

Appellate Division

Second Judicial Department

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Hon. Leonard B. Austin

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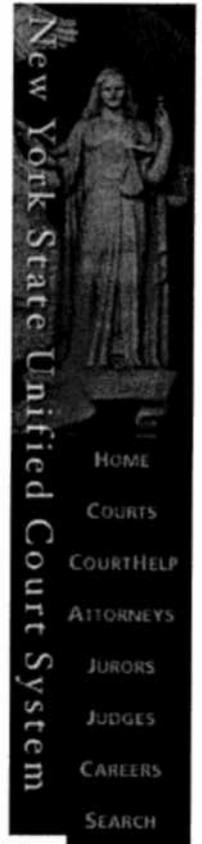
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Judicial Offices	Justice of the Supreme Court - 1999 to present - Dedicated Matrimonial Part - 1999 to 2000 - Commercial Division - 2000 to 2009 Associate Justice of the Appellate Division, Second Department - 2009 to present
Other Professional Experience	Adjunct Professor of Law, Hofstra University School of Law - Fall 2002 to present Associate Counsel to the Speaker of the New York State Assembly - 1980 to 1981 - Counsel to the Agriculture and Commerce and Industry Committees Private practice of law: - Leonard B. Austin, P.C. - 1990 to 1998 - Wolfson, Grossman & Austin - 1988 to 1990 - Stillman, Herz & Austin - 1980 to 1988 - Stillman & Austin - 1979 - 1980 - Solo practice - 1978 to 1979 Assistant Law Librarian, Hofstra University School of Law - 1978 to 1979
Admission to the Bar	New York; Florida, United States Court of Appeals, Second Circuit; United States District Court for the Eastern, Southern and Northern Districts of New York. Also admitted pro hac vice in Texas, New Jersey and Pennsylvania and the United States Bankruptcy Courts for the Eastern District of Massachusetts and the District of North Carolina
Education	Hofstra University School of Law - J.D. - 1977 Georgetown University - B.A. - 1974 Jewish Theological Seminary - Summer 1973
Publications & Leading Cases	Publications: NYSBA Family Law Review, View From the Bench, Fall/Winter 2001 Banking Law Journal, The Impact of New York Supreme Court's Commercial Division on Bank Litigation, October, 2001. Physicians Management Magazine, Divorce Battleground: What is Your Medical License Worth Today? September 1989 Crains NY Business, Punish Illegal Peddlers, Not Innocent Parties; June 1, 1987 American Medical News, License Status in M.D. Divorces; (Two Parts) May 8 and 15, 1987 Leading Cases: Lipco Electrical Corp. v. ASG Consulting Corp., NYLJ p. 20, col. 3 (8/26/04) Sodexo Management Inc. v. Nassau Health Corp., NYLJ p. 19 col. 3 (10/6/04), affd., 23 A.D.3d 370 (2nd Dept. 2005) Yemini v. Goldberg, 12 Misc.3d 1141 (2006) Brown v. DeGrace, 193 Misc.2d 391, affd., 298 A.D.2d 526 (2nd Dept. 2002) Anonymous v. Peters, 189 Misc.2d 203 (2001)



