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# NOMINATIONS OF ERIC WASHINGTON, STEPHEN GLICKMAN, AND HIRAM PUIG-LUGO

# HEARING

BEFORE THE

## COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

ON THE

NOMINATIONS OF ERIC WASHINGTON AND STEPHEN GLICKMAN, TO BE ASSOCIATE JUDGES OF THE DISTRICT OF COLUMBIA COURT OF APPEALS, AND HIRAM PUIG-LUGO, TO BE ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA SUPERIOR COURT

APRIL 20, 1999

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# CONTENTS


| | Page |
|---|---|
| Opening statements: | |
| Senator Voinovich | 1 |

WITNESSES

TUESDAY, APRIL 20, 1999

| | |
|---|---|
| Representative Eleanor Holmes Norton, from the District of Columbia | 2 |
| Eric Washington, to be Associate Judge of the District of Columbia Court of Appeals | 3 |
| Stephen Glickman, to be Associate Judge of the District of Columbia Court of Appeals | 3 |
| Hiram Puig-Lugo, to be Associate Judge of the District of Columbia Superior Court | 4 |

ALPHABETICAL LIST OF WITNESSES

| | |
|---|---|
| Glickman, Stephen: | |
| Testimony | 3 |
| Biographical and professional information | 28 |
| Holmes, Rep. Eleanor Holmes: | |
| Testimony | 2 |
| Puig-Lugo, Hiram: | |
| Testimony | 4 |
| Biographical and professional information | 60 |
| Washington, Eric: | |
| Testimony | 3 |
| Biographical and professional information | 7 |

APPENDIX

| | |
|---|---|
| Senator Paul Strauss, Shadow U.S. Senator Elected by the Voters of the District of Columbia, prepared statement | 5 |

# NOMINATIONS OF ERIC WASHINGTON, STEPHEN GLICKMAN, AND HIRAM PUIG-LUGO

**TUESDAY, APRIL 20, 1999**

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
*Washington, DC.*

The Committee met, pursuant to notice, at 10:30 a.m., in room SD–342, Dirksen Senate Office Building, Hon. George V. Voinovich, Chairman, Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, presiding.

Present: Senators Voinovich and Durbin.

## OPENING STATEMENT OF SENATOR VOINOVICH

Senator VOINOVICH. The hearing will come to order. I would like to welcome everyone here this morning, especially our nominees, D.C. Superior Court Judge Eric Washington, Mr. Stephen Glickman, who have been nominated to serve as Associate Judges for the District of Columbia Court of Appeals, and Mr. Hiram Puig-Lugo—do I have that correct?

Mr. PUIG-LUGO. Yes, sir, you do.

Senator VOINOVICH. That is like Voinovich. In fact, my granddaughter just turned two and I was finding out whether or not she can pronounce her last name. She still cannot. [Laughter.]

Mr. Puig-Lugo has been nominated to serve as an Associate Judge for the District of Columbia Superior Court.

Let me state for the record that all of our nominees have been subjected to a very thorough screening process. They were all recommended by the District's Judicial Nomination Committee, subjected to FBI background investigations, and subsequently nominated by the President of the United States.

Since the nominations were received, the Committee staff has also conducted separate background checks and interviews with each of the nominees. I thought maybe one other member of the Committee would be here, but maybe they will come in a little later.

We are pleased to have with us today District of Columbia Representative Eleanor Holmes Norton. Eleanor and I have known each other a long time. We still cannot figure out when we first met, Eleanor, but it was a good occasion. She has done an outstanding job of representing the District and I am pleased that I am going to have an opportunity to work with you as part of my responsibilities as Subcommittee Chairman here. Eleanor has been gracious to come and introduce the candidates, and Eleanor, we are pleased to have you here.

**TESTIMONY OF ELEANOR HOLMES NORTON, REPRESENTATIVE FROM THE DISTRICT OF COLUMBIA**

Ms. NORTON. Thank you, Senator. If I may say so, Mr. Chairman, we are very pleased to see that this Committee is chaired by a very distinguished former mayor of the City of Cleveland.

I am particularly pleased this morning to introduce three Washingtonians who have had outstanding careers and who have rendered distinguished service to the law and to their community, two for the city's Court of Appeals and one for the D.C. Superior Court.

Judge Eric Washington is now an Associate Judge on the D.C. Superior Court. Before becoming Judge, Judge Washington served as the principal Deputy D.C. Corporation Counsel, which is the position just below the Corporation Counsel for the District of Columbia, the city's chief legal officer. He came there from Hogan and Hartson, where he was a partner. He was earlier associated with Fulbright and Jaworski. Judge Washington was educated at Tufts and Columbia Law School. His community activities have included work with the Boys and Girls Club. He and his wife have three children.

Stephen Glickman is the managing partner in the law firm here of Zuckerman, Spaeder, Goldstein, Taylor and Kolker. His career includes 4 years of service on the staff of the D.C. Public Defenders Service. He was also before that a staff attorney with the Federal Trade Commission. Mr. Glickman is a Phi Beta Kappa graduate of Cornell University and a 1973 graduate of Yale Law School. After graduating from law school, he clerked on the Connecticut Supreme Court. His service to the community has included board of directors of the Neighborhood Legal Services Corporation. He and his wife have two children. He is being nominated to the Court of Appeals, as well.

Nominated for the D.C. Superior Court is Hiram E. Puig-Lugo. He is a trial attorney now with the Civil Rights Division, Criminal Section, of the Justice Department. Mr. Puig-Lugo has been before that Deputy Chief of the Trial Division of the Public Defenders Service of this city, working himself to that position from a trial attorney. Mr. Puig-Lugo is a graduate of the University of Wisconsin and in 1988 of its law school. He has served as an instructor for judicial reform in a project in El Salvador. He is co-editor of a D.C. practice manual. His community activities have included the board of directors of the Hispanic Bar Association. He has one son.

It is my very distinct pleasure to recommend these three nominees to you, Mr. Chairman.

Senator VOINOVICH. Thank you very much.

If the nominees could please stand and if you will raise your right hand, I would like to swear you in. Do you solemnly swear or affirm that the testimony you will give to the Committee today will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. GLICKMAN. I do.

Judge WASHINGTON. I do.

Mr. PUIG-LUGO. I do.

Senator VOINOVICH. Please be seated.

Welcome, Judge Washington. We are pleased to have you here today. I understand that you are accompanied by members of your family. Would you like to introduce them?

## TESTIMONY OF HON. ERIC WASHINGTON,[1] TO BE ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS

Judge WASHINGTON. I would. Thank you, Mr. Chairman. With me today is my wife, Sheryl, and my daughter, Erica, who is representing the children in my family. Out of deference to this Committee and my fellow nominees, I thought my 2-year-old son probably should best not come today and my older daughter had obligations in school. But Erica is here and I am very pleased to have her here with my wife.

Senator VOINOVICH. We are very happy to have you here today. If you would like to make a statement, we would appreciate it.

Judge WASHINGTON. With respect to the Committee, I wanted to thank you, Mr. Chairman, for expeditiously scheduling these hearings. I hear quite often from the judges on the Court of Appeals how anxious they are to have new persons up there to help them. They have been shorthanded. I want to thank your staff especially. They have been very gracious and very professional and have moved this process along and have been very forthcoming and helpful in every respect. So I want to thank the Committee and the Committee staff for this opportunity.

I do want to say that I am humbled by the opportunity to serve as an Associate Judge of the D.C. Court of Appeals. It is a position that comes with enormous responsibilities and I am looking forward to having an opportunity to work with my fellow judges on that court and to hopefully make a difference in the city. Thank you.

Senator VOINOVICH. Thank you. I appreciate the nice words about the staff. I am learning as a new Senator that you are only as good as the staff and they have been very, very conscientious about moving us to this hearing today.

Mr. Glickman, we are glad to have you here today with us. If you would like to introduce anyone from your family, we would appreciate it.

## TESTIMONY OF STEPHEN GLICKMAN,[2] TO BE ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS

Mr. GLICKMAN. Thank you. I would like to introduce my wife, Ann Glickman, who has come here as a representative of our family. I guess my kids are still in school.

Thank you for the courtesies that you and the staff have shown me. I would like to second, if I may, my colleague's remarks. The staff and yourself, Senator, have just been very helpful to us in every regard and we are very appreciative.

Like Judge Washington, I, too, am thrilled and honored and humbled by the opportunity that awaits me and I am looking forward to it.

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[1] The biographical information and questionnaire of Judge Washington appears in the Appendix on page 7.

[2] The biographical information and questionnaire of Judge Glickman appears in the Appendix on page 28.

Senator VOINOVICH. Thank you.

Mr. Puig-Lugo, we are glad to have you here. If you would like to make an opening statement or introduce anyone, we would welcome it.

**TESTIMONY OF HIRAM PUIG-LUGO,[1] TO BE ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA SUPERIOR COURT**

Mr. PUIG-LUGO. Thank you. Yes, sir. Good morning. It is an honor for me to appear before you as a nominee to the Superior Court of the District of Columbia. It was through the cases that I handled in her courtrooms that I came to know, appreciate, and value our community. I am excited and humbled by the opportunity to join Superior Court in her mission of serving the District of Columbia and her residents.

There are several people whom I would like to acknowledge in the hearing room today who have been friends, supporters, and mentors over the past few years. One of them is the Hon. Ricardo Urbina of the United States District Court for the District of Columbia, the Hon. Richard Roberts from the United States District Court for the District of Columbia, Chief Judge Eugene Hamilton from the Superior Court of the District of Columbia, and Mari Carmen Aponte, formerly of the District of Columbia Judicial Nomination Commission.

I would like to echo the comments of Judge Washington and Mr. Glickman thanking you, Senator, and the Committee staff for your assistance over the last few months.

Senator VOINOVICH. Thank you very much.

One of the things we have all learned in life is that, so often, our success in life depends on people who have taken an interest in this and have encouraged us and it is nice that you have your mentors with you today.

Mr. PUIG-LUGO. Thank you.

Senator VOINOVICH. As I mentioned to you, there are three questions that I would like to ask of each of you. They are required under the statute.

Judge Washington, I will start with you. First of all, is there anything which you are aware of in your background which might present a conflict of interest with the duties of the office to which you have been nominated?

Judge WASHINGTON. No, Mr. Chairman.

Senator VOINOVICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Judge WASHINGTON. No, Mr. Chairman.

Senator VOINOVICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from serving the full term for the office to which you have been nominated?

Judge WASHINGTON. None that I am aware of, Mr. Chairman.

Senator VOINOVICH. Mr. Glickman, is there anything of which you are aware of in your background which might present a conflict

[1] The biographical information and questionnaire of Judge Puig-Lugo appears in the Appendix on page 60.

of interest with the duties of the office to which you have been nominated?

Mr. GLICKMAN. No, Mr. Chairman.

Senator VOINOVICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Mr. GLICKMAN. No, I do not, Mr. Chairman.

Senator VOINOVICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from serving the full term for the office to which you have been nominated?

Mr. GLICKMAN. No, I do not, Mr. Chairman.

Senator VOINOVICH. Mr. Puig-Lugo, is there anything which you are aware of in your background which might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. PUIG-LUGO. No, Mr. Chairman.

Senator VOINOVICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Mr. PUIG-LUGO. No, Mr. Chairman.

Senator VOINOVICH. Do you know of any reason, personal or otherwise, that would in any way prevent you from serving the full term for the office to which you have been nominated?

Mr. PUIG-LUGO. No, sir, I do not.

Senator VOINOVICH. I would like to bring to your attention that the Committee has received letters of support of the nominees, and without objection, they will be placed in the record.

[The prepared statement of Mr. Strauss follows:]

PREPARED STATEMENT OF SENATOR PAUL STRAUSS, SHADOW U.S. SENATOR ELECTED BY THE VOTERS OF THE DISTRICT OF COLUMBIA

Chairman Voinovich, and Members of the Committee on Governmental Affairs, I am Paul Strauss, the U.S. Senator elected by the voters of the District of Columbia, a position sometimes referred to as the Shadow Senator. I am also an attorney who practices in our local courts.

In each of those capacities, I appreciate the opportunity to provide this statement on behalf of my constituents in the District of Columbia. I am present here today to wholeheartedly express my support of Judge Erik T. Washington, nominated for Associate Judge of the District of Columbia.

I have known Judge Washington since before he was a judge, when we both actively worked together with a community organization in the District of Columbia. I have had the privilege to appear before Judge Washington as an attorney and have come to know him on the bench, as well as being a personal friend.Despite that friendship, he never showed me any bias or favor and has always demonstrated the highest levels of integrity, both on and off the bench. He even chastised me once, when I properly deserved it.

He has been a lawyer with the District's Corporation Counsel, and has also worked in private practice with much success. He is respected by his colleagues, the members of the bar and the Washington legal community in general.

As this Committee should know from my involvement with past nominations, I am not hesitant to call attention to deficiencies of a nominee. When concerns about Patricia Broderick arose at the end of the last session, I asked the voting members whose interest in this process were not as direct as mine to vote on my behalf. Were I seated with the full rights and privileges of a U.S. Senator, I would vote to confirm Judge Washington without hesitation. Today I ask you to vote yes for me, and let this Honorable Judge take his place on my jurisdiction's highest court.

Senator VOINOVICH. For the purposes of the people that are here today, I want you to know that this very short hearing that we are having today was preceded by an enormous amount of work and time and effort on the part of the nominees and other people and I personally have reviewed your resumes and your records and the letters of recommendation in your files and have visited with representatives of the President and also the Justice Department. Just so everyone knows, they have been through the gauntlet and I am sure that they have been anticipating and looking forward to this day.

I do not believe there is anything more to come before the Committee this morning. I again would like to let our nominees know that we will be moving as quickly as we can to a markup hearing sometime early in May and, hopefully, by the 15th or so, you can go to work. I know that your future colleagues are looking forward to your service in the respective courts to which you have been nominated. Congratulations to you.

Judge WASHINGTON. Thank you.

Mr. GLICKMAN. Thank you.

Mr. PUIG-LUGO. Thank you, Mr. Chairman.

Senator VOINOVICH. The record will remain open for 5 days after the conclusion of the hearing.

The meeting is adjourned.

[Whereupon, at 10:45 a.m., the Subcommittee was adjourned.]

# APPENDIX

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QUESTIONNAIRE FOR NOMINEES TO THE DISTRICT OF COLUMBIA COURTS
COMMITTEE ON GOVERNMENTAL AFFAIRS, UNITED STATES SENATE

I. BIOGRAPHICAL AND PROFESSIONAL INFORMATION

1. **Full name (include any former names used).**

Eric Tyson Washington

2. **Citizenship (if you are a naturalized U.S. citizen, please provide proof of your naturalization).**

United States Citizen.

3. **Current office address and telephone number.**

District of Columbia Superior Court
500 Indiana Avenue, N.W.
Chambers 1020
Washington, D.C. 20001
(202) 879-1653.

4. **Date and place of birth.**

December 2, 1953 - Jersey City, New Jersey.

5. **Marital status (if married, include maiden name of wife, or husband's name). List spouse's occupation, employer's name and business address(es).**

I am married to the former Ms. Sheryl A. Webber.
Sheryl is a Vice President for Public Affairs for United Parcel Service.
Her office is located at 316 Pennsylvania Avenue, S.E. Washington, D.C. 20003.

