for Girl Scouts on a few issues. As General Counsel, I have attended a few calls with congressional staffers as part of a large group of Girl Scout representatives seeking pension relief. I have not led or participated substantively in those discussions, nor have I performed any other lobbying activities. I have never registered as a lobbyist.

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

None.

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

None.

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

If confirmed, I do not have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during my service with the court.

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

See attached Financial Disclosure Report.

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

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

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

If confirmed, I would recuse myself from any case involving Patterson Belknap Webb & Tyler LLP, because my husband is an equity partner at that firm. I would also disclose to parties my prior employment with Kramer Levin Naftalis & Frankel LLP and the Girl Scouts of the United States of America should either of those entities be involved in a matter before me. I am not aware of any other family member or other persons, parties, categories of litigation, or financial arrangements that are likely to present potential conflicts-of-interests if I am confirmed to the position to which I have been nominated.

- 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 would adhere to 28 U.S.C. § 455 and the Code of Conduct for United States Judges in evaluating all potential conflicts of interest. I would also consider the application of all other relevant ethical canons, precedents, and rules.

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.

While practicing at Kramer Levin from 2000 to 2013, I maintained a strong commitment to pro bono work. For example, in *Smith v. City of New York*, No. CV-99-4802 (E.D.N.Y.), I represented a New York City family in a civil rights action they filed against the City of New York after police conducted illegal strip searches of various family members, including children, during a police raid of the family's apartment. Over the course of more than a year, I interviewed witnesses, took and defended depositions, and ultimately successfully negotiated a favorable resolution for the family. In *Harris v. Senkowski*, 298 F. Supp. 2d 320 (E.D.N.Y. 2004), I successfully obtained habeas corpus relief for a client on the ground that he had received ineffective assistance at trial. For that matter, I investigated the claims, met with my client in prison, and examined a

witness at his habeas hearing. Additionally, I filed amicus briefs for non-profit organizations in cases in the Third, Fourth, Sixth, Ninth, and Tenth Circuits.

In 2013, I left the law firm partnership to serve as General Counsel for the Girl Scouts of the United States of America (GSUSA). GSUSA is a nonprofit charitable organization that seeks to ensure that all girls—particularly those from underserved communities—are provided every opportunity to thrive. For example, GSUSA supports Girl Scout troops in homeless shelters to provide life changing opportunities for girls experiencing homelessness. GSUSA also provides programs such as Girl Scouts Beyond Bars that connects girls with their incarcerated mothers through Girl Scouts programming. All of my time for the last eight years has been devoted to serving the public interest by providing legal advice, counseling, and representation to GSUSA. I was also a volunteer troop leader for my daughter's Girl Scout troop from 2013 to 2020.

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 February 22, 2021, I submitted an application for the United States District Court for the Southern District of New York to Senators Charles Schumer and Kirsten Gillibrand. On April 1, 2021, I interviewed with Senator Schumer's judicial selection commission. On April 8, 2021, I interviewed with Senator Gillibrand's staff. On September 7, 2021, I interviewed with attorneys from the White House Counsel's Office, and I had a follow up discussion with them on September 8, 2021. Since that date, I have been in contact with officials from the Office of Legal Policy at the Department of Justice. On December 15, 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.