Justices of the Court

	<p>Eredics v. Chase Manhattan Bank, 186 Misc. 2d 19 (2000), affd., 292 A.D.2d 338 (2nd Dept. 2002), affd., 98 N.Y.2d 606 (2003).</p> <p>Beverage Marketing USA, Inc. v. South Beach Beverage Co., Inc., 15 Misc.3d 1124(A) (2007), affd., 58 A.D.3d 657 (2nd Dept. 2009)</p> <p>Cohen v. Nassau Educators Federal Credit Union, 12 Misc.3d 1164(A), affd., 37 A.D.3d 751 (2nd Dept. 2007)</p> <p>Wisell v. Indo-Med Commodities, Inc., 11 Misc.3d 1089(A) (2006), on reargument, 14 Misc.3d 1209(A) (2006)</p> <p>Fuchs v. Wachovia Mortgage Corp., 9 Misc.3d 1129(A) (2005), affd., 41 A.D.3d 424 (2nd Dept. 2007)</p> <p>Tal Tours (1996) Inc. v. Goldstein, 9 Misc.3d 1117(A) (2005), affd., 34 A.D.3d 786 (2nd Dept. 2006)</p> <p>Gallimore v. Wing, NYLJ, p. 24, col. 1 (9/25/02)</p> <p>Oliver V. v. Kelly V., 224 N.Y.L.J. 101, p. 37, col. 6 (11/27/00)</p> <p>Tunga v. Tunga, 223 N.Y.L.J. 83, p. 36, col. 5 (5/1/00)</p>
<p>Professional & Civic Activities</p>	<p>American Bar Association</p> <p>New York State Bar Association (Member of the House of Delegates and Past Presiding Member of the Judicial Section)</p> <p>Florida Bar Association</p> <p>Nassau County Bar Association</p> <p>Jewish Lawyers Association of Nassau County (Board of Directors)</p> <p>New York Bar Foundation (Life Fellow)</p> <p>American College of Business Court Judges (President and Chair of the By-laws Committee)</p> <p>Theodore Roosevelt Inn of Court (Past President)</p> <p>Association of Justices of the Supreme Court</p> <p>Pattern Jury Instructions Committee</p> <p>Commercial Division Rules Revision Commilttee</p> <p>Unified Court System Matrimonial Practice Committee</p> <p>Unified Court System Commercial Division Curriculum Committee</p> <p>Nassau County Courts Quarantine Team</p> <p>Volunteer Judge in various mock trial and moot court competitions sponsored by the New York State Bar Association, Nassau County Bar Association, Hofstra University School of Law and St. John's Law School, 1999 to present</p> <p>Temple Beth Torah (Executive Board and Past President)</p>



Attorney Profiles

Practice Areas

- Litigation
- Commercial Litigation
- Intellectual Property
- Professional Liability
- Securities Enforcement and Litigation
- White Collar Defense/Internal Investigations

Education

- New York University School of Law J.D. 1985
- Yale University B.A. 1978

Admitted To Practice

- Connecticut
- New York
- U.S. District Court for the District of Connecticut
- U.S. District Courts for the Southern and Eastern Districts of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Tax Court



John B. Harris

Partner, Ballard Spahr Stillman & Friedman LLP

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Fax: 212.223.1942

harrisj@bssfny.com

425 Park Ave.

New York, NY 10022

John B. Harris is experienced in civil and white collar criminal litigation. Mr. Harris represents law firms, lawyers, and other professionals accused of wrongdoing that threatens their liberty or reputational and financial interests, and regularly handles complex commercial disputes, including malpractice, fraud, breach of contract, and employment issues. He frequently appears before the Southern and Eastern Districts of New York, before New York's state and appellate courts, and in regulatory or administrative proceedings before the SEC, FINRA, and Departmental Disciplinary Committees.

In the securities area, Mr. Harris represents investment bank/broker-dealer employees in cases of alleged securities fraud, back-dating, mutual fund pricing violations, market timing, accounting irregularities, alleged improprieties in allocating shares in Initial Public Offerings, Regulation F-D issues, research analyst independence issues, and alleged wash sales. He has successfully represented many other professionals in advocacy to avoid the filing of charges. His white collar criminal experience also extends to matters involving the Foreign Corrupt Practices Act, bribery, "spy shops," alleged "prime bank" schemes, and accounting fraud.

Representative Matters

- Represented a defrauded investor in a federal action against a Texas law firm that counseled the swindler
- Represented the creator of a popular children's book series in litigation against the series' publisher
- Represented a Fortune 500 corporation in contract and product liability matters
- Represented an art collector who had been sold counterfeit goods
- Represented a law firm accused of employment discrimination

Attorney Profiles

- Represented a corporate executive who was the lead defendant in *SEC v. Thrasher*, as well as corporate executives accused of wrongdoing while at major international companies
- Obtained the dismissal, on summary judgment, of former New York City public servants who had been sued for alleged civil rights violations arising from riots in Brooklyn
- Obtained summary judgment dismissing First Amendment retaliation claims filed against a high-ranking member of the New York State Police by three troopers

Mr. Harris frequently represents and advises lawyers and law firms regarding ethical rules. He served as the Chair of the Professional Responsibility Committee of the New York City Bar Association, is a member of the Association's Judiciary Committee, and is a former member of the Association's Committee on Professional and Judicial Ethics, Committee on Professional Discipline, and Task Force on Multi-Disciplinary Practice. He has served as a delegate to the New York State Bar Association House of Delegates and is a member of the State Bar Professional Discipline Committee. He also acts as a mediator for the U.S. District Court for the Southern District of New York.