6. **Names and ages of children. List occupation and employer's name if appropriate.**

| | |
|---|---|
| Lindsay Danielle Washington, | Age 12 |
| Erica Webber Washington, | Age 9 |
| Eric Tyson Washington Jr., | Age 22 months |

7. **Education. List secondary school(s), college(s), law school(s), and any other institutions of higher education attended; list dates of attendance, degree received, and dates each degree was received. Please list dating back from most recent to earliest.**

| | | | |
|---|---|---|---|
| Columbia University School of Law | 1976 - 1979 | Juris Doctor | May 1979 |
| Tufts University | 1972 - 1976 | Bachelor of Arts | January 1976 |

1

| | | | |
|---|---|---|---|
| Columbia High School | 1969 - 1972 | High School Diploma | June 1972 |

8. **Employment record. List all jobs held since college, including the dates of employment, job title or description of job, and name and address of employer. Please list dating back from most recent to earliest.**

| | | |
|---|---|---|
| 5/95 - Present | District of Columbia Superior Court<br>500 Indiana Avenue, N.W.<br>Chambers 1020<br>Washington, D.C. 20001<br>(202) 879-1653 | Judge |
| 1/90 - 5/95 | Hogan & Hartson L.L.P.<br>555 13th Street, N.W.<br>Washington, D.C. 20004<br>(202) 637-5600 | Partner |
| 11/88 - 12/89 | Office of the Corporation Counsel<br>441 4th Street, N. W.<br>Washington, D.C. 20001<br>(202) 727-6248 | Principal Deputy Corporation Counsel |
| 6/87 - 10/88 | Office of the Corporation Counsel<br>441 4th Street, N.W.<br>Washington, D.C. 20001<br>(202) 727-6248 | Special Counsel to Corporation Counsel |
| 3/85 - 5/87 | Fulbright & Jaworski<br>801 Pennsylvania Avenue, N.W.<br>Washington, D.C. 20004 | Senior Associate Trial Attorney |
| 1/83 - 3/85 | Office of Congressman<br>Michael A. Andrews (Texas)<br>U.S. House of Representatives<br>Washington, D.C. 20515 | Legislative Director and Counsel |
| 6/79 - 12/82 | Fulbright & Jaworski<br>1301 McKinney Street<br>Suite 5100<br>Houston, Texas 77010 | Associate Attorney |
| 6/78 - 9/78 | Fulbright & Jaworski<br>1301 McKinney Street<br>Suite 5100<br>Houston, Texas 77010 | Summer Associate |

| | | |
|---|---|---|
| 6/77 - 9/77 | Office of Essex County Prosecutor<br>County of Essex, Hall of Record<br>Newark, New Jersey 07102 | Summer Law Clerk |
| 6/76 – 8/76 | Self - Employed<br>21 Lewis Drive<br>Maplewood, N.J. | Part–time Pool Cleaner<br>&<br>Tennis Instructor |

9. **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.**

1972 - Semi-Finalist National Achievement Scholarship Program

1976 - Columbia University Law School Scholarship

1992 - Recognition Award from Ward 5 Democrats

1995 - Bar Association of District of Columbia Recognition Award

10. **Business relationships. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, or educational or other institution.**

| | | |
|---|---|---|
| 1990-1995 | Partner | Hogan & Hartson L.L.P. |
| 1994-1995 | Director | KWC Corporation |
| 1997-Present | Trustee | National Cathedral Elementary School |
| 1998-Present | Member | Governing Committee, Law and Science Academy, District of Columbia |

11. **Military service. Indicate whether you served in the U.S. military and, if so, list dates of service, branch of service, rank, or rate, serial number, and type of discharge received.**

Although I never served in the military, I registered for the draft on of around my 18th birthday as required by the law.

12. **Bar associations. List all bar associations, legal or judicial-related committee, conferences, or organizations of which you are or have ever been a member, and provide titles and dates of any offices which you have held in such groups.**

Houston Lawyers Association

National Bar Association

American Bar Association

Washington Bar Association

Bar Association of the District of Columbia

American Adjudicature Society

Charles Fahey Inn of Court (Program Chair, 1996 – 1998)

District of Columbia Bar Federal Judicial Appointments Committee

District of Columbia Bar CJA/CCAN Committee

District of Columbia Bar Nominations Committee

District of Columbia Bar District of Columbia Affairs Committee

Judicial Education Committee

Judicial Conference Committee (1996 & 1998)

Standing Committee on Fairness and Access to the Courts

Drug Court Committee

Domestic Violence Coordinating Council

13. **Other memberships. List all memberships and offices currently and formerly held in professional, business, fraternal, scholarly, civic, public, charitable, or other organizations, other than those listed in response to Question 12. Please indicate whether any of these organizations formerly discriminated or currently discriminates on the basis of race, sex, or religion.**

| | |
|---|---|
| 1986-Present, | Boys & Girls Clubs of Greater Washington<br>(Director, 1986 - Present) |
| 1990-Present, | Boys & Girls Clubs Foundation<br>(Director, 1990 - Present) |
| 1985-Present, | Concerned Black Men of District of Columbia<br>(General Counsel 1987 - 1990) |
| 1985-Present, | Trinity Episcopal Church |
| 1990-1995, | City Club of Washington, D.C. |
| 1992-1995, | District of Columbia Democratic State Committee<br>(Chairman 1992 - 1995) |

| | |
|---|---|
| 1992-Present, | Sigma Pi Phi Fraternity-Epsilon Boule<br>(Social Action Chairman 1994 -1995) |
| 1994-1995, | Appleseed Center for Law and Justice<br>(Director 1994 - 1995) |

14. **Court admissions. List all courts in which you have been admitted to practice, with dates of admission and lapses in admission if any such memberships have lapsed. Please explain the reason for any lapse in membership. Provide the same information for any administrative bodies which require special admission to practice.**

1). Supreme Court of the State of Texas – November 12, 1979.
Currently on inactive status.

2). U.S. District Court for the Southern District of Texas - June 16, 1980.

3). U.S. Court of Appeals for the Fifth Circuit - October 1, 1981.

4). U.S. Supreme Court - January 10, 1983.

5). U.S. Court of Appeals for the Eleventh Circuit – October 1, 1984.

6). D.C. Court of Appeals – March 25, 1985.

7). U.S. Court of Appeals for the D.C. Circuit – September 24, 1986.

8). U.S. District Court for the District of Columbia – December 1, 1986.

15. **Published writings. List the titles, publishers, and dates of books, articles, reports, or other published material you have written or edited.**

| | | |
|---|---|---|
| Your Employee Handbook<br>From a Legal Prospective | Council on Education<br>in Management | September 17, 1985 |

16. **Speeches. List the titles of any formal speeches you have delivered during the last five (5) years and the date and place where they were delivered. Please provide the Committee with three (3) copies of any of these speeches.**

None.

17. **Legal career.**

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

(1) **Whether you served as a law clerk to a judge, and if so, the name of the judge, the court, and the dates of your clerkship;**

(2) **Whether you practiced alone, and if so, the addresses and dates;**

(3) **The dates, names, and address of law firms, companies, or governmental agencies with which you have been employed.**

May 1979 – December 1982, Associate Counsel with the law firm of Fulbright & Jaworski in Houston, Texas.

January 1983 – March 1985, Legislative Director and Counsel to Congressman Michael A. Andrews of Texas. Congressman Andrews' office is presently located at 1455 Pennsylvania Avenue, N.W. Washington, D.C. 20004.

March 1985 – May 1987, Senior Associate Counsel with the law firm of Fulbright & Jaworski in its Washington, D.C. office located at 801 Pennsylvania Ave. N.W. 20001.

June 1987 – December 1989, Special Counsel to the Corporation Counsel and Principal Deputy Corporation Counsel for the District of Columbia. Office of Corporation Counsel, 441 4th Street, N.W. Washington, D.C. 20001.

January 1990 – May 1995, Partner with the law firm of Hogan & Hartson located at 555 13th Street, N.W. Washington, D.C. 20004.

May 1995 – Present, Associate Judge, District of Columbia Superior Court. 500 Indiana Avenue, N.W. Washington, D.C. 20001

b. **Describe the general character of your law practice, dividing it into periods with dates if its character has changed over the years.**

See Answer to Question 17 (3) (C).

c. **Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.**

From June 1979 through December 1982, I was associated with the law firm of Fulbright & Jaworski in Houston, Texas. My principal area of specialization was labor and employment law and my clients were primarily engaged in the food services and oil industries.

In January of 1983, I joined the staff of Congressman Michael A. Andrews of Texas and served as his first Legislative Director and Counsel. In that capacity, I supervised a staff of four legislative aides and was responsible for advising the Congressman on all legislative matters pending before Congress. Congressman Andrews' major committee assignment was the Public Works and Transportation Committee and thus my primary area of concentration was on transportation issues. Congressman Andrews was my only client and I remained with him throughout his first term.

Between 1985 and 1987, I again worked for the law firm of Fulbright & Jaworski, this time in Washington, D.C. My practice primarily involved administrative litigation matters before the U.S. Department of Transportation. My major clients were airline companies engaged in merger and acquisition activity.

From 1987 through 1989, I was employed by the District of Columbia Office of the Corporation Counsel where I served first as Special Counsel and later as Principal Deputy Corporation Counsel. I was responsible, along with the Corporation Counsel, for providing full legal services to the District of Columbia government. The legal services provided included, *inter alia*, the prosecution of juvenile delinquency matters; the handling of civil litigation matters; and legal sufficiency reviews for all District contracts for goods and services.

From January 1990 until May 1995, I was a Partner in the law firm of Hogan & Hartson where my practice included a broad range of municipal law, government relations and employment law. I provided legal advice and represented businesses and individuals in legislative matters before the D.C. Council and regulatory matters before the various agencies, boards and commissions of the District of Columbia government. I also represented clients in legislative matters pending before Congress and regulatory matters pending before the various federal agencies. In addition, I continued to counsel employers concerning laws affecting the workplace. My primary clients included

telecommunication companies, a fast food company, a university medical center, and a banking institution.

Since May 1995, I have served as an Associate Judge of the District of Columbia Superior Court. In this capacity, I have presided over more than one hundred criminal trials as well as cases in both the drug court and the domestic violence court. In addition, I have handled both tax and probate matters on certification from other judges as well as more than 100 cases involving children who were victims of alleged abuse and neglect.

d. **Describe the general nature of your litigation experience, including:**

(1) **Whether you appeared in court frequently, occasionally, or not at all. If the frequency of your court appearances has varied over time, please describe in detail each such variance and give applicable dates.**

Between June 1979 and December 1982, I occasionally appeared in court representing clients in mostly labor and employment matters.

From January 1983 until April 1985, I made no appearances in court in my capacity as Legislative Director and Counsel for Congressman Andrews.

Between May 1985 and the Spring of 1987, I occasionally appeared in court on civil litigation matters.

From the Spring of 1987 until May 1995, I occasionally appeared in court on a variety of litigation matters both on the trial and appellate levels.

Since May 1995, I have been a Judge of the District of Columbia Superior Court.

(2) **What percentage of these appearances was in:**
(a) **Federal courts (including Federal courts in D.C.);**
(b) **State courts of record (excluding D.C. courts);**
(c) **D.C. courts (Superior Court and D.C. Court of Appeals only);**
(d) **Other courts and administrative bodies.**

Prior to May 1995, 50% of the cases in which I was involved were tried to or resolved in federal courts. Approximately 15% of the cases were handled in state courts of record excluding D.C. Courts and 15% were handled in D.C. Courts. The remaining 20% of the cases were before local and federal administrative bodies.

(3) **What percentage of your litigation has been:**

(a) **civil;**
(b) **criminal.**

100% of the litigation was civil.

(4) **What is the total number of cases in courts of record you tried to verdict or judgment (rather than settled or resolved, but may include cases decided on motion if they are tabulated separately). Indicate whether you were sole counsel, lead counsel, or associate counsel in these cases.**

Between June 1979 and May 1995, I tried approximately 15 cases to verdict or judgment and had an equal number of cases decided on motions. In 24 of those cases, I served as either associate counsel or co-lead counsel. In the remaining six (6) cases, I served as lead counsel.

(5) **What percentage of these trials was to**
(a) **a jury;**
(b) **the court (include cases decided on motion but tabulate them separately).**

Approximately 26 of the 30 cases were tried to the court. The remaining four (4) matters were jury trials.

18. **Describe the five (5) most significant litigated matters which you have personally handled. Provide citations, if the cases were reported, or the docket number and date if unreported. Give a capsule summary of the substance of each case and a succinct statement of what you believe was of particular significance about the case. Identify the party/parties you represented and 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 court and the name of the judge or judges before whom the case was litigated; and (c) the names (s) and address (es) and telephone number(s) of co-counsel and of the principal counsel for the other parties.**

*Pulse One Communications, Inc., et al. v. Bell Atlantic Mobile Systems, Inc.* C.A. No. 90-108507/C.L. 112199. This case was tried to a jury in the Circuit Court for Baltimore city before the Honorable Hilary D. Caplan during the fall of 1991. As co-counsel, I represented defendant/counterclaimant Bell Atlantic Mobile Systems, Inc. As co-counsel, I assisted in the preparation of the case for trial, argued several pre-trial motions and handled several challenges to the admissibility of evidence during the trial, conducted direct and cross-examination of witnesses and prepared, along with co-counsel, required post-trial pleadings.

The case arose out of an alleged breach of contract by Bell Atlantic Mobile Systems ("BAMS). Pulse One Communications, Inc. ("Pulse One"), a retail agent of BAMS, claimed that BAMS breached its agency agreement by withholding commissions earned by Pulse One for selling cellular telephones and activating customers onto the Bell Atlantic cellular telephone system. Pulse One further alleged that BAMS failed to pay commissions in an effort to run Pulse One and other agents out of business so that BAMS could replace its outside agents sale force with an in-house direct sales force and vertically control the entire mobile phone market in this region. BAMS counterclaimed, alleging that Pulse One had breached the agency agreement by selling equipment and service to unqualified and often fictitious individuals and by failing to make required payments to BAMS in an effort to defraud BAMS out of millions of dollars in commissions. The trial lasted for over six (6) weeks and resulted in a jury verdict for BAMS in an amount exceeding $5 million.

The case was not necessarily significant because of the legal issues involved, but it was important in my development as a lawyer because it was an extremely large and complicated case which demanded a great deal of ongoing case management. BAMS alone had more that 450 documents on its exhibit list and there were approximately 100 persons listed as proposed witnesses for both sides. Although I had previously been involved in several complicated civil proceedings, the antitrust and fraud claims and counterclaims in this case caused us to retool our typical trial management strategy by developing new methods for maintaining control of the case.

Co-Counsel for BAMS included Vincent H. Cohen, Harry T. Jones, Jr. And William Nussman all of Hogan & Hartson L.L.P. The firm is located at 555 13th Street, N.W. Washington, D.C. 20004. The firm telephone number is (202) 637-5600.
Counsel for Pulse One were Stephen L Snyder, Alan I. Baron and Gerson B. Mehlman of the Snyder, Baron, Mehlman & Wais law firm. The firm was located in the Woodholme Center, Suite 260, 1829 Reistertown Road, Baltimore, Maryland 21208.

*Dorman v. District of Columbia*, ____ F. Supp. ____ (D.C. 1988); 888 F.2d 159 (D.C. Cir. 1989). The case was tried to a jury in the U.S. District Court for the District of Columbia before Judge Joyce Hens Green. I served as co-counsel representing the District of Columbia. As co-counsel, I assisted in the preparation of the case for trial, made defendant's opening statement, conducted direct and cross-examination of witnesses, and prepared and argued post-trial motions with co-counsel.

This case arose out a suicide which occurred at the District of Columbia's Central Cellblock Facility ("CCF"). The decedent's Constitutional rights under 42 U.S.C. §1983 (1982) alleging that the District's failure to train its Metropolitan Police Department personnel

stationed at the CCF in the fields of potential suicide victim recognition and suicide prevention was the cause of the decedent's demise and that this failure to train was an official policy or practice of the District thus subjecting it to municipal liability.

It was a significant case because it raised for the first time in this jurisdiction the issue of whether a constitutional right exists to be protected by the police from self-destruction. It also raised the question of what standard applies to the imposition of municipal liability for lack of or inadequate training under §1983. My Co-Counsel in this case was Beverly J. Burke. She is presently Vice President and Assistant General Counsel for Washington Gas. Her address and phone number are Washington Gas & Light Company 1100 H Street, N.W. 4th Floor Washington, D.C. 20080. (202) 624-6177.
Plaintiff was represented by Patrick M. Regan and Charles T. Smith of the law firm of Koonz, McKenney, et al.
2020 K Street, N.W. Suite 840, Washington, D.C. 20006.
(202) 659-5500.

*Williams v. Church's Fried Chicken, et al.* 158 Ga. App. 26,279 S.E. 2d 465, cert.. denied, ____ S.E. 2d_____ (Ga. Sup. Ct. 1981). The case was decided on a summary judgment motion after oral argument that I prepared on behalf of defendant Church's Fried Chicken, Inc. I was admitted, *pro hac vice*, to argue the case before the Superior Court of Fulton County and the Georgia Court of Appeals. My co-counsel was William Scott Schulten of Atlanta, Georgia. His address and phone are 1100 Hertz Building, 50 Hertz Plaza, Atlanta, Georgia 30303. Plaintiff was represented by J.M. Raffauf of Atlanta. His present address and phone number are 1064 Wasycholvia Building 315 West Ponce De Leon Decatur, Georgia 30030. (404) 373-0112. As counsel for Church's, I conducted all pretrial discovery and filed and argued all appropriate motions.

Plaintiff brought suit against defendant alleging libel, invasion of privacy, tortious interference with his business affairs and abuse of legal process arising out of a labor dispute and boycott of defendant organized by plaintiff. The labor dispute and subsequent boycott were sparked by allegations by plaintiff of discrimination against blacks in the employ of the defendant. The case was significant in that it raised first amendment issues in the context of a labor dispute not governed by the National Labor Relations Board. Defendant's Motion for Summary Judgment was granted by the Superior Court of Fulton County, Georgia.

*Clarence Nunn v. National Fresh Fruit and Vegetable Company, Inc., et al.*, 541 F.Supp.469 (S.D. Texas 1982), 703 F.2d 556 (5th Cir. 1983). This case involved allegations of wrongful termination and unfair representation and was decided on a Motion for Summary Judgement

filed by defendants in the United States District Court for the Southern District of Texas. The district court's opinion was affirmed on appeal by the U.S. Court of Appeals for the Fifth Circuit. I served as co-counsel, along with A. Martin Wickliff, Jr., for defendant National Fresh Fruit and Vegetable Company ("National") and was responsible for conducting all discovery in the case, for preparing and arguing the Summary Judgment Motion filed by National and for preparing the brief on appeal. My co-counsel in this case was A. Martin Wickliff, Jr., of Houston, Texas. His present address and phone number are 1100 Louisiana Street, Suite 5400 Houston, Texas. (713) 750-3110.
Plaintiff was represented by Linda McKeever Bullard of Houston, Texas. Defendant General Drivers, Warehouseman & Helpers Local Union No. 968 ("Union") was represented by Eric H. Nelson of Nelson & Mallet of Houston, Texas. The law firm of Nelson & Mallet is located 3303 Main Street, Suite 300, Houston, Texas 77002. (713) 526-1998.

The case arose out of a disciplinary action taken by defendant National against plaintiff for violating a company rule prohibiting the carrying of weapons on company premises. The case was significant because a major part of National's defense to plaintiff's wrongful termination claim was that the Union had not breached its duty of fair representation to plaintiff by not pursuing his grievance to arbitration. In order to prevail against defendant, National, plaintiff had to first demonstrate that the Union's refusal to prosecute his grievance through arbitration was arbitrary, discriminatory or in bad faith.

19. **Describe the most significant legal activities you have pursued, including significant litigation which did not proceed to trial or legal matters that did not involve litigation. Describe the nature of your participation in each instance described, but you may omit any information protected by the attorney-client privilege (unless the privilege has been waived).**

During the latter half of 1994, I represented Luther Place Church before the District of Columbia Board of Zoning Adjustment (BZA) in its efforts to obtain a special exception to a local zoning ordinance so the Church could build a facility to house homeless women. It was significant because the application was filed on the heels of several decisions by the BZA denying similar relief to other local churches with outreach ministries. The poor financial conditions of the District of Columbia government had made it impossible for the government to provide adequate services , especially for homeless women, and there was a critical need for local churches to move quickly to fill the void. After a hearing and despite significant community opposition and Luther Place Church obtained its building permit.

In addition to my work on behalf of Luther Place Church, I had the pleasure of assisting the District of Columbia in the drafting of its foster care regulations . I also had the priviledge of representing the International Human Rights Law Group in its efforts to secure Senate

ratification of the "International Convention on the Elimination of All Forms of Racial Discrimination."

20. **Have you ever held judicial office? If so, please give the details of such service, including the court(s) on which you served, whether you were elected or appointed, the dates of your service, and a description of the jurisdiction of the court. Please provide three (3) copies of all opinions you wrote during such service as a judge.**

I am currently an Associate Judge of the District of Columbia Superior Court. I was nominated by President Clinton and confirmed by the United States Senate in 1995. The Superior Court of the District of Columbia is a trial court of general jurisdiction. Judges of this Court handle civil, criminal, family, tax and probate matters on a rotating basis.

Copies of my opinions are referenced below.

McAvoy v. District of Columbia Tax Docket No. 6368-95

United States v. Walter Demus Crim. No. F-8729-96

a. **List all court decisions you have made which were reversed or otherwise criticized on appeal.**

Alemay Samson, Appellant, v. United States, Appellee
No. 95-CM-1827

(March 13, 1997, Submitted April 17, 1997, Decided)

James N. West, Jr., Appellant v. United States, Appellee
No. 96-CO-1778

(Argued January 22, 1998 Decided April 30, 1998)

21. **Have you ever been a candidate for elective, judicial, or any other public office? If so, please give the details, including the dates(s) of the election, the office(s) sought, and the results of the election(s).**

In addition to my appointment as an Associate Judge of the Superior Court, I was a candidate for and was elected to serve on the District of Columbia Democratic State Committee in November 1992. I was subsequently elected Chairman.

22. **Political activities and affiliations.**

**List all public offices, either elected or appointed, which you have held or sought as a candidate or applicant.**

| | |
|---|---|
| Chairman - | District of Columbia Democratic State Committee |
| Associate Judge - | District of Columbia Superior Court |
| Associate Judge - | District of Columbia Court of Appeals |

a. **List all memberships and offices held in and services rendered to any political party or election committee during the last ten (10) years.**

| | | |
|---|---|---|
| Chairman- | District of Columbia Democratic State Committee | 1992-1995 |
| Member- | Democratic National Committee | 1992-1995 |
| Member- | Association of State Democratic Chairs | 1992-1995 |

b. **Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity during the last ten (10) years.**

See Exhibit No. 1

23. **Have you ever been investigated, arrested, charged, held or convicted (include pleas of nolo contendere) by federal, State, local, or other law enforcement authorities for violations of any federal, State, county, or municipal law, regulation, or ordinance other than for a minor traffic offense?**

No.

24. **Have you or any business of which you are or were a officer ever been a party or otherwise involved as a party in any other legal or administrative proceedings. If so, give the particulars. Do not list any proceedings in which you were merely a guardian ad litem or stakeholder. Include all proceedings in which you were a party in interest, a material witness, were named as a coconspirator or co-respondent, and list any grand jury investigation in which you appeared as a witness.**

During my tenure as a partner at Hogan and Hartson L.L.P., the

firm had to defend against routine challenges under our malpractice insurance policy. However, none of the challenges involved matters on which I was engaged. In addition, Hogan and Hartson L.L.P. was involved as a party in several fee collection cases while I was a partner with the firm.

The firm was involved in the following legal proceedings between January 1990 and June 1995.

1. Snoddy v. Beynum, et al., Civil Action No. 91-09503 (Superior Court of the District of Columbia, filed July 24, 1991) (traffic accident involving this firm messenger; settled).

2. Axmar Stable v. Hogan & Hartson, et al., Civil Action No. 92-64 (E.D.Ky.), transferred to the District of Columbia as Civil Action No. 93-165 (D.D.C., settled September 15, 1993).

3. Doerter v. Hogan & Hartson, C.A. No. S-94-3134 (D.Md., dismissed January 19, 1995).

4. Whitmore v. Hogan & Hartson, C.A. No. Civ-N-94-0324 Civil (D.Alaska, summary judgment entered in favor of the firm).

5. Fullerton v. Hogan & Hartson, C.A. No. Civ-N-94-399-E CR (D.Nevada, dismissed January 19, 1995).

6. Fisher v. Hogan & Hartson, C.A. No. 941160 (W.D.Pa., settled).

7. Jeffreys v. TCI, No. 95038061 (Cir.Ct. Baltimore, Maryland, dismissed January 2, 1996).

8. Jonathan Rees v. Daro Realty, C.A. No. 91-334 (D.D.C., dismissed March 21, 1991).

9. Skarstrom v. Leary, C.A. No. 91-CA12809 (D.C. Superior Court dismissed November 1, 1991).

10. Berlitz Translation Services v. Taylor, et al., (Circuit Court Fairfax County, Va., approximately 1993; settlement with unpaid vendor).

25. **Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, bar or professional association, disciplinary committee, or other professional group? If so, please provide the details.**

No.

## II. POTENTIAL CONFLICTS OF INTEREST

1. **Will you sever all connections with your present employer(s), business firm(s), business association(s), or business organization(s) if you are confirmed?**

   Not Applicable.

2. **Describe all financial arrangements, deferred compensation agreements, or other continuing dealings with your law firm, business associates, or clients.**

   Under the Hogan & Hartson L.L.P. Partnership Agreement, I receive a partnership payout which was calculated based on a formula that took into account my average compensation from the firm over a five year period after making various deductions. The payout is made in five equal annual installments. Specifically, my partnership payout is paid in equal annual installments of approximately $3,500.

3. **Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest.**

   Other than the information provided in exhibit no. 3 I am not aware of any investment, obligation, liability, or other relationship that could constitute or result in a potential conflict of interest.

4. **Describe any business relation, dealing, or financial transaction which you had in the last ten (10) years, whether for yourself, on behalf of a client, or acting as as agent, that could in any way constitute or result in a possible conflict of interest.**

   Other than matters involving my former law firm Hogan & Hartson L.L.P., I am not aware of any business relationship, dealing, or financial transaction in which I have been involved that could constitute or result in a possible conflict of interest.

5. **Describe any activity during the last ten (10) years in which you have engaged for purpose of directly or indirectly influencing the passage, defeat, or modification of legislation or affecting the administration and execution of law or public policy.**

   I have served as a member of the Metropolitan Board of the Boys & Girls Clubs of Greater Washington since 1986 and have periodically advocated on their behalf about the need to create public-private partnerships to better serve our youth. In addition, I represented clients of Hogan & Hartson L.L.P. on policy issues that involved zoning for Community Based Residential Facilities (CBRF); the restoration of democracy in Haiti; proposed federal franchise legislation; local regulatory reform for the telecommunications industry and public-private

partnerships in the area of education.
Further, I have served on several committees of the District of Columbia Bar which have advocated policy positions with respect to federal judicial appointments, local regulatory reform, and the overhaul of the local CJA and CCAN systems for the D.C. Superior Court.

6. **Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service as a judge? If so, explain.**

No.

7. **Explain how you will resolve any potential conflicts of interest, including any that may have been disclosed by your responses to the above items. Please provide three (3) copies of any trust or other relevant agreements.**

I would recuse myself immediately with respect to matters about which my impartiality might reasonably be questioned. As I have in the past, I will continue to recuse myself from matters where there is any involvement by Hogan & Hartson L.L.P.

8. **If confirmed, do you expect to serve out your full term?**

Yes.

III. FINANCIAL DATA

**All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)**

**Financial Data - On file with the Committee on Governmental Affairs.**

## IV. DISTRICT OF COLUMBIA REQUIREMENTS

Supplemental questions concerning specific statutory qualifications for service as a judge in The courts of the District of Columbia pursuant to the District of Columbia Court Reform and Criminal Procedure Act of 1970, D.C. Code Section 11-1501 (b), as amended.

1. Are you a citizen of the United States?

   Yes.

2. Are you a member of the bar of the District of Columbia?

   Yes.

3. Have you been a member of the bar of the District of Columbia for at least five (5) years? Please provide the date you were admitted to practice in the District of Columbia.

   Yes. I became a member of the District of Columbia Bar in 1985.

4. If the answer to Question 3 is No—

   a. Are you a professor of law in a law school in the District of Columbia?

      N/A

   b. Are you a lawyer employed in the District of Columbia by the United States or the District of Columbia?

      N/A

   c. Have you been eligible for membership in the bar of the District of Columbia for at least five (5) years?

      N/A

   d. Upon what grounds is that eligibility based?

      N/A

5. **Are you a bona fide resident of the District of Columbia?**

Yes.

6. **Please list the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last five (5) years.**

3159 Tennyson Street, N.W. Washington D.C. 20015 1991- Present.

7. **Have you maintained an actual place of abode in such area for at least five (5) years?**

Yes.

8. **Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nominating Commission?**

No.

9. **Have you been a member of either of these Commissions within the last 12 months?**

No.

AFFIDAVIT

ERIC T. WASHINGTON being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

SUBSCRIBED and SWORN TO before me this 1 day of February, 19 99.

Notary Public

My Commission Expires August 15, 1999

EXHIBIT # 1

1994

| | | |
|---|---|---|
| March | Sheila Jackson Lee (Tx.) | $ 100.00 |
| | Hogan & Hartson PAC | $ 375.00 |
| April | John Cappozzi (D.C.) | $ 50.00 |
| | Judge Wiley Branton (Ark) | $ 100.00 |
| May | Gertrude Stein Democratic Club (D.C.) | $ 75.00 |
| | Wayne Curry (Md.) | $ 100.00 |
| August | Democratic National Committee | $ 500.00 |
| | Jim Nathanson (D.C.) | $ 50.00 |

QUESTIONNAIRE FOR NOMINEES TO THE DISTRICT OF COLUMBIA COURTS
COMMITTEE ON GOVERNMENTAL AFFAIRS, UNITED STATES SENATE

## I. BIOGRAPHICAL AND PROFESSIONAL INFORMATION

1. Full name (include any former names used).

Stephen Howard Glickman

2. Citizenship (if you are a naturalized U.S. citizen, please provide proof of your naturalization).

United States.

3. Current office address and telephone number.

Zuckerman, Spaeder, Goldstein, Taylor & Kolker, L.L.P.
1201 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 778-1800

4. Date and place of birth.

June 25, 1948
Brooklyn, New York

5. Marital status (if married, include maiden name of wife, or husband's name). List spouse's occupation, employer's name and business address(es).

I am married to Ann M. Glickman, formerly Ann S. McCarthy.

My wife is a full-time homemaker and mother.

6. Names and ages of children. List occupation and employer's name if appropriate.

Justine S. Glickman, age 14
Rachel M. Glickman, age 12

7. Education. List secondary school(s), college(s), law school(s), and any other institutions of higher education attended; list dates of attendance, degree received, and dates each degree was received. Please list dating back from most recent to earliest.

George Washington University, National Law Center, 1976 -- Criminal Practice Seminar (Continuing Legal Education program)

Yale Law School, 1969-73, J.D.