Mr. Harris is also a member of the American Bar Association, the Chair of the New York Regional Board of the Anti-Defamation League, a director of the New York University Law Alumni Association, and a board member of Summer Search.

Before entering law school, Mr. Harris was a reporter for *The Hartford Courant* newspaper in Connecticut.

From 2007 through 2013, Mr. Harris was named to Super Lawyers, a peer-reviewed ranking recognizing the top five percent of lawyers in their fields.

Mr. Harris is a graduate of New York University School of Law (J.D. 1985), where he was a member of the *Annual Survey of American Law*, and Yale University (B.A., *cum laude*, 1978).

Kuntz, William F., II

United States District Judge
Eastern District of New York

Chambers address:

United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201-1832

Phone: (718) 613-2200



Born in New York, New York, William Kuntz earned an A.B. in 1972 from Harvard College. He then earned an A.M. in 1974 and a Ph.D. in 1979 from Harvard University and a law degree in 1977 from Harvard Law School.

From 1978 until 1986, Mr. Kuntz was an associate in the New York law firm Shearn & Sterling. From 1986 until 1994, Kuntz was a partner in the New York law firm Milgrim Thomajan Jacobs & Lee, and from 1994 until 2001, Kuntz was a partner in the New York law firm Seward & Kissel. From 2001 until 2004, he was a partner in the New York office of the Canadian law firm Torys LLP, and from 2004 until 2005, he was counsel at the New York law firm Constantine & Cannon.

From 2005 until becoming a federal judge, Kuntz was a partner in the New York office of the law firm Baker Hostetler. His specialty was commercial and labor litigation. He was elected to the Practising Law Institute Board of Trustees in 1996 becoming Chair of the Executive Committee in 2006. He has served as Chair of the Executive Committee of the Association of the Bar of the City of New York. He is the longest standing member of the Civilian Complaint Review Board.

On March 9, 2011, President Obama nominated Kuntz to fill a seat on the United States District Court for the Eastern District of New York and, after the United States Senate confirmed Kuntz by unanimous consent, he received his judicial commission on October 4, 2011.

Courtroom Deputy: Andrew Jackson

Law Clerks: Alysson Ford-Ouoba, Esq., Andrew Wang, Esq., Lauren G. White, Esq.

Practice Areas

- Litigation
- Commercial Litigation
- Consumer Financial Services
- Professional Liability
- Securities Enforcement and Litigation
- White Collar Defense/Internal Investigations

Education

- Georgetown University Law Center J.D., *cum laude*, 1983
- Tufts University B.A., *magna cum laude*, 1980

Admitted To Practice

- District of Columbia
- New York
- U.S. District Courts for the Southern and Eastern Districts of New York
- U.S. District Court for the District of Columbia
- U.S. Court of Appeals for the Second Circuit



Marjorie J. Peerce

Partner, Ballard Spahr Stillman & Friedman LLP

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425 Park Ave.

New York, NY 10022

Marjorie J. Peerce is a litigator, with a practice focus on white collar criminal defense, regulatory matters, and complex civil litigation.

Ms. Peerce represents both individuals and institutions in New York state and federal courts, as well as in federal districts around the country. She has represented individuals, and, at times, institutions, in criminal and regulatory investigations concerning, for example, violations of the Internal Revenue Code, the Foreign Corrupt Practices Act (FCPA), Bank Secrecy Act, and government contract procurement and subsidy fraud. She has defended individuals in mail fraud, bribery, accounting fraud, government contract procurement, government subsidy fraud, immigration fraud, securities fraud, health care fraud, environmental matters, commodities fraud, computer fraud and hacking, and criminal customs investigations. She has handled a significant number of matters with the Securities and Exchange Commission, as well as with FINRA and the CFTC. She also regularly represents individuals in myriad matters in the Criminal and Supreme Courts in New York City.