Cornell University, 1965-69, A.B. with Distinction in All Subjects

Stuyvesant High School, 1962-65

8. Employment record. List all jobs held since college, including the dates of employment, job title or description of job, and name and address of employer. Please list dating back from most recent to earliest.

| | | |
|---|---|---|
| 1980-Present | Zuckerman, Spaeder, Goldstein, Taylor & Kolker, L.L.P., 1201 Connecticut Avenue, N.W., Washington, D.C. 20036 | |
| | 1980-83 | Associate |
| | 1984-Present | Partner |
| | 1991-2/98 | Managing Partner |
| 1976-80 | Trial and Appellate Attorney, Public Defender Service of the District of Columbia, 451 Indiana Avenue, N.W., Washington, D.C. 20001 | |
| 1974-76 | Staff Attorney, Bureau of Competition, Federal Trade Commission, Sixth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580 | |
| 1974 | Instructor, Yale University | |
| 1973-74 | Law Clerk to the Honorable Joseph Bogdanski, Connecticut Supreme Court. | |

9. 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.

| | |
|---|---|
| D.C. Bar | Award for Best Bar Section Community Outreach Project, 1997. I served as project coordinator and received the award on behalf of the Courts, Lawyers and Administration of Justice Section of the D.C. Bar. |
| Yale Law School | Finalist, Moot Court Competition |
| Cornell University | Phi Beta Kappa<br>Phi Kappa Phi<br>Phi Eta Sigma<br>A.B. degree awarded "with distinction in all subjects" |

10. Business relationships. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, or educational or other institution.

Partner, Zuckerman, Spaeder, Goldstein, Taylor & Kolker, L.L.P.

Director, Grand Traverse Title Company, Traverse City, Michigan

Director, Leelanau Title Company, Suttons Bay, Michigan

11. Military service. Indicate whether you have served in the US military and, if so, list dates of service, branch of service, rank or rate, serial number, and type of discharge received.

Yes.
December 17, 1969 -- December 16, 1975
United States Army (National Guard, Army Reserve)
Rank: SP5
Serial Number: 120-38-9332 (Social Security Number)
Present Status: Honorably Discharged

12. Bar associations. List all bar associations, legal or judicial-related committees, conferences, or organizations of which you are or have ever been a member, and provide titles and dates of any offices which you have held in such groups.

a. District of Columbia Bar

| | |
|---|---|
| 1996-1998 | Co-Chair of Steering Committee of Section on Courts,Lawyers and the Administration of Justice |
| 1982-1983 | Co-Chair of Steering Committee of Section on Criminal Law and Individual Rights |

b. American Bar Association

| | |
|---|---|
| 1990-1993 | Chair of Grand Jury and Pretrial Procedures Committee of the Criminal Justice Section |

c. Council for Court Excellence

| | |
|---|---|
| 1996-1998 | Co-Chair of Jury Care Working Committee of D.C. Jury Project |
| 1998-1999 | Chair of Bench-Bar Education Task Force of Juries 2000 Committee |

d. District of Columbia Bar Foundation

1995-Present Member of Advisory Committee

e. D.C. Law Students in Court

1993-Present Member of Advisory Board

f. Neighborhood Legal Services Program

1997-Present Member of Board of Directors

13. Other memberships. List all memberships and offices currently and formerly held in professional, business, fraternal, scholarly, civic, public, charitable, or other organizations, other than those listed in response to Question 12. Please indicate whether any of these organizations formerly discriminated or currently discriminates on the basis of race, sex, or religion.

1992 Yale Law School Graduates Committee for Victory Fund '92

1994-95 B'nai B'rith District Five, Public Affairs Unit

These organizations did not discriminate on the basis of race, sex or religion.

14. Court admissions. List all courts in which you have been admitted to practice, with dates of admission and lapses in admission if any such memberships have lapsed. Please explain the reason for any lapse in membership. Please provide the same information for any administrative bodies which require special admission to practice.

1974 Connecticut Supreme Court (and lower state courts)

1976 District of Columbia Court of Appeals and Superior Court

1976 U.S. District Court for the District of Columbia

1979 U.S. Court of Appeals for the District of Columbia Circuit

1980 U.S. Supreme Court

1981 U.S. Court of Appeals for the Fourth Circuit

1981 U.S. District Court for the District of Maryland

1983 U.S. District Court for the Eastern District of Michigan

1987 U.S. Claims Court (now the U.S. Court of Federal Claims)

1988 U.S. Court of Appeals for the Tenth Circuit

1988 U.S. Court of Appeals for the Eleventh Circuit

1990 U.S. Court of Appeals for the Third Circuit

1990 U.S. Court of Appeals for the Federal Circuit

15. Published writings. List the titles, publishers, and dates of books, articles, reports, or other published material you have written or edited.

a. "Rediscovering Discovery" (with Steven M. Salky), 4 Criminal Justice 12 (Summer 1989)

b. "Bible for Prosecutors Becomes Key Text for Defense Lawyers" (with Steven M. Salky), Legal Times (February 1, 1988)

c. "An Overview of White Collar Sentencing Under the Federal Sentencing Guidelines," a paper delivered at the National Conference on Sentencing Advocacy (January 28, 1989), excerpted in 3 BNA Criminal Practice Manual (February 22, 1989), at 86.

d. "Self Defense," 15th Annual Criminal Practice Institute Trial Manual (Young Lawyers Section, Bar Association of the District of Columbia, 1979)

e. "Final Report of the Tuskegee Syphilis Study Ad Hoc Advisory Panel," a report issued by the Public Health Service of the U.S. Department of Health, Education and Welfare (1973) (I assisted in the writing of this report while I was a law student.)

16. Speeches. List the titles of any formal speeches you have delivered during the last five (5) years and the date and place where they were delivered. Please provide the Committee with three (3) copies of any of these speeches.

None.

17. Legal career.

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

(1) Whether you served as a law clerk to a judge, and if so, the name of the judge, the court, and the dates of your clerkship;

1973-74 Law Clerk to the Honorable Joseph Bogdanski, Connecticut Supreme Court.

(2) Whether you practiced alone, and if so, the addresses and dates;

I did not practice alone.

(3) The dates, names, and address of law firms, companies, or governmental agencies with which you have been employed.

See answer to Question No. 8.

b. Describe the general character of your law practice, dividing it into periods with dates if its character has changed over the years.

From 1973 to 1974, I served as law clerk to the Honorable Joseph Bogdanski, an Associate Justice of the Connecticut Supreme Court.

From 1974 to 1976, as a staff attorney in the Bureau of Competition at the Federal Trade Commission, I investigated alleged violations of the federal antitrust laws.

From 1976 to 1980, I was a trial and appellate attorney at the District of Columbia Public Defender Service. I practiced before the D.C. Superior Court and the D.C. Court of Appeals, representing juveniles and adults in criminal prosecutions and appeals, and also in ancillary proceedings. I tried numerous cases before juries and, in juvenile court, in non-jury trials. The charges in most of my cases were felonies. I was sole counsel for my client in most of those cases, and lead counsel in all but one of the others. I also litigated a variety of pre-trial and post-trial motions at the trial level, negotiated dispositions with the Office of the Corporation Counsel and with the United States Attorney's Office, and represented many clients in sentencing proceedings. In my appellate work, I wrote the briefs and appeared and argued before the D.C. Court of Appeals. I have described one of my appellate cases, involving the Constitutionality of the preventive detention statute, in my response to Question 18, below.

Since 1980 I have been in private practice with the law firm of Zuckerman, Spaeder, Goldstein, Taylor & Kolker, L.L.P. At the firm, I have handled criminal and civil litigation, at the trial and appellate levels. In recent years my practice has concentrated on civil litigation. On the criminal side, however, I have handled several trials either as sole or co-counsel. All but two of those trials were before a jury. The charges in most of these trials were felonies. Most of these trials were either in D.C. Superior Court or in federal court. I have also represented witnesses in connection with grand jury investigations, and the petitioner in post-conviction proceedings. I have briefed and argued several appeals. One of the criminal cases I handled as lead counsel is described in my response to Question 18.

On the civil side, I have represented plaintiffs and defendants in a wide array of cases, including class actions, at both the trial and appellate levels. I have appeared in a number of federal and state courts, notably including the D.C. Superior Court, the D.C. Court of Appeals, and the federal courts in the District of Columbia, Maryland, Virginia, Philadelphia, Atlanta, and Miami, among others. I have also represented parties in arbitrations and mediations. I have taken many depositions, conducted discovery by other means as well, written a wide range of motions and briefs at the trial and appellate levels, and appeared in court on numerous occasions to argue motions (including summary judgment motions) and appeals. I have also frequently engaged in settlement negotiations, including extremely complex negotiations (in which I played an active role) to settle a several hundred million dollar multi-party lawsuit. Three of my civil cases are described in my response to Question 18.

From 1991 to 1998, while still maintaining my litigation practice, I also served as my firm's managing partner. I had responsibility for overseeing the firm's operations, including professional development and responsibility, business and financial matters, practice growth and expansion, internal firm administration, employee relations and personnel matters.

c. Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.

At the Federal Trade Commission I concentrated on federal antitrust law and administrative law and procedure.

At the Public Defender Service, I specialized in criminal law. My typical client was an indigent person charged with a crime.

Since 1980, my practice has emphasized a broad range of civil as well as criminal litigation. My clients have been diverse. To illustrate, they have included lawyers and physicians; corporate directors and officers; government employees; a newspaper publisher; various business corporations; banking institutions; a tri-state transit authority; a 501(c)(3) organization; a mentally retarded death row inmate; a D.C. firefighter; retired persons; juveniles; indigents; and numerous other persons and entities.

d. Describe the general nature of your litigation experience, including:

(1) Whether you have appeared in court frequently, occasionally, or not at all. If the frequency of your court appearances has varied over time, please describe in detail each such variance and give applicable dates.

I have regularly appeared in court proceedings inasmuch as my practice has been almost entirely devoted to litigation in the federal and state courts at the trial and appellate level. The frequency of my personal appearances in court during that time has varied. My most active in-court experience was during 1976-80, when I served with the District of Columbia Public Defender Service and appeared personally in court on almost a daily basis. In private practice since 1980, the frequency of my personal appearances in court has fluctuated, but has not been day to day. During the last five years or so, my personal appearances have been somewhat less frequent than in prior years. This was because my recent practice, though active, has concentrated on civil rather than criminal litigation, and has tended to emphasize larger cases in which most of the activity has occurred outside of the courtroom.

(2) What percentage of these appearances was in:

(a) Federal courts (including Federal courts in D.C.);
(b) State courts of record (excluding D.C. courts);
(c) D.C. courts (Superior Court and D.C. Court of Appeals only);
(d) other courts and administrative bodies.

When I served with the D.C. Public Defender Service from 1976 to 1980, my court appearances were almost exclusively in the D.C. Superior Court and the D.C. Court of Appeals. In private practice, I estimate that approximately 75% of my appearances have been in federal court proceedings. Almost all of my other appearances have been in D.C. Superior Court or the D.C. Court of Appeals. On a few occasions I have appeared in other state courts of record. In addition, I have appeared in arbitration proceedings before the American Arbitration Association or the National Association of Securities Dealers.

(3) What percentage of your litigation has been:

(a) civil;
(b) criminal.

During the period 1976-80, when I was at the Public Defender Service, my litigation practice was 100% criminal. Since then, I estimate that approximately 80-90% of my litigation has been civil.

(4) What is the total number of cases in courts of record you tried to verdict or judgment (rather than settled or resolved, but may include cases decided on motion if they are tabulated separately). Indicate whether you were sole counsel, lead counsel, or associate counsel in these cases.

I have tried dozens of cases to verdict or judgment, the majority of them before a jury and nearly all of them as sole or chief counsel.

(5) What percentage of these trials was to

(a) a jury;
(b) the court (include cases decided on motion but tabulate them separately).

I estimate that roughly 65% of my completed trials were to a jury. The balance were tried to the court. I am not able to estimate the percentage of cases decided on motion.

18. Describe the five (5) most significant litigated matters which you personally handled. Provide citations, if the cases were reported, or the docket number and date if unreported. Give a capsule summary of the substance of each case and a succinct statement of what you believe was of particular significance about the case. Identify the party/parties you represented and 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 court and the name of the judge or judges before whom the case was litigated; and (c) the name(s) and address(es) and telephone number(s) of co-counsel and of the principal counsel for the other parties.

a. In re Sunrise Securities Litigation, MDL No. 655 (E.D. Pa. 1985-1995)[1]

This multi-party litigation arose from the collapse in 1985 of Sunrise Savings and Loan Association of Florida. Two lawsuits, one brought by the FDIC and the other a shareholders' class action, were consolidated in the Eastern District of Pennsylvania. The actions were brought against Sunrise's officers, directors, lawyers and accountants to recover loan losses amounting to several hundred million dollars. I was chief counsel for the lead defendant, Mr. Robert C. Jacoby, who had served as Sunrise's president and chairman of the board. The case settled in 1995.

In this litigation the parties confronted a broad range of factual and legal issues, many of which were novel, complex and vigorously contested. Basic principles, such as choice of law, proximate causation, the business judgment rule and the standards of officer and director

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[1] This case was before U. S. District Judge O'Neill. The principal reported decisions in the Sunrise Securities Litigation are at:

916 F.2d 874 (3rd Cir. 1990);

818 F. Supp. 830 (E.D. Pa. 1993);

793 F. Supp. 1306 (E.D. Pa. 1992);

138 F.R.D. 60 (E.D. Pa. 1991);

131 F.R.D. 450 (E.D. Pa. 1990);

130 F.R.D. 560 (E.D. Pa. 1989); and

698 F. Supp. 1256 (E.D. Pa. 1988).

liability, contributory negligence, and contribution among joint tortfeasors, were subject to reexamination and redefinition in the failed bank context. I actively participated in all phases of this proceeding, including depositions and other discovery, motions practice, strategic planning and case management, settlement negotiations, and the drafting of a complex, multi-party settlement agreement.

The FDIC was represented by Scott Kragie, Esq., and Donald Bucklin, Esq., of Squire, Sanders & Dempsey, 1201 Pennsylvania Avenue, N.W., Washington, D.C. 20004, (202) 626-6600.

Other principal counsel in the case were Robert Heim, Esq., and Amy Ginensky, Esq., of Dechert, Price & Rhoads, 4000 Bell Atlantic Tower, 1717 Arch Street, Philadelphia, Pennsylvania 19103-2793, (215) 994-4000.

b. Gould v. Alleco, Inc., 883 F.2d 281 (4th Cir. 1989)[2]; and
Robinson v. Allegheny Beverage Corporation, C.A. No. S-88-2399 (D. Md.)[3]

In the district court this was a federal securities fraud class action brought in 1986 on behalf of purchasers of stock in Allegheny Beverage Corporation, then a billion dollar food service company headquartered in Maryland. I represented the defendant corporation (which changed its name to Alleco, Inc.) and five of its directors and officers. The settlement of this class action in 1988, after two years of motions practice and discovery, spawned an appeal by bondholders of the company. I also represented the company in the appeal, drafting the brief and arguing the case in the Fourth Circuit.

The issues on appeal were procedural. Although the bondholders were not members of the plaintiff class, they opposed the settlement and moved to intervene in the fairness hearing. The district court denied their motion to intervene. On appeal the Fourth Circuit affirmed, holding, inter alia, that non-class members who are not parties to the litigation have no standing to object to a proposed settlement under Fed. R. Civ. P. 23 (the class action rule).