In her civil practice, Ms. Peerce has represented defendants in securities class actions, financial institutions in commercial disputes, employees involved in noncompete disputes, general commercial litigation, matters for several major real estate companies in NYC, and breast implant products liability cases in the Eastern District of New York for a large Fortune 500 company. She has represented doctors under investigation with the Office of Professional Medical Conduct in New York, as well as lawyers with disciplinary matters pending before the Departmental Disciplinary Committees, state employees with the New York State Department of Professional Discipline, and a former state employee in a matter with the New York State Joint Commission on Public Ethics.

Representative Matters

- Defended a client against criminal RICO charges in fourteen-month trial in the Southern District of New York

- Successfully defended a CEO of a public company charged with government contract procurement fraud after a two-month trial in district court in Washington, D.C.
- Represented numerous executives of public companies in multi-pronged accounting fraud investigations
- Represented several executives of public companies in internal investigations related to company employment
- Represented an investigator in a major matter in the Southern District of New York concerning use of an experimental drug, resulting in a deferred prosecution agreement
- Represented a union under investigation for a number of criminal violations, successfully resolving the matter with a non-prosecution agreement
- Represented an employee of a company under indictment for a major customs importation fraud
- Represents a group of employees in a criminal immigration investigation
- Represented individuals under investigation by various state agencies, including the New York Attorney General's office (the Charities Bureau and the Medicaid Fraud Control Unit included), the New York City Department of Investigation, and Inspectors General of numerous New York City and State agencies
- Defended an attorney accused of paying kickbacks for the settlement of personal injury cases
- Represented numerous employees of an accounting firm in investigations nationwide as well as representing the accounting firm itself
- Represents an auditor of several public companies in several SEC investigations
- Represents an individual involved in the Deepwater Horizon investigation
- Handled a great number of criminal and regulatory securities fraud cases, including insider trading cases, hedge fund fraud, and alleged fraud with PIPE investments
- Represented a specialist on the floor of the New York Stock Exchange indicted for securities fraud
- Represented an elected official charged with receiving a bribe

- Represented an executive of an international family business charged with mail and tax fraud
- Represents several employees of a Bank Anti-Money Laundering/Bank Secrecy Act Department in a Department of Justice investigation
- Handled several matters related to the Bernard Madoff matter
- Represented individuals involved with investigations being conducted by bankruptcy trustees
- Represented several indigent defendants at trial as appointed counsel while a member of the SDNY Criminal Justice Act panel for 12 years

Ms. Peerce served a judicial clerkship with the Honorable Vincent L. Broderick, of the U.S. District Court for the Southern District of New York.

Publications

- Co-author, "Comments of the NY Council of Defense Lawyers Regarding 2013 Proposed Amendments to Sentencing Guidelines, Policy Statements, and Official Commentary," New York Council of Defense Lawyers, March 19, 2013
- Co-author, "Difficult Issues: Indemnification and Fee-Advancement," *Law Journal Newsletters Business Crimes Bulletin*, November 30, 2012
- Co-author, "Employee Communications and Loss of Privilege," *Law Journal Newsletters Business Crimes Bulletin*, October 6, 2011
- Contributing author, *Getting the Deal Through: Dispute Resolution*, New York chapter, published by Law Business Research Ltd., 2011
- Co-author, "Child Pornography on Workplace Computers," *Law Journal Newsletters Business Crimes Bulletin*, November 16, 2010
- Co-author, "Dispute Resolution: New York," *Getting the Deal Through*, July 19, 2010
- Co-author, "The Increasing Privacy Expectations in Employees' Personal Email," 13 No. 8 *Journal of Internet Law* 1, February 2010
- Co-author, "Confronting the Forensic Facts: How an Expansion of the Confrontation Clause Creates New Opportunities and Obligations for Challenging Electronic Evidence," *Law Journal Newsletters Business Crimes Bulletin*, February 2010