Counsel for the shareholder plaintiff class was Bruce K. Cohen, Esq., Meredith, Cohen & Greenfogel, P.C., 117 South 17th Street, Philadelphia, Pennsylvania 19103, (215) 564-5182.

My co-counsel was Daniel I. Prywes, Esq., Pepper, Hamilton & Scheetz, 1300 19th Street, N.W., Washington, D.C. 20036, (202) 828-1200.

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[2] The members of the Fourth Circuit panel in this case were Chief Judge Ervin and Judges Hall and Wilkinson.

[3] This case was heard by U.S. District Court Judge Smalkin.

The bondholders were represented by David R. Burton, 306A Hampton Plaza, 300 East Joppa Road, Towson, Maryland 21204.

c. Thomas Doles v. Capital City Mortgage Corporation, et al., C.A. No. 94-10620 (D.C. Super. Ct. 1995-96)

This was a pro bono engagement that I undertook at the request of the Neighborhood Legal Services Program in the District of Columbia, which lacked the resources to handle the case on its own. We challenged predatory and deceptive lending practices of a mortgage business which had induced Mr. Doles and other poor and unsophisticated homeowners to borrow more than they needed or could reasonably afford, at near-usurious rates of interest (24%). The defendants, we alleged, contemplated at the outset that the borrowers would soon default on their improvident loans. The defendants made the loans anyhow so that they would be able to deprive the borrowers of their homes through the anticipated foreclosure proceedings. In Mr. Doles' case, we obtained complete relief, including the recovery of his home, by means of a pretrial settlement following depositions and other discovery.

I co-counseled this case with Melissa G. Reinberg, Esq., who is now Managing Attorney at The Legal Aid Society of the District of Columbia, 666 Eleventh Street, N.W., Washington, D.C. 20001, (202) 628-1161.

The defendants were represented by Nathan Finkelstein, Esq., 7315 Wisconsin Avenue, Bethesda, Maryland 20814, (301) 652-9300, and Eric Sanne, Esq., 1223 11th Street, N.W., Washington, D.C. 20001, (202) 289-8474.

d. Smith v. Zant, 887 F.2d 1407 (11th Cir. 1989) (en banc)[4];
Smith v. Zant, 855 F.2d 712 (11th Cir. 1988)[5]; and
Smith v. Kemp, 664 F. Supp. 500 (M.D. Ga. 1987)[6]

I represented Mr. William A. Smith, a mentally retarded inmate on death row in Georgia, in post-conviction proceedings from 1982 to 1989. This representation began after his conviction and death sentence had been affirmed by the Georgia Supreme Court. I served as Mr. Smith's chief counsel in state and federal habeas corpus proceedings at the trial and appellate levels. These proceedings included an evidentiary hearing in federal district court (where relief was granted in the opinion cited above), and two arguments in the Eleventh Circuit Court of Appeals, the second before the en banc Court. In the end, Mr. Smith's death sentence was vacated.

I drafted the habeas petition and the briefs, conducted the evidentiary hearing in the district court, and argued the appeals in the Eleventh Circuit. The case highlighted the significance of Mr. Smith's mental impairments, which had been ignored or unfairly discounted at his trial. This was one of the earliest capital cases in which mental retardation was developed as a circumstance mitigating against the death penalty and as a major consideration in the resolution of numerous other issues arising in murder cases. These issues included the validity of Mr. Smith's waiver of his Fifth Amendment rights, the sufficiency of the evidence and the jury instructions relating to questions of intent, and the ineffectiveness of his trial counsel. Relief was ultimately granted on the ground that Mr. Smith had failed to comprehend, and therefore did not knowingly waive, his right to remain silent at the time of his arrest.

My co-counsel was Stephen B. Bright, Esq., Center for Human Rights, 83 Poplar Street, N.W., Atlanta, Georgia 30303, (404) 688-1202.

The principal opposing counsel in these proceedings was Dennis R. Dunn, Esq., Assistant Attorney General, 132 State Judicial Building, 40 Capitol Square, S.W., Atlanta, Georgia 30334.

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[4] The members of the en banc Court of Appeals in this case were Chief Judge Roney and Judges Tjoflat, Hill, Fay, Vance, Kravitch, Johnson, Hatchett, Anderson, Clark, Edmondson and Cox.

[5] The panel of the Eleventh Circuit in this appeal consisted of Judges Kravitch, Hatchett and Anderson.

[6] This case was heard by U.S. District Court Judge Fitzpatrick.

e. United States v. Edwards, 430 A.2d 1321 (D.C. 1981) (en banc)[7], cert.denied, 455 U.S. 1022 (1982)

In this case the D.C. Court of Appeals upheld the statute authorizing pretrial detention without bail for persons who are accused of serious crimes and are shown to be dangerous to the community. I represented Mr. Marvin L. Edwards, the detainee in this appeal. I was a principal author of the appellate briefs, and argued before the en banc Court. The decision in this case settled the unresolved Constitutional questions surrounding preventive detention, and set a precedent that courts in other jurisdictions have followed.

Counsel for the United States in this appeal was Michael W. Farrell, Esq., in the Office of the United States Attorney in Washington, D.C. (Mr. Farrell is now an Associate Judge of the D.C. Court of Appeals.)

19. Describe the most significant legal activities you have pursued, including significant litigation which did not proceed to trial or legal matters that did not involve litigation. Describe the nature of your participation in each instance described, but you may omit any information protected by the attorney-client privilege (unless the privilege has been waived).

The cases described in response to the preceding question are among the most significant legal activities I have pursued, and do reflect the diversity of my litigation practice. At different phases of my career, I have pursued other important legal activities as well.

At the Federal Trade Commission, I was a staff attorney in the Bureau of Competition. I participated in several investigations, the broadest of which was an investigation of the grain exporting industry commenced at the behest of Congress.

At the Public Defender Service, I defended hundreds of criminal cases. Most of these cases were felony prosecutions. Some were juvenile delinquency proceedings. Every one of these cases was, of course, critically important to the people involved. These were cases in which I could make a real difference in the lives of my clients -- particularly in juvenile cases, where I could help children receive needed care, counseling and social services. Many of my cases also involved complex or novel legal issues. For instance, I litigated the propriety of automatic

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[7] The members of the en banc Court of Appeals in Edwards were Chief Judge Newman and Associate Judges Kelly, Kern, Gallagher, Nebeker, Harris, Mack, Ferren and Pryor.

exemptions from jury duty for certain occupations (litigation which, I believe, ultimately led to a reexamination of the basis for those exemptions and their eventual removal from the juror selection plan in the District of Columbia).

In some 18 years of private practice I have represented a great many clients in a broad range of cases. Some of the most important were cases in which the matters in dispute were resolved before any lawsuit was brought. In addition to cases of the sort illustrated in my answer to question 18, I have, for example, handled a wrongful death action arising from a fire at a private boarding school; a lawsuit under the Takings Clause of the Fifth Amendment; a legal malpractice action; a case of first impression concerning the requirements of the civil commitment statute in the District of Columbia; an internal investigation at a quasi-governmental body; tax litigation; a wide variety of commercial litigation; lawsuits arising under ERISA and FIRREA; a securities arbitration; a number of white collar criminal investigations and prosecutions; insurance litigation; and a Freedom of Information Act suit on behalf of the publisher of a major newspaper.

From 1991 to 1998 I also served as the managing partner of my law firm. In this capacity I was responsible for overseeing the firm's operations, including its compliance with applicable laws and regulations, professional development and responsibility, business and financial matters, risk management, practice growth and expansion, internal firm administration, and employee relations and personnel matters.

20. Have you ever held judicial office? If so, please give the details of such service, including the court(s) on which you served, whether you were elected or appointed, the dates of your service, and a description of the jurisdiction of the court. Please provide three (3) copies of all opinions you wrote during such service as a judge.

I have never held judicial office.

21. Have you ever been a candidate for elective, judicial, or any other public office? If so, please give the details, including the date(s) of the election, the office(s) sought, and the results of the election(s).

I applied to the District of Columbia Judicial Nomination Commission in 1994 to be considered for two vacancies on the District of Columbia Court of Appeals. The Commission did not select me.

22. Political activities and affiliations.

(a) List all public offices, either elected or appointed, which you have held or sought as a candidate or applicant.

(b) List all memberships and offices held in and services rendered to any political party or election committee during the last ten (10) years.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity during the last ten (10) years.

I have not held or sought any public office, other than a seat on the District of Columbia Court of Appeals.

In 1992, I was a member of the Yale Law School Graduates Committee for Victory Fund '92 (a Democratic fund-raising initiative). In that capacity, I made a $1,000 contribution.

I am registered as a Democrat.

23. Have you ever been investigated, arrested, charged, held or convicted (include pleas of nolo contendere) by federal, State, local, or other law enforcement authorities for violations of any federal, State, county, or municipal law, regulation, or ordinance other than for a minor traffic offense?

No.

24. Have you or any business of which you are or were an officer ever been a party or otherwise involved as a party in any other legal or administrative proceedings. If so, give the particulars. Do not list any proceedings in which you were merely a guardian ad litem or stakeholder. Include all proceedings in which you were a party in interest, a material witness, were named as a co-conspirator or co-respondent, and list any grand jury investigation in which you appeared as a witness.

I was a party to the proceedings in D.C. Superior Court in which my wife and I adopted our two daughters. The Court entered decrees in those matters finalizing the adoptions.

I was also a party to a proceeding before the D.C. Public Schools under the Individuals with Disabilities Education Act, the purpose of which was to obtain appropriate educational services for one of my daughters. The school system granted this request. As an outgrowth of this and numerous other similar proceedings, our lawyers filed an action captioned Amaral, et al. v. D.C., C.A. No. 98-CV-2412 (D.D.C.), in which I am listed as one of over sixty named plaintiffs, seeking reimbursement of counsel fees from the school proceedings. I am advised that inasmuch as the school system granted our petition, this lawsuit became moot as to me.

My law firm has been a party to legal or administrative proceedings of various kinds, such as fee collection actions, unemployment compensation proceedings, malpractice actions, and administrative claims. These proceedings did not involve me personally. In some cases my name is included in the caption for technical reasons (having to do with the necessity for naming all partners if a partnership is to sue or be sued). Based upon a diligent search, inquiry, and memory, I attach a list of such proceedings in which my law firm has been a party during the approximately 15 years I have been a partner in the firm.

25. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, bar or professional association, disciplinary committee, or other professional group? If so, please provide the details.

No.

In 1993, a prisoner named Mr. Sherman W. Dobson filed a motion in D.C. Superior Court in which he sought to vacate his convictions in three trials for armed robbery and carrying a pistol without a license. The trials had occurred some 13-14 years earlier, in 1979 and 1980, and the convictions had been affirmed on appeal in 1982 and 1983. I had represented Mr. Dobson in the first of his three trials (but not in the subsequent trials or in any of his appeals). Among Mr. Dobson's claims was one concerning me. Mr. Dobson alleged that I had failed to present would-be alibi witnesses who, based on their affidavits, would have testified that Mr. Dobson was outside the District of Columbia as of 3:00 p.m. on August 20, 1976. Unfortunately for Mr. Dobson and his claim, the crime with which he was charged did not take place at that time. When this was pointed out, Mr. Dobson conceded that his witnesses would have been "of no benefit in establishing an alibi for his defense," and the Court rejected his claim of ineffective assistance. A copy of the Court's opinion is attached to this questionnaire. United States of America v. Sherman W. Dobson, No. F-181-79 (D.C. Superior Court, Sept. 3, 1993, Ugast, C.J.)

## II. POTENTIAL CONFLICTS OF INTEREST

1. Will you sever all connections with your present employer(s), business firm(s), business association(s), or business organization(s) if you are confirmed?

Yes.

2. Describe all financial arrangements, deferred compensation agreements, or other continuing dealings with your law firm, business associates, or clients.

As a partner in a law firm, I am currently compensated from firm profits. The firm's partnership agreement provides that upon my withdrawal from the firm, my capital account plus a liquidated sum (in essence, my computed share of the firm's profits still due to me) will be paid to me in lieu of any other payments I might otherwise be entitled to receive from the firm. This fixed amount will either be paid in a lump sum or else in installments over a limited period on a fixed schedule. That payment will terminate my financial relationship with my firm.

As a director of two small businesses (see my response to question 10 above), I receive modest compensation for attendance at annual board meetings. Inasmuch as I would resign from those positions if I am confirmed, I would not have any continuing dealings with those businesses.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest.

See my responses to Questions 2 and 7 in this section, and my responses to the questions in the following section of this questionnaire.

4. Describe any business relation, dealing, or financial transaction which you have had in the last ten (10) years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest.

None to my knowledge, beyond what is identified in my responses to other questions.

5. Describe any activity during the last ten (10) years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of legislation or affecting the administration and execution of law or public policy.

During the past two years I have served on jury projects of the Council for Court Excellence. The goal of these projects, which enjoy the support and participation of a cross-section of the community, including jurists, practitioners, academics, and laypersons, is to enhance jury service and the functioning of juries in the courts of the District. I am submitting with this questionnaire three copies of the report, entitled "Juries for the Year 2000 and beyond," which the Council's District of Columbia Jury Project issued in 1998.

I have also testified before Congress on behalf of the American Bar Association with regard to proposed grand jury legislation. In 1989 I appeared before the Criminal Justice Subcommittee of the House Committee on the Judiciary. In 1990 I appeared before the Securities Subcommittee of the Senate Committee on Banking, Housing and Urban Affairs.

6. Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service as a judge? If so, explain.

No.

7. Explain how you will resolve any potential conflicts of interest, including any that may have been disclosed by your responses to the above items. Please provide three (3) copies of any trust or other relevant agreements.

I will recuse myself from hearing any cases in which there might be a potential conflict of interest. I do not foresee that conflicts problems will arise with any frequency, given my circumstances. During my initial service as a judge, cases in which my current law firm is involved would present a potential conflict of interest. However, my firm is not often before the D.C. Court of Appeals. The same is true of the other organizations with which I have been affiliated. Cases involving entities in which I have financial interests (such as mutual fund

investments) might also present potential conflicts, were they to arise. Again, such situations would be expected to occur rarely if at all. With respect to investments, I would also seek counsel regarding other precautions to take to avoid potential conflicts (in addition to a policy of recusal).

Three (3) copies of my law firm's partnership agreement are being provided with this questionnaire.

8. If confirmed, do you expect to serve out your full term?

Yes.

# III. FINANCIAL DATA

**Financial Data - On file with the Committee on Governmental Affairs.**

## IV. DISTRICT OF COLUMBIA REQUIREMENTS

Supplemental questions concerning specific statutory qualifications for service as a judge in the courts of the District of Columbia pursuant to the District of Columbia Court Reform and Criminal Procedure Act of 1970, D.C. Code Section 11-1501(b), as amended.

1. Are you a citizen of the United States?

   Yes.

2. Are you a member of the bar of the District of Columbia?

   Yes.

3. Have you been a member of the bar of the District of Columbia for at least five (5) years? Please provide the date you were admitted to practice in the District of Columbia.

   Yes. I was admitted to practice in the District of Columbia in 1976.

4. If the answer to Question 3 is "no" --

   (a) Are you a professor of law in a law school in the District of Columbia?

   (b) Are you a lawyer employed in the District of Columbia by the United States or the District of Columbia?

(c) Have you been eligible for membership in the bar of the District of Columbia for at least five (5) years?

(d) Upon what grounds I that eligibility based:

Not applicable.

5. Are you a bona fide resident of the District of Columbia?

Yes.

6. Please list the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last five (5) years.

3820 Huntington Street, N.W.
Washington, D.C. 20015

7. Have you maintained an actual place of abode in such area for at least five (5) years?

Yes.

8. Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Judicial Nominating Commission?

No.