Speaking Engagements

- Moderator, "Legal and Practical Impact of the U.S. Supreme Court's Decisions in *Missouri v. Frye* and *Lafler v. Cooper on Plea Bargains*," New York State-Federal Judicial Council Roundtable Discussion, April 8, 2013
- Panelist, "Parallel Proceedings," Second NACDL White Collar Criminal Defense College at Stetson, January 11, 2013
- Panelist, "Initiation of the Proceedings," New York County Lawyers Federal Bar Council Program, October 16, 2012
- Moderator, "Prosecutors and Regulators Speak: The Government's Continuing Focus on Individuals: Exploring the Challenges for Prosecutors and Defense Counsel," October 2, 2012
- Panelist, Ethics Program, Federal Ball Council Fall Retreat, September 2012
- Provided testimony at the United States Sentencing Commission's Public Hearing on Proposed Amendments to the Federal Sentencing Guidelines regarding Fraud Guidelines, March 14, 2012
- Panelist, "Initiation of the Proceedings," New York County Lawyers Federal Bar Council Program, October 14, 2011
- "Representing Individuals in White Collar Cases," PLI White Collar Crime, October 3, 2011
- Panelist, "Prosecutors & Regulators Speak," PLI White Collar Crime, October 4, 2010
- Panelist, "Representing Attorneys in Parallel Proceedings: Disciplinary, Criminal, Administrative and Otherwise," Association of Professional Responsibility Lawyers, Atlanta, February 11, 2010
- Panelist, "Science and Law," Federal Bar Council, October 24, 2009
- Panelist, "Prosecutors & Regulators Speak: Sentencing and Plea Negotiations," PLI White Collar Crime, October 5, 2009

From 2006 through 2013, Ms. Peerce was named to Super Lawyers, a peer-reviewed ranking recognizing the top five percent of lawyers in their field. She was recognized in the 2011 through 2013 editions of *The International Who's Who of Business Crime Defence Lawyers*, a guide to the foremost practitioners in the international legal marketplace; named to *The Best Lawyers in America* for administrative/regulatory law

and criminal defense: white collar for 2008 through 2014; and selected to *Avenue Magazine's* Legal Elite list of top women lawyers. She was also selected to *Euromoney's Guide to the World's Leading Women in Business Law 2013*, 3rd edition.

Ms. Peerce was included in the 2013 edition of the Martindale-Hubbell Bar Register of Preeminent Women Lawyers, given exclusively to women attorneys who have received the highest possible rating in both legal ability and ethical standards from their peers. She has consistently been recognized with an AV Peer Review Rating from Martindale-Hubbell.

Ms. Peerce is past President of the New York Council of Defense Lawyers, a premier defense lawyers' organization composed of 240 of New York's preeminent white collar lawyers. As the current Chair of the Council's Sentencing Guidelines Committee, she prepares regular submissions to the U.S. Sentencing Commission on the Guidelines and has testified before the Commission on two occasions.

Ms. Peerce serves as Co-Chair of the Sentencing Committee of the National Association of Criminal Defense Lawyers, and is a member of the Federal Bar Council, State/Federal Judicial Advisory Council, and New York City Bar Association, where she was formerly Chair of the Criminal Law Committee.

Ms. Peerce currently serves as a representative of the National Association of Criminal Defense lawyers on an ABA task force addressing revisions to the economic crimes sentencing guidelines. She is also a member of the oversight committee of the Criminal Justice Act Panel for the Eastern District of New York.

Ms. Peerce taught trial advocacy at New York University Law School for a number of years.

Ms. Peerce is a graduate of Georgetown University Law Center (J.D., *cum laude*, 1983), where she was Managing Editor of *Tax Lawyer*, and Tufts University (B.A., *magna cum laude*, 1980).

NYCOURTS.GOV

JUDICIAL DIRECTORY

JUDGES OF THE TRIAL COURTS

Hon. Ann Pfau



NYS Supreme Court, Kings County, Civil Term
360 Adams Street
Brooklyn, NY 11201
(347) 296-1452

Judicial Offices

Statewide Coordinating Judge, UCS Medical Malpractice Matters., Appointed by Chief Judge Jonathan Lippman, 2011 to Present

Chief Administrative Judge., Appointed by Chief Judge Judith Kaye, 2007 to 2011

First Dep. Chief Adm. Judge, Appointed by Chief Administrative Judge Jonathan Lippman, 2004 to 2007

Acting Supreme Court Judge, Kings County Supreme Court, Appointed by Chief Administrative Judge Jonathan Lippman, 1999 to Present

Judge, NYC Criminal Court, Appointed by Mayor Giuliani, 1999 to 2008

Dep. Chief Adm. Judge - Mgmt. Support, Appointed by Chief Administrative Judge Jonathan Lippman, 1997 to 2003

Judge, NYC Civil Court, Appointed by Mayor Giuliani, 1998 to 1999

Judge, NYC Civil Court, Appointed by Mayor Giuliani, 1997 to 1998

Other Professional Experience

NYS Unified Court System, Special Counsel, Chief Administrative Judge, 1995 to 1997

NYS Unified Court System, Exec. Ass't, Dep. Chief Adm. Judge, 1990 to 1995

NYS Unified Court System, Counsel's Office, 1984 to 1990

Admission to the Bar

NYS, Appellate Division, Second Department, 1985

U.S. District Court, Southern District of New York, 1985

Education

JD, Brooklyn Law School, 1984

MA, Columbia University, 1973

BA, Wells College, 1970

Publications

Note: Whiting Pools, Brooklyn Law Journal, 1983

Professional & Civic Activities

Web page updated: August 2, 2013

Domenique Camacho Moran

Labor & Employment

Partner | 516-227-0626 | dmoran@farrellfritz.com

LOCATION: Uniondale

Domenique Camacho Moran is a partner and leads the Labor & Employment Practice Group at Farrell Fritz. Domenique has represented employers – from start-ups to large corporations – in connection with all types of employment litigation, including matters arising under Title VII, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Family and Medical Leave Act, the Fair Labor Standards Act, and the New York Human Rights Law.

Acting as lead counsel, Domenique has represented management in jury trials and hearings in federal and state courts, arbitrations and administrative proceedings. In 2009, she won a landmark defense verdict for an employer in a class action wage and hour trial. Many millions of dollars were potentially at stake in this lawsuit.

Domenique uses her extensive knowledge of employment law to help her clients comply with the many federal, state and local laws, rules and regulations that govern the employment relationship. She often helps companies by providing advice on the practical and legal implications of everyday employment decisions. In addition, Domenique regularly prepares and reviews employee handbooks and personnel policies, negotiates and drafts separation agreements, and provides guidance to employers faced with reorganizations and reductions-in-force. She conducts sexual harassment training for local and national employers that include investment banks, professional sports organizations, retail operations, manufacturing companies and food service providers.

Domenique is a dynamic speaker and has significant experience providing training on a myriad of employment-related topics including effective management techniques, human resources fundamentals, litigation avoidance, preventing workplace harassment and discrimination, and diversity awareness.

Prior to joining Farrell Fritz, Domenique was a shareholder at Littler Mendelson, P.C.

Domenique is a 1990 Dean's List graduate of the State University of New York at Stony Brook and a 1993 graduate of University of Notre Dame Law School. At Notre Dame she received the Kraft W. Eidman Award presented by the American College of Trial Lawyers for Excellence in Trial Advocacy and was the Lead Notes Editor of the Journal of College and University Law.

Domenique is a member of the New York State Bar Association. She is admitted to practice in New York State, the District Courts for the Southern, Eastern and Northern Districts of New York and the Circuit Court of Appeals for the Second Circuit.

In 2013, Domenique was appointed to the advisory board of Make-A-Wish Metro New York. She serves on the Work/Life Corporate Committee of the NAMC and is a founding member of the American Heart Association's *Go Red for Women* Committee in Queens. She previously served on the Executive and Program Committees of the Nassau County Museum of Art's Women's Executive Network.



Office

Uniondale
1320 RXR Plaza
Uniondale, NY 11556-1320

Practice Areas

Labor & Employment
Commercial Litigation

Education

State University of New York
at Stony Brook
University of Notre Dame Law
School

Domenique was selected by her peers for inclusion in *The Best Lawyers in America*® in 2013 and 2014 in the field of Employment Law – Management. She has been recognized by **Long Island Business News** as a *Who's Who in Intellectual Property & Labor Law* (2011, 2009 & 2007) as well as a 2011 "Top 50 Most Influential Women in Business" honoree. She was selected by *The Queens Courier* and *Queens Business Today* as a 2008 honoree at the Sixth Annual Top Women in Queens Business Awards Dinner. She was recognized by *Long Island Business News* as a 2007 "40 Under 40" award recipient for her business leadership and community involvement.