9. Have you been a member of either of these Commissions within the last 12 months?

No.

AFFIDAVIT

Stephen H. Glickman, being duly sworn, hereby states that he has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his knowledge, current, accurate, and complete.

Stephen H. Glickman

Subscribed and sworn to before me this 26th day of January, 1999.

Jonathan E. Wynn
Notary Public, D.C.
My Com. Exp.: 2/14/99

JONATHAN WYNN
NOTARY PUBLIC FOR THE DISTRICT OF COLUMBIA
My Commission Expires February 14, 1999

LIST OF PROCEEDINGS

This is a listing of legal and administrative proceedings of which I am aware in which my law firm (referred to below as "ZSGT&K," "ZSGT&B," or "ZST&E") has been a party during the period 1984 to the present time. I have tried to list every proceeding, but even after diligent inquiry, there may be gaps in this list. These cases did not involve me personally. I am sometimes named in the caption of the case where a partnership could not sue or be sued in its own name.

Ben-Zvi v. ZSGT&K, Index # 98116721 (Sup. Ct., County of New York, 1998) -- complaint by a person the firm represented in a criminal prosecution, alleging malpractice and related causes of action; case is pending.

ZSGT&B v. Chaires, No. 98287119/CC9046 (Circuit Court for Baltimore City, 1998) and In re William M. Chaires, No. 98-66148-SD (D. Md.) (bankruptcy proceeding) - fee collection action; pending.

ZST&E v.Coastal Physicians Services of South Fla., No. 98-005449 CA09 (Circuit Court, Dade County, Fla. 1998) - collection action; settled.

ZSGT&K v. Federman Design & Construction Consultants, Inc., Index No. 034254 CV 1998 - fee collection action; pending.

ZSGT&K v. Max, Inc., Index No. 98/604492 (Sup. Ct., New York County, 1998) - fee collection action; settled.

ZST&E v. Murphy, No. 98-001151 SP05 (County Court, Dade County, Fla., 1998) - collection action; dismissed.

ZST&E v. Nadel, No. 98-003845 CC05 (County Court, Dade County, Fla., 1998) - collection action; settled.

ZSGT&K v. Simone, Index No. 98-603751 (Sup. Ct., New York County, 1998) - collection action; settled.

ZSGT&K v. State of New York, Index No. 8465/98 (Sup. Ct., Westchester County, New York, 1998) - freedom of information law action; pending.

Samara Swanston v. George E. Pataki, as Governor of State of New York et al., C.A. No. 97 Civ. 9406 (SS) (S.D.N.Y., 1997) - plaintiff asserted claims for defamation, intentional and negligent infliction of emotional distress, tortious interference with employment relationship, discrimination and violation of First Amendment rights; case is pending (though a number of the claims have already been dismissed).

ZST&E v.Aguilera, No. 97-017470 SP05 (County Court, Dade County, Fla., 1997) - collection

action; dismissed.

ZST&E v. Biscayne Property Management, Inc., No. 97-015962 CC05 (County Court, Dade County, Fla., 1997) - collection action; judgment in plaintiff's favor.

ZST&E v.C Staff, Inc., No. 97-018066 CA22 (Circuit Court, Dade County, Fla., 1997) - collection action; settled.

ZST&E v. Cacciamani Development Co., No. 97-027750 CA15 (Circuit Court, Dade County, Fla., 1997) - collection action; pending.

ZST&E v. Chaffin, No. 97-017436 CC05 (County Court, Dade County, Fla. 1997) - collection action; judgment in plaintiff's favor.

ZST&E v. Evans, No. 97-017471 SP05 (County Court, Dade County, Fla. 1997) - collection action; judgment in plaintiff's favor.

ZST&E v. Kaminsky, No. 97-017434 CC05 (Circuit Court, Dade County, Fla., 1997) - collection action; settled.

Goldenrod Limited Partnership v. ZSGT&K, C.A. No. DKC-94-1592 (D. Md., 1994) -- malpractice suit arising out of representation of creditor in bankruptcy proceeding; case settled.

Steptoe v. ZSGT&K, EEOC Charge No. 100-93-1219 and DC Unemployment Appeal No. 92-3, 2962-UI - unemployment compensation appeal and EEOC charge of discrimination by former employee; EEOC did not find in claimant's favor on discrimination claim, and no suit was filed; claimant was allowed to collect unemployment compensation.

Wagshal v. ZSGT&K, C.A. No. 92CV02072 (D.D.C., 1992) - pro se complaint brought against firm and partner in this firm who had served as court-appointed case evaluator, by litigant in underlying lawsuit (who was not a client). Case was dismissed with prejudice.

ZSGT&K v. Realty Diversified Services, At Law No. 117698 (Fairfax, Va. Circuit Court, 1992) -- fee collection action filed by firm; counterclaim for alleged malpractice; counterclaim was dismissed with prejudice in connection with settlement in which defendants paid the firm on its claim.

Hardbower v. ZSGT&K, Civil Action No. 91-1579 (D.C. Superior Court, 1991) and EEOC Charge No. 100-90-227 - discrimination claim by former employee against firm's former office manager, resolved by settlement (plaintiff stated that she did not believe that any attorney in the firm had discriminated against her).

Korangy v. ZSGT&K, C.A. No. 91-6273 (D.C. Superior Court, 1991) and Case No. 91298055/CL 139243 (Circuit Court for Baltimore City, 1991) -- malpractice claims arising out of bankruptcy

proceedings, involving tax and real estate claims; settled in 1993.

In re Neal (1991) -- contested D.C. unemployment compensation claim.

ZSGT&K v. Loewinger, Brand & Kappstatter, Chartered, No. 91-CA05719 (D.C. Superior Court, 1991) - collection action; dismissed.

ZSGT&K v. LaNier, Civil Action No. 91-08164 (D.C. Superior Court, 1991) - fee collection action, resolved by consent judgment in favor of firm.

Bank of the West v. Coffey et al., (N.D. Cal., 1989) -- allegations of malicious prosecution and related claims by former adversary of a client of this firm; all claims were dismissed with prejudice by the court in February 1990.

Kearing v. ZSGT&K, Civil Action Nos. 89-2837, 90-0149, 93-1593 (D.D.C. 1989, 1990, 1993) and Adv. No. 93-0241 (Bkcy. D.D.C. 1993) -- pro se complaints by debtor in bankruptcy proceeding against the bankruptcy judge, the bankruptcy trustee and others, including this firm, which had represented the bankruptcy trustee. The complaints were dismissed with prejudice, and the dismissals were affirmed on appeal.

Studs v. ZSGT&K, (1986) - complaint arising out of foreclosure on deed of trust; claims against this firm were voluntarily dismissed shortly after they were filed.

ZSGT&K v. Terry, (1985) - fee collection action filed by firm; malpractice counterclaim; settled.

QUESTIONNAIRE FOR NOMINEES TO THE DISTRICT OF COLUMBIA COURTS
COMMITTEE ON GOVERNMENTAL AFFAIRS, UNITED STATES SENATE

## I. BIOGRAPHICAL AND PROFESSIONAL INFORMATION

1. **Full name (include any former names used).**

   Hiram Edmundo Puig-Lugo

2. **Citizenship (if you are a naturalized U.S. citizen, please provide proof of your naturalization).**

   United States of America

3. **Current office address and telephone number.**

   United States Department of Justice
   Civil Rights Division, Criminal Section
   601 D Street, N.W., Room 5542
   Washington, D.C. 20530
   (202) 616-3926

4. **Date and place of birth.**

   July 8, 1961
   San Germán, Puerto Rico

5. **Marital status (if married, include maiden name of wife, or husband's name). List spouse's occupation, employer's name and business address(es).**

   I am single.

6. **Names and ages of children. List occupation and employer's name if appropriate.**

   I have one son. His name is Mario Hiram Puig. He is ten years old and lives in Wausau, Wisconsin.

7. **Education. List secondary school(s), college(s), law school(s), and any other institutions of higher education attended; list dates of attendance, degree received, and dates each degree was received. Please list dating back from most recent to earliest.**

   University of Wisconsin Law School
   August 1985 - May 1988
   Juris Doctor, 1988

University of Puerto Rico - Río Piedras
Graduate School of Public Administration
January 1985 - May 1985

University of Wisconsin
September 1981 - July 1984
September 1979 - May 1980
B.S. Political Science

University of Puerto Rico-Mayagüez
August 1980 to December 1980

Escuela Superior University Gardens
January 1978 to May 1979
High School Diploma

**8. Employment record. List all jobs held since college, including the dates of employment, job title or description of job, and name and address of employer. Please list dating back from most recent to earliest.**

A. United States Department of Justice, Civil Rights Division, Criminal Section
601 D Street, N.W., 5th Floor, Washington, D.C. 20530

Trial Attorney, 1996-present

Prosecute cases involving police brutality, hate crimes, involuntary servitude, and church arson. Organize and conduct grand jury investigations. Prepare and conduct jury trials in various federal jurisdictions.

B. Public Defender Service for the District of Columbia
451 Indiana Avenue, N.W., Washington, D.C. 20001

Deputy Chief, Trial Division, 1994-1996

Supervised attorneys representing indigent defendants. Helped develop legal, investigative and courtroom strategies. Aided the preparation of witness examinations, opening statements, and closing arguments. Observed and critiqued attorney courtroom performance. Continued to handle first degree felony cases on a reduced basis.

Staff Attorney, Trial Division, 1990-1994

Represented indigent clients charged with felony and misdemeanor offenses. Investigated cases, researched and prepared motions, supervised intern investigators and law clerks, conducted jury trials.

Staff Attorney, Appellate Division, 1989-1990

Represented indigent clients in criminal appellate cases. Reviewed trial transcripts, identified and researched legal issues, prepared appellate briefs, argued cases before the District of Columbia Court of Appeals.

Staff Attorney, Trial Division, 1988-1989

Represented juveniles charged in the delinquency system with offenses that would have been felonies if committed by adults. Investigated cases, researched and wrote motions, supervised intern investigators, conducted bench trials.

C. American University, Washington College of Law, Legal Methods Program
4801 Massachusetts Avenue, N.W., Washington, D.C., 20016-8192

Instructor, 1995-1996

Taught legal writing and basic lawyering skills to first year law students. Presented lessons, discussed course materials, developed and graded assignments, provided students with feedback on their performance.

D. Checchi & Co. Consulting, 1899 L Street, N.W., Suite 800
Washington, D.C. 20036

Instructor, Judicial Reform Project of El Salvador, June 1996

Helped develop profile defining duties and responsibilities of public defenders Designed and taught course on investigation techniques, litigation skills, and evidentiary principles for public defenders.

E. Child Support Enforcement, City-County Building Room 106
Madison, Wisconsin 53709

Attorney, August 1988 to September 1988

Temporary employment handling paternity and child support cases. Resolved support issues and negotiated payment schedules

F. Hon. Susan Steingass, Dane County Circuit Court, City-County Building
Madison, Wisconsin 53709

Legal Intern, January 1988 to May 1988

Conducted legal research and wrote opinions on civil matters such as age discrimination and family law.

G. Professor Rodney J. Uphoff, University of Wisconsin Law School
975 Bascom Mall, Madison, Wisconsin 53706

Research Assistant, September 1987 to December 1987

Conducted legal research on ineffective assistance of counsel and ethical issues for public defenders.

H. Legal Defense Project, 913 University Avenue
Madison, Wisconsin 53706

Student Attorney, January 1987 to August 1987

Represented indigent clients charged in district court with misdemeanor and traffic offenses.

I. Texas Rural Legal Aid, Migrant Farm Worker Division,
1406 West Highway 60, Hereford, Texas 79045

Law Clerk, June 1986 to August 1986

Conducted legal research and prepared memoranda addressing constitutional, fair labor standards and agricultural worker protection issues. Conducted interviews and research in migrant labor camps and fields.

J CORPLAN, Inc.
Edificio Esquire 6to Piso
Avenida Ponce de León Esquina Vela
Hato Rey, Puerto Rico 00918

Technical Writer, October 1984 to May 1985

Redacted project reports in both Spanish and English for strategic planning consulting firm. Translated documents to and from Spanish and English.

9. **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.**

United States Department of Justice, Special Achievement Award, 1998

District of Columbia Courts, Hispanic Heritage Celebration Committee
Legal Community Award, 1996

The Gene and Ruth Posner Foundation Pro Bono Award, 1988

Wisconsin Law Alumni Award, 1987

Wisconsin Law Review, 1986 to 1988
Note and Comment Editor, 1987 to 1988

Legal Educational Opportunities Fellowship, 1985 to 1988

W. Eugene Clingan Memorial Scholarship Award, 1984

University of Wisconsin Multicultural Council, Certificate of Appreciation, 1983

10. **Business relationships. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, or educational or other institution.**

I worked as an instructor at the Judicial Reform Project of El Salvador in June 1996. Checchi & Co. Consulting, listed above in my answer to question 8, ran and administered the Project with USAID funds.

11 **Military service. Indicate whether you have served in the US military and, if so, list dates of service, branch of service, rank or rate, serial number, and type of discharge received.**

I have not served in the armed forces.

12. **Bar associations. List all bar associations, legal or judicial-related committees, conferences, or organizations of which you are or have ever been a member, and provide titles and dates of any offices which you have held in such groups.**

District of Columbia Bar, 1988 to present

Hispanic Bar Association of the District of Columbia, 1989 to present
Vice-President for External Affairs, 1998-1999
Board of Directors, 1992 to 1993, 1997-1998

Neighborhood Legal Services Program, Board of Directors, 1998-present

Merit Section Panel for the Appointment of a United States Magistrate Judge for the District of Columbia, 1997

District of Columbia Circuit Judicial Conference, Member, 1998

Superior Court of the District of Columbia Judicial Conference,
Member, 1993, 1995, 1997, 1998

Colegio de Abogados de Puerto Rico, 1991 to 1997

Criminal Practice Institute,
Chairperson for Administration, 1996
Co-Chairperson, 1995

State of Wisconsin Bar, 1988 to 1993

13. **Other memberships. List all memberships and offices currently and formerly held in professional, business, fraternal, scholarly, civic, public, charitable, or other organizations, other than those listed in response to Question 13. Please indicate whether any of these organizations formerly discriminated or currently discriminates on the basis of race, sex, or religion.**

Department of Justice Association of Hispanic Employees for Advancement and Development, Treasurer, 1998 to 1999

Latin American Youth Center, Board of Directors, 1990 to 1992

Latino Law Students Association, 1985 to 1988

University of Wisconsin Steering Committee on Minority Affairs,
Vice-Chairperson, 1987 to 1988

Wisconsin Public Interest Law Foundation, Board of Directors, 1986 to 1987

Unión Puertorriqueña, Activities Coordinator, 1983 to 1984
Board of Directors, 1982 to 1983

University of Wisconsin Multicultural Council, 1982 to 1983

14. **Court admissions. List all courts in which you have been admitted to practice, with dates of admission and lapses in admission if any such memberships have lapsed. Please explain the reason for any lapse in membership. Please provide the same information for any administrative bodies which require special admission to practice.**

Supreme Court of Puerto Rico, January 1991 to present

In March 1998, the Supreme Court of Puerto Rico granted my request to be placed on inactive status.