Scanlon, Vera M.

United States Magistrate Judge
Eastern District of New York

Chambers address:

United States Courthouse
225 Cadman Plaza East, 5 North
Brooklyn, NY 11201-1818

Phone: (718) 613-2300

Born in Brooklyn, Magistrate Judge Vera M. Scanlon graduated from the Marymount School of New York and received her A.B. *summa cum laude* from Columbia University in 1990. She participated in the Jesuit Volunteer Corps in Louisiana in 1991-1992. She received her J.D. from the Yale Law School in 1995. She was an associate at Hughes Hubbard & Reed LLP. She then clerked for the Hon. Daniel Dominguez in the District of Puerto Rico, the Hon. Frederic Block in the Eastern District of New York, and the Hon. Robert A. Katzmann with the Court of Appeals for the Second Circuit. In 2001, she joined Beldock Levine & Hoffman LLP, where she handled primarily civil rights and commercial litigation.

She is a former board member of the New York Civil Liberties Union and the Catholic Migration Services, Inc. She is a member of the New York City Bar Association's Special Committee to Encourage Judicial Service.

Courtroom Deputy: Tina Priftakis

Law Clerk: Ryan M. Lozar, Esq.

EDNY

JAMES M. WICKS
Farrell Fritz, P.C.
1320 RXR Plaza
Uniondale, New York 11556

Partner concentrating in business and commercial litigation. General Counsel of Farrell Fritz, P.C. Represents large and small businesses, financial institutions and individuals in federal and state trial courts, as well as in arbitrations involving a variety of commercial, technology, real estate, insurance, contracts, banking issues, business torts, business dissolutions and breakups, franchise litigation, corporate governance and derivative and class actions. Also represents developers and landowners in connection with real estate disputes, including sale/leaseback disputes, environmental cleanup actions, foreclosures, broker disputes, boundary and adverse possession disputes. Counsel and litigate issues involving attorneys and ethics.

Work Experience

<i>Farrell Fritz, P.C.</i> , 1320 RXR Plaza Uniondale, New York, 11556	1996 - Present
<i>Dewey Ballantine, LLP</i> , 1301 Avenue of the Americas, New York 10019	1995
<i>White & Case, LLP</i> , 1155 Avenue of the Americas, New York 10036	1992 - 1994
<i>Law Clerk to the Honorable Arthur D. Spatt</i> , U.S. District Court for the Eastern District of New York	1990 – 1991
<i>Adjunct Professor</i> – St. John’s University School of Law	2005 - Present

Education/Court Admissions

- Juris Doctor degree from St. John's University School of Law
- Bachelor of Arts degree from Wheeling College
- Admitted to practice in the Courts of the States of New York and Connecticut
- United States District Courts for the Eastern, Southern and Northern Districts of New York
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals Tenth Circuit Court
- Supreme Court of the United States

Professional Appointments & Affiliations

- Appointed to New York Federal Judicial Council Advisory Committee
- Appointed to the New York State Judicial Institute on Professionalism in the Law
- Appointed to the S.D.N.Y./E.D.N.Y. Joint Committee on Local Rules
- Appointed to the New York State Bar Association's (NYSBA) Task Force on the State of Our Courthouses
- Fellowship in the *Litigation Counsel of America (LCA)*

- Life Fellow of the New York Bar Foundation
- Co-Chair of the Ethics and Professionalism Committee and a member of the Executive Committee of the NYSBA's Section on Commercial and Federal Litigation
- Member of the Federal Bar Council's Central Islip United States Courthouse Committee and the Eastern District Committee on Civil Litigation
- Member of the International Association of Independent Private Sector Inspectors General (IAIPSIG)
- Past President of the Theodore Roosevelt American Inn of Court
- American Bar Association
- Nassau County Bar Association
- Association of the Bar of the City of New York
- Judicial Screening Committee of the Suffolk County Bar Association (2010 - present)