District of Columbia Court of Appeals, December 1988 to present

Supreme Court of Wisconsin, June 1988 to June 1993

I have withdrawn from the State of Wisconsin Bar. The District of Columbia is my home, and I have no plans to practice law in Wisconsin

15. **Published writings. List the titles, publishers, and dates of books, articles, reports, or other published material you have written or edited.**

Co-editor, D.C. Practice Manual, 1997

"Curso Básico de Oralidad," Judicial Reform Project of El Salvador, 1996

Co-editor, Criminal Practice Institute Trial Manual, 1995 to 1996

Contributor, Criminal Practice Institute Trial Manual, 1989 to 1994

"Freedom to Speak One Language: Free Speech and the English Language Amendment," 11 Chicano-Latino Law Review 35 (1991)

16. **Speeches. List the titles of any formal speeches you have delivered during the last five (5) years and the date and place where they were delivered. Please provide the Committee with three (3) copies of any of these speeches.**

Since 1989, I have not made any formal speeches. Instead, I have made presentations in over thirty legal education programs for the bar, the bench, foreign dignitaries, and the local community. There do not exist any written materials or transcripts related to those presentations. However, I have videotapes of Spanish language community education programs that discuss the criminal justice system in the United States available for your

review. Please see Appendix A for a list of those presentations.

17. **Legal career.**

(a) **Describe chronologically your law practice and experience after graduation from law school, including:**

(1) **Whether you served as a law clerk to a judge, and if so, the name of the judge, the court, and the dates of your clerkship;**

I did not clerk after graduating from law school.

(2) **Whether you practiced alone, and if so, the addresses and dates;**

I have never been a sole practitioner.

(3) **The dates, names, and address of law firms, companies, or governmental agencies with which you have been employed.**

November 1996 to present:

United States Department of Justice
Civil Rights Division, Criminal Section
601 D Street, N.W., 5th Floor
Washington, D.C. 20530

October 1988 to October 1996:
Public Defender Service for the District of Columbia
451 Indiana Avenue, N.W.,
Washington, D.C. 20001

(b) **Describe the general character of your law practice, dividing it into periods with dates if its character has changed over the years.**

I have been a public sector employee my entire legal career. Since November 1996, I have been a Trial Attorney with the Criminal Section of the Civil Rights Division, United States Department of Justice. I investigate and prosecute matters involving police brutality, hate crimes, involuntary servitude, and church arson throughout the United States and its Territories.

Since September 1998, I have investigated allegations of civil rights violations in the Commonwealth of the Northern Mariana Islands. As part of this effort, I uncovered a scheme that recruited women in China to work as waitresses in Saipan, the largest

of the Marina Islands. Once the women arrived in Saipan, they were forced into prostitution. In November 1998, a grand jury authorized a 29-count indictment against the three persons who operated the scheme.

From April 1997 to May 1998, my attention was focused on a sixteen defendant case in Puerto Rico. The case emerged from incidents that took place in the Río Piedras Correctional Complex. The defendants were correctional officers belonging to a special riot control unit. They beat a group of twenty two inmates after a riot in another part of the institution. The defendants accepted a plea offer on the eve of trial, have been removed from law enforcement, and have been sentenced.

From December 1988 to October 1996, I represented indigent clients in a variety of proceedings as a staff attorney with the Public Defender Service for the District of Columbia. From December 1990 to October 1996, I represented adults charged with criminal offenses in Superior Court of the District of Columbia. After a short period handling misdemeanors, I gradually received cases involving increasingly serious allegations. For about the last four and a half years that I spent with PDS, my caseload consisted mostly of serious felony offenses such as homicides, sex crimes and armed robberies. I sought the most favorable outcome for my clients, either through plea bargaining or going to trial. I was responsible for developing, supervising and conducting factual and legal investigations for each case. I performed these tasks within strict time limits and under great pressure, since most of my clients were preventively detained and faced many years in prison.

From December 1989 to January 1990, I represented clients in proceedings before the District of Columbia Court of Appeals. I read trial transcripts, identified and researched relevant legal issues, wrote appellate briefs, and engaged in oral arguments before the Court of Appeals.

From December 1988 to December 1989, I represented juveniles in Superior Court charged with offenses that would have been felonies if committed by adults. I developed, supervised and conducted the factual and legal investigations needed in each case. I sought the most favorable outcome for my clients through negotiating dispositions or taking the cases to trial.

Please note that the time periods for my work while at PDS are somewhat artificial I went through transition periods from one responsibility to the other during which I handled various types of cases at the same time.

(c) **Describe your typical former clients and describe the areas of practice, if any, in which you have specialized.**

I have specialized in criminal law, first as defense counsel and later as a prosecutor

I have worked with indigent people, as clients, victims or witnesses, often from diverse cultural and ethnic backgrounds. Since I am equally fluent in Spanish and in English, a significant portion of my clients were Latin American immigrants.

**(d) Describe the general nature of your litigation experience, including:**

**(1) Whether you have appeared in court frequently, occasionally, or not at all. If the frequency of your court appearances has varied over time, please describe in detail each such variance and give applicable dates.**

The frequency of my court appearances while a Public Defender falls into three categories. From 1988 to 1989, and from 1990 to 1994, while assigned to the Trial Division, I appeared in Superior Court on an almost daily basis. From 1989 to 1990, while assigned to the Appellate Division, I appeared in court once or twice a month to handle sentencing and probationary matters. From 1994 to 1996, I appeared in Superior Court on an almost daily basis to handle my own cases, and to supervise attorneys involved in motions and trial work.

From November 1996 to June 1998, I appeared in federal court once or twice a month, first in the Western District of Tennessee and later in the District Court of Puerto Rico. From June 1998 to the present, I have conducted investigations and grand jury work that do not require courtroom appearances. However, I have a motions hearing on February 4, 1999, on a case set for trial on March 1, 1999, in the United States District Court for the Northern Mariana Islands.

**(2) What percentage of these appearances was in:**

**(a) federal courts (including federal courts in D.C.);**

Two percent.

**(b) State courts of record (excluding D.C. courts);**

I have never appeared in state courts.

**(c) D.C. courts (Superior Court and D.C. Court of Appeals only);**

Ninety eight percent.

**(d) other courts and administrative bodies.**

I have not appeared before other courts or administrative bodies.

(3) **What percentage of your litigation has been:**
   (a) **civil** - 0 percent.
   (b) **criminal** - 100 percent.

(4) **What is the total number of cases in courts of record you tried to verdict or judgment (rather than settled or resolved, but may include cases decided on motion if they are tabulated separately). Indicate whether you were sole counsel, lead counsel, or associate counsel in these cases.**

I have litigated about forty matters to conclusion. Approximately thirty five of those matters involved jury trials. Aside from being junior counsel in two matters and senior counsel in three cases, I was sole counsel in all other trials.

(5) **What percentage of these trials was to**
   (a) **a jury** - 85 percent;
   (b) **the court (include cases decided on motion but tabulate them separately)**- 15 percent.

18. **Describe the five (5) most significant litigated matters which you personally handled. Provide citations, if the cases were reported, or the docket number and date if unreported. Give a capsule summary of the substance of each case and a succinct statement of what you believe was of particular significance about the case. Identify the party/parties you represented and 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 court and the name of the judge or judges before whom the case was litigated; and (c) the name(s) and address(es) and telephone number(s) of co-counsel and of the principal counsel for the other parties.**

A. United States v. Juan Ramos-Velázquez, et al.
Criminal Case 97-057
United States District Court for the District of Puerto Rico
April 1997 to May 1998
Hon. Daniel Dominguez

I prosecuted sixteen correctional officers accused of maliciously beating twenty two inmates in the Puerto Rico correctional system during a prison riot, then lying to the FBI and to a federal grand jury about the incident. Since I entered the case upon the departure of the attorney who had indicted it, I had to master the grand jury testimony of over 200 witnesses, along with reams of documents, medical records and photographs

I handled the testimony of two officers who agreed to cooperate with the prosecution. In particular, I managed to develop a strong rapport with, and to maintain the allegiance of, the most important cooperating witness, upon whose testimony our case hinged.

I wrote a pleading contesting the defense claims of selective prosecution. The court rejected the claim without a hearing after the pleading was filed. I also successfully argued that the defense improperly used its peremptory strikes to exclude three women from the jury during voir dire. The defendants pled guilty moments before opening statements were scheduled to begin.

Co-counsel was:

Debra A. Carr, Esq.
United States Department of Justice
P.O. Box 66018
Washington, D.C. 20035-6018
(202) 514-5130

The attorneys for the defense were:

Jorge Díaz-Reverón
Edificio IBM Suite 923
Avenida Muñoz Rivera 654
Hato Rey, Puerto Rico 00918
(787) 250-1420

Luis Rafael Rivera
Capitol Center Building Suite 401
Arterial Hostos Avenue
Hato Rey, Puerto Rico 00918
(787) 763-1780

Teodoro Méndez-Lebrón
Calle Ingeniero Ramón Ramos 259
Urb. Roosevelt
Hato Rey, Puerto Rico 00918
(787) 765-3920

Olga Shepard
Calle Coll y Toste 54
Hato Rey, Puerto Rico 00918
(787) 758-4220

José C. Romo-Matienzo
Calle Coll y Toste 54
Hato Rey, Puerto Rico 00918
(787) 758-4220

Benny Frankie Cerezo
Calle Hostos 848
Urb. Hyde Park
Rio Piedras, Puerto Rico 00927-4219
(787) 758-8013

Juan Masini-Soler
Edificio Building PH-1
Calle Vela Esq. Ponce de León
Hato Rey, Puerto Rico 00918-3622
(787) 751-0447

Ivan Domínguez-Pérez
El Monte Mall Oficina 22
Avenida Muñoz Rivera
Hato Rey, Puerto Rico 00918
(787) 250-0220

Raúl Santiago-Meléndez
Calle César González #514
Hato Rey, Puerto Rico 00918
(787) 753-0800/4729

Mariangela Tirado
Calle Juan Dávila 474
Urb. Roosevelt
Hato Rey, Puerto Rico 00918-4786
(787) 767-2844

Gabriel Hernández-Rivera
Avenida Ponce de León 1416
Oficina 202
San Juan, Puerto Rico 00910
(787) 721-5797

Eric Quetglas-Jordán
Avenida Ashford 1021 Segundo piso
Condado, Puerto Rico 00908
(787) 722-7745

Luis A. Medina-Torres
Condominio Le Mans Oficina 401
Avenida Muñoz Rivera 602
San Juan, Puerto Rico 00918
(787) 765-3795

Jorge Rivera-Ortiz
Edificio Toledo Oficina 4
Avenida Colón A-11
Manatí, Puerto Rico 00674
(787) 884-0986

**B.** United States v. Carlos Alonzo
F-9496-95
February 21, 1996 to October 22, 1996
Superior Court of the District of Columbia
Hon. Truman Morrison

I was lead counsel for Mr. Alonzo, who was charged with First Degree Murder While Armed. He was accused of having been the trigger man in a drive by shooting at the intersection of Columbia and Ontario Road, N.W.

I wrote and argued a motion to exclude all evidence of gang membership. The court excluded the evidence. I also wrote and argued a motion for severance of the defendants. The court denied the motion and conducted a joint trial

I made opening statements and cross-examined the main prosecution witnesses I also wrote the closing argument that junior co-counsel presented Mr. Alonzo was found guilty of First Degree Murder While Armed.

Co-counsel was:

Christian Lamar, Esq.
Public Defender Service, 451 Indiana Avenue, N.W.
Washington, D.C. 20001
(202) 626-8377

The government attorney was:

Gilberto de Jesús, Esq.
State of Maryland
Department of Juvenile Justice
2323 Eastern Boulevard
Baltimore, Maryland 21220
(410) 780-7878

The attorneys for the co-defendants were:

Heather Shaner, Esq.
1702 S Street, N.W., Washington, D.C. 20009
(202) 265-8210

Leo W. Dymowski, Esq.
11 Park Avenue, Baltimore, Maryland 12101
(410) 669-5070

C. United States v. Pedro Sorto
F-10573-94
November 29, 1994 to July 6, 1995
Superior Court of the District of Columbia
Hon. Stephanie Duncan-Peters - Second trial
Hon. Arthur Burnett, Sr. - First trial

Mr. Sorto was charged with Indecent Acts on a Minor, Carnal Knowledge and Child Abuse. He was accused of having sexual intercourse with his six year old niece. The defendant, the victim and the witnesses spoke only Spanish. Issues that arose in the trial included the ability to present a defense that a third party was responsible, the admissibility of hearsay statements under the various exceptions to the hearsay rule, witness examinations through an interpreter, and the accuracy of the English translation. I conducted all witness examinations, as well as legal and factual arguments.

The first trial ended in a hung jury after one juror locked himself in the bathroom and refused to come out, claiming that he had made up his mind and no one was going to change it.

The second trial ended with the jury acquitting my client of all counts

The government attorney in the second trial was:

Julie Grohovsky
United States Attorney's Office
555 4th Street, N.W., Room 5822, Washington, D.C. 20001
(202) 616-2203

The government attorney in the first trial was:

Odessa Vincent, Esq.
United States Attorney's Office
555 4th Street, N.W., Room 4810, Washington, D.C. 20001
(202) 514-7059

**D.** United States v. Isidro Castillo
F-9001-93
August 25, 1993 to June 21, 1994
Superior Court of the District of Columbia
Hon. John H. Suda

Mr. Castillo was charged with First Degree Murder While Armed. He shot a man six times while they stood in a crowd leaving a soccer game near 16th Street and Park Road, N.W. As sole counsel, I made all factual and legal arguments, and conducted all witness examinations.

An interesting legal issue that arose was the admissibility of taped conversations between my client and a woman posing as a priestess of the West African Yoruba religion, known in the United States as "Santeria." I challenged the admissibility under the D.C. Code §14-309 Clergy Privilege, and the Sixth Amendment right to counsel. To litigate this issue, I read extensively about the religion, met with practitioners to understand the rituals discussed in the tapes, and located an expert witness to testify at the motion hearing. The court excluded the conversations from evidence at trial because they were obtained in violation of the Sixth Amendment right to counsel and in contravention of the Clergy Privilege.

The jury acquitted Mr. Castillo of First Degree Murder While Armed and Second Degree Murder While Armed. They convicted him of Manslaughter While Armed.

The government attorney was:

Wyneva Johnson, Esq.
United States Attorney's Office
555 4th Street, N.W., Room 4832, Washington, D.C. 20001
(202) 514-7224

E. United States v. Shawn Williams
F-5003-92
May 11, 1992 to January 26, 1993
Superior Court of the District of Columbia
Hon. Gladys Kessler - Second trial
Hon. Henry H. Kennedy, Jr. - First trial

The defendant was accused of placing his infant daughter in a tub of scalding hot water, and burning most of her body. He was charged with Assault With a Dangerous Weapon, Malicious Disfigurement While Armed and Cruelty to Children.

The case went to trial twice. The first jury acquitted Mr. Williams of Cruelty to Children and deadlocked on the other counts. The second jury acquitted him of Malicious Disfigurement While Armed, but convicted Mr. Williams of Assault With a Dangerous Weapon.

At both trials I handled all legal and factual arguments, and conducted all witness examinations. I learned about water heaters and burn injuries to properly cross-examine medical witnesses. I researched child witness issues to challenge the competence of child witnesses at trial, and to contest the propriety of presenting testimony via closed circuit television.

After the first trial, I litigated whether the Cruelty to Children acquittal triggered the collateral estoppel doctrine to bar re-trial on the remaining counts At the second trial, I argued that transcripts with prior inconsistent statements from the first trial were admissible as substantive evidence. The second trial court rejected my argument on the admissibility of the transcripts, but was reversed on appeal

The government attorney in the second trial was:

Patricia Riley
United States Attorney's Office
555 4th Street, N.W., Room 8231, Washington, D.C. 20001
(202) 514-0064

The government attorney in the first trial was:

Julianne Himelstein-Christian
United States Attorney's Office
555 4th Street, N.W., Room 3245, Washington, D.C. 20001
(202) 514-0496

**19. Describe the most significant legal activities you have pursued, including significant litigation which did not proceed to trial or legal matters that did not involve litigation. Describe the nature of your participation in each instance described, but you may omit any information protected by the attorney-client privilege (unless, the privilege has been waived).**

Aside from the cases listed above, the most significant legal activities in my career include visiting the Commonwealth of the Northern Mariana Islands (CNMI) last fall, and teaching at the Judicial Reform Project of El Salvador in June 1996.

A. Commonwealth of the Northern Mariana Islands:

Last fall I spent two months in the CNMI as part of the Department of Justice response to complaints about the treatment that foreign workers receive in that U. S. territory. These workers are often the victims of fraudulent practices and exploitative schemes.

While in the CNMI, I met with community and religious representatives, including leaders of the Bangladeshi and Chinese communities. I also spoke with private attorneys, public defenders, CNMI government officials, federal government personnel, and worker representatives. In these meetings, I explained the scope and the application of federal criminal civil rights statutes. In return, I received numerous complaints of civil rights violations that I reviewed for prosecutive merit.

I also toured two major garment factories, visited the work and housing areas of migrant workers, and held meetings with local officials about labor conditions within the garment industry. I witnessed an unannounced inspection of a third garment factory with a history of labor law violations. I did not interview workers at the work sites for fear of putting them in compromising situations. However, I met with private attorneys representing foreign workers and local labor hearing examiners to document the labor situation in the CNMI. I used this information to prepare a memorandum about the status of civil rights in the CNMI for Assistant Deputy Attorney General Jonathan Schwartz.

One referral that I received involved a group of ten Chinese-Korean women. The women were recruited in China with promises of waitress jobs in the CNMI. They paid large amounts of money to recruiters, and agreed to pay additional sums from their wages in the CNMI. When the women arrived in the CNMI, they were forced into prostitution.

Before returning to the District of Columbia, I conducted a grand jury investigation into the allegations and obtained a twenty nine count indictment against three defendants. The case is set for trial next March.

B. Judicial Reform Project of El Salvador:

The 1992 peace accords that ended ten years of civil war in El Salvador called for the reform of that nation's criminal justice system. The reforms included a change from an inquisitorial continental European system to an adversarial Anglo-Saxon model. The Judicial Reform Project, which operated with United States assistance, trained Salvadoran jurists and attorneys to function under the new system.

In June 1996, I designed a course to train basic investigation, litigation and evidentiary skills to Salvadoran public defenders. I learned Salvadoran law, then modified the techniques used in the United States to function under the system in El Salvador. I taught the course twice and left behind a training manual for Salvadoran trainers to teach the course. Months later a former student informed me that, in deciding an appeal challenging the impeachment techniques that I had taught my students, the Appellate Court in El Salvador upheld the use of the techniques at trial.

This experience gave me the opportunity to learn about different legal traditions. It allowed me to interact with jurists and attorneys from El Salvador, as well as jurists and instructors from Latin America and Spain who taught at the Project. This interaction led me to broaden my legal horizons and to compare the American legal system with the judicial systems used in other nations.

20. **Have you ever held judicial office? If so, please give the details of such service, including the court(s) on which you served, whether you were elected or appointed, the dates of your service, and a description of the jurisdiction of the court. Please provide three (3) copies of all opinions you wrote during such service as a judge.**

I have never held judicial office.

21. **Have you ever been a candidate for elective, judicial, or any other public office? If so, please give the details, including the date(s) of the election, the office(s) sought, and the results of the election(s).**

Other than my prior applications for positions on the Superior Court, I have not been a candidate for elective, judicial, or any other public office.

22. **Political activities and affiliations.**

(a) **List all public offices, either elected or appointed, which you have held or sought as a candidate or applicant.**

I have never sought nor held any public office.

(b) **List all memberships and offices held in and services rendered to any political party or election committee during the last ten (10) years.**

I have not been involved in any political party or election committee during the last ten years.

(c) **Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity during the last ten (10) years.**

I have not made any political contributions during the last ten years.

23. **Have you ever been investigated, arrested, charged, held or convicted (include pleas of nolo contendere) by federal, State, local, or other law enforcement authorities for violations of any federal, State, county, or municipal law, regulation, or ordinance other than for a minor traffic offense?**

I have never been investigated, arrested, charged, held or convicted of any offense.

24. **Have you or any business of which you are or were a officer ever been a party or otherwise involved as a party in any other legal or administrative proceedings. If so, give the particulars. Do not list any proceedings in which you were merely a guardian ad litem or stakeholder. Include all proceedings in which you were a party in interest, a material witness, were named as a coconspirator or co-respondent, and list any grand jury investigation in which you appeared as a witness.**

I was the respondent in a paternity suit filed against me in the Dane County Circuit Court in August 1988. I admitted paternity and have remained part of my son's life. His name is Mario Hiram Puig. He is ten years old and lives in Wausau, Wisconsin. I visit him several times a year. We speak on the telephone weekly and correspond with each other via e-mail. The case docket number is 88-PA-0578 Since the record is sealed, I am not at liberty to divulge additional information about the case.

25. **Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, bar or professional association, disciplinary committee, or other professional group? If so, please provide the details.**

Office of Bar Counsel, Docket No. 236-93:

On May 12, 1993, a client named Ricky Applewhite filed a complaint with the Office of Bar Counsel alleging (1) that I had failed to preserve a civil cause of action that he might have had against the Metropolitan Police Department, (2) that I had not contacted him since February 1993; and (3) that I did not properly investigate his case before trial.

On September 2, 1993, the Office of Bar Counsel dismissed the complaint and wrote Mr. Applewhite as follows:

"... Mr. Puig-Lugo's detailed account, taken from his file notes, suggests that his efforts to remain in contact with you were more that adequate. Similarly, his notes regarding the investigative efforts he undertook in your case are consistent with the activities that a diligent attorney would undertake in preparation for trial ... Finally, ..., [t]hat Mr. Puig-Lugo assisted you in finding an attorney who would meet with you regarding the civil suit was a courtesy, not an obligation."

I had given Mr. Applewhite the names and numbers of attorneys he could contact to handle his civil claim, but he could not secure their services.

United States v. Francis Veasey
M-1163-91 and M-2816-91

Francis Veasey was charged with one count each of Unlawful Entry, Threats to Injure Another and a Bail Reform Act (BRA) violation. On December 3, 1991, a jury acquitted him of Unlawful Entry and Threats to Injure Another, but convicted him of the BRA violation.

On February 3, 1993, Mr. Veasey filed a motion for a new trial on the BRA count based on ineffective assistance of counsel. He subsequently withdrew the motion.

United States v. Tracy Jackson
F-12002-92

On February 26, 1993, a jury convicted Mr. Jackson of two counts each of Armed Robbery and Possession of a Firearm During a Crime of Violence. On March 18, 1994, Mr. Jackson filed a motion for a new trial based on ineffective assistance of counsel. On October 7, 1994, after an evidentiary hearing, the Hon. Gregory Mize rejected Mr.

Jackson's claims.

United States v. Clarence Newman
F-12733-93

On April 13, 1994, Clarence Newman pled guilty to Attempted Robbery and Possession of a Prohibited Weapon With the Intent to Use It Unlawfully Against Another. In exchange, the government dismissed one count each of Rape, Armed Robbery, Assault With a Dangerous Weapon, and Sodomy.

After his detention subsequent to a guilty plea, but before he was sentenced, Mr. Newman field a motion to withdraw his plea based on ineffective assistance of counsel. The Hon. John H. Suda granted the motion without an evidentiary hearing because Mr. Newman made his request prior to sentencing, not because of the merits of his allegations.

## II. POTENTIAL CONFLICTS OF INTEREST

1. **Will you sever all connections with your present employer(s), business firm(s), business association(s), or business organization(s) if you are confirmed?**

   Yes, if the Senate confirms me, I will sever all connections with the Department of Justice.

2. **Describe all financial arrangements, deferred compensation agreements, or other continuing dealings with your law firm, business associates, or clients.**

   No such arrangements exist.

3. **Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest.**

   If any potential conflicts of interest arise with former clients, Public Defender Service colleagues and Justice Department co-workers, I would follow the dictates of the Code of Judicial Conduct for the District of Columbia Courts.

4. **Describe any business relation, dealing, or financial transaction which you have had in the last ten (10) years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest.**

   No such business relations, dealings or financial transactions exist

5. **Describe any activity during the last ten (10) years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of legislation or affecting the administration and execution of law or public policy.**

   I have not engaged in any activity over the last ten years to directly or indirectly influence the legislative process or affect the administration and execution of law or public policy.

6. **Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service as a judge? If so, explain.**

   Not at the outset. Eventually, when settled into my responsibilities as a judge, I would like to resume law school teaching to the extent that it is consistent with my judicial responsibilities.

7. **Explain how you will resolve any potential conflicts of interest, including any that may have been disclosed by your responses to the above items. Please provide three (3) copies of any trust or other relevant agreements.**

   I will follow the Code of Judicial Conduct for the District of Columbia Courts. I will recuse myself or disclose relevant information about prior relationships or associations where I believe I have a conflict, and any situation where there could be the appearance of a potential conflict of interest.

8. **If confirmed, do you expect to serve out your full term?**

   I absolutely intend to serve out my full term.

## III. FINANCIAL DATA

**Financial Data - On file with the Committee on Governmental Affairs.**

## IV. DISTRICT OF COLUMBIA REQUIREMENTS

Supplemental questions concerning specific statutory qualifications for service as a judge in the courts of the District of Columbia pursuant to the District of Columbia Court Reform and Criminal Procedure Act of 1970, D.C. Code Section 11-1501(b), as amended.

1. **Are you a citizen of the United States?**

   I am a citizen of the United States.

2. **Are you a member of the bar of the District of Columbia?**

   Yes.

3. **Have you been a member of the bar of the District of Columbia for at least five (5) years? Please provide the date you were admitted to practice in the District of Columbia.**

   I have been a member of the District of Columbia Bar continuously since my admission on December 5, 1988.

4. **If the answer to Question 3 is "no"–**

   (a) **Are you a professor of law in a law school in the District of Columbia?**

   (b) **Are you a lawyer employed in the District of Columbia by the United States or the District of Columbia?**

   (c) **Have you been eligible for membership in the bar of the District of Columbia for at least five (5) years?**

   (d) **Upon what grounds is that eligibility based?**

5. **Are you a *bona fide* resident of the District of Columbia?**

   I have been a bona fide resident of the District of Columbia since September 15, 1988

6. **Please list the addresses of your actual places of abode (including temporary residences) with dates of occupancy for the last five (5) years.**

   November 1994 to present:
   1650 Harvard Street, N.W., Apt. 425
   Washington, D.C. 20009-3731

   September 1988 to October 1994:
   2100 19th Street, N.W., Apt. 602
   Washington, D.C. 20009-3731

7. **Have you maintained an actual abode in such area for at least five (5) years?**

   Yes.

8. **Are you a member of the District of Columbia Commission on Judicial Disabilities and Tenure or the District of Columbia Nominating Commission?**

   No, I am not a member of either Commission.

9. **Have you been a member of either of these Commissions within the last twelve (12) months?**

   No, I have not been a member of either Commission.

AFFIDAVIT

Hiram Puig-Lugo being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

SUBSCRIBED and SWORN TO before me this 26th day of January, 1999.

Notary Public

My Commission Expires February 14, 2001

## APPENDIX A - PRESENTATIONS

"Representing Witnesses at the Grand Jury," Public Defender Service Training Program, Lecturer, January 13, 1998

"La Defensoría Pública en los Estados Unidos," WORLDNET Administration of Justice Series, U.S. Information Agency, Panelist, September 10, 1998 (Spanish-language television program)

"Línea Directa: El Sistema Judicial en los Estados Unidos," Educational Video in Spanish, August 21, 1998, (Taped two community education programs about the criminal justice system)

"Foro Internacional: El Gran Jurado en el Proceso Penal Americano," WORLDNET Satellite Network, U.S. Information Agency, Panelist, March 20, 1998 (Spanish-language television)

"Jury Issues: Voir Dire, Batson Claims and Instructions," Criminal Practice Institute, Panelist, November 1, 1997

"Direct Examination: Preparing and Presenting Witness Testimony," Public Defender Service Training Program, Lecturer, October 17, 1997

"Burn cases," Neglect and Delinquency Practice Institute, Presenter, April 11, 1997

"Preparing and Presenting Opening Statements," Criminal Practice Institute, Workshop Leader, November 3, 1996

"Joinder, Severance and Other Crimes Evidence," Criminal Practice Institute, Panel Coordinator, November 2, 1996

"Domestic Violence in the Latino Community," Superior Court of the District of Columbia, Panelist, October 16, 1996

"The Court System and Criminal Trials in the United States," United States Information Agency, Lecturer, August 26, 1996, (Presentation in Spanish for visitors from Argentina)

"Conozca Sus Derechos," District Cablevision, Panelist, July and November 1996, (Taped four episodes for Spanish language television series on the law and public policy)

"Community Perceptions of the Effectiveness of the Criminal Justice System,"

Bureau of Justice Assistance 1995 National Conference, Panelist, December 1, 1995

"The Role of the Public Defender in the U.S. Criminal Justice System," Superior Court of the District of Columbia, Lecturer, November 29, 1995, (Presentation in Spanish for visiting judges from Guatemala)

"Cross-examination and Impeachment Techniques," Criminal Practice Institute, Workshop Leader, November 5, 1995

"Basic Trial Techniques," Criminal Practice Institute, Panel Coordinator, November 4, 1995

"Preliminary Hearings: Use of Documents for Impeachment Purposes," Criminal Practice Institute, Workshop Leader, November 6, 1994

"Representing Non-English Speaking Clients: Immigration Consequences, Court and Community Services," Criminal Practice Institute, Panel Coordinator, November 5, 1994

"Hispanic Law Student Association: Tenth Anniversary Celebration," American University, Washington College of Law, Panelist, November 5, 1994

"Preparing and Conducting Direct Examinations," Public Defender Service Training Program, Lecturer, October 31, 1994

"Representing Indigent Clients as a Public Defender," Washington College of Law, American University, Criminal Justice Society, Guest Speaker, October 6, 1994

"Motions to Suppress Evidence and the Fourth Amendment," District of Columbia School of Law, Guest Lecturer, March 21, 1994

"Issues in Dealing With Non-English Speaking Clients," Virginia Public Defender Commission Conference, Lecturer, March 18, 1994

"The Criminal Trial Process," Mount Vernon College, Guest Lecturer, March 17, 1994

"The Fourth Amendment from a Criminal Defense Perspective," Gallaudet University, Guest Lecturer, February 21, 1994

"Hispanics in the Judicial System," The Library of Congress, Panelist, December 14, 1993

"Immigration Issues in Criminal Defense," Public Defender Service Training Program, Lecturer, October 27, 1993

"The Use of Character Witnesses at Trial," Public Defender Service Training Program, Lecturer, October 15, 1994

"Access to Justice: The Legal System From a Cultural Perspective," Superior Court of the District of Columbia Judicial Conference, Panelist, June 6, 1993

"The Language of Justice: Meeting the Challenge of Multicultural and Language Impaired Populations," District of Columbia Bar Winter Meeting, Panelist, February 19, 1993

"Immigration Issues in Criminal Defense," Public Defender Service Training Program, Lecturer, October 14, 1991

"Temas y Debates: Hernández v. New York," Univisión, Panelist, June 7, 1991 (Spanish-language television)

"Foro Internacional: Derechos Civiles en los Estados Unidos," WORLDNET Satellite Network, U.S. Information Agency, Panelist, June 7, 1991 (Spanish-language television)