Awards/honors/recognitions

- *New York Super Lawyers - Metro* lists (Business Litigation) - 2008, 2009, 2010, 2011, 2012 and 13
- *New York Super Lawyers—Top 100 Metro NY*, 2013
- Inclusion in 2009 *Super Lawyers - Corporate Counsel Edition* as a "Top Attorney in Business Litigation."
- LI Pulse Magazine, "2012 Top Legal Eagle - Commercial Litigation"
- Leadership in the Law Award, *Long Island Business News*, 2013

Not-for-Profit Service

- Chairman of the Board of the Long Island Museum of American Art, History & Carriages
- Chairman of the Board of the School for Language and Communication Development
- Member of the Board of the Nassau Aviators Wheelchair Sports Association

Writing/editing/teaching activities

- Adjunct Professor of Law at St. John's University School of Law (2005 - present)
- Frequent contributor to Farrell Fritz's [New York Commercial Division Case Compendium](#) blog
- Authors a column, "Federal Practice Update," for *The Suffolk Lawyer*
- Member of the Editorial Advisory Board of the treatise, *New York Civil Practice Before Trial* (James Publ.)
- Past Editor of the *St. John's Law Review*

Blog

- Co-author of Commercial Litigation Compendium Blog, found at www.nycommdivcompendium.com.

Articles and Advisories

May 1, 2012	Federal Practice Roundup: Four Decisions from The Eastern District
Oct 1, 2009	Emails and The Hearsay And Foundational Objections They Bring
May 21, 2008	Federal Practice Update - Some Recent Procedural Decisions
Sep 1, 2007	Federal Practice Update - Four Decisions from The Eastern District
Jun 1, 2007	Federal Practice Update - Four Decisions from The Eastern District
Nov 1, 2006	Federal Practice Update - Four Decisions from The Eastern District
Apr 1, 2006	Federal Practice Update
Nov 1, 2005	Federal Practice Update
Oct 1, 2005	Three Decisions From the Eastern District
Jun 1, 2005	Federal Practice Update
Apr 1, 2005	Federal Practice Update
Mar 1, 2005	Federal Practice Update
Jan 1, 2005	Federal Practice Update -- Decisions of Interest from The Federal Courthouse
Oct 1, 2004	Federal Practice Update
Sep 1, 2004	Federal Practice Update -- Isopure Name Fails To Reign Supreme
Jun 1, 2004	Federal Practice Update
Apr 1, 2004	Federal Practice Update - Recent Decisions from the Federal Court
Feb 1, 2004	Federal Practice Update
Dec 1, 2003	Federal Practice Update
Oct 1, 2003	Federal Practice Update
Sep 1, 2003	Thou Shall Obey All Laws
Sep 1, 2003	Federal Practice Update
Jun 23, 2003	Litigating Over the Termination of Franchises
Jun 1, 2003	Federal Practice Update
May 21, 2003	The 'Shindler Rule' An Exception To The Rule On Attorney's Fees
Apr 1, 2003	Federal Practice Update
Mar 1, 2003	Federal Practice Update
Feb 1, 2003	Federal Practice Update
Dec 10, 2002	Location, Location, Location!
Sept 1, 2002	Federal Practice Update
June 1, 2002	Federal Practice Update
April 17, 2000	New Law Impacts on Internet Branding
Summer/Fall 2013	Third-Party Litigation Funding Explored by the Section

Events

<u>Date</u>	<u>Program Title/Sponsor</u>
1/31/00	Deposition Workshop (Farrell Fritz)
10/29/02	Construction Disputes (Suffolk County Academy of Law) (Chair)
3/20/03	Franchising Law (Suffolk Academy of Law) (Presenter)
4/29/03	Ethical and Legal Issues Surrounding Witness Preparation (Alexander Hamilton Inns of Court) (Chair)
10/14/03	Ethics and Witness Preparation (Alexander Hamilton Inns of Court) (Chair)
11/12/03	Franchise Distribution and Licensing Law (NYSBA, NYC) (Presenter)
5/14/04	Discovery 2004 (NYSBA) (Presenter)
5/26/04	Settlement of Civil Case, (Federal Bar Council) (Moderator)
10/27/04	Franchise Law (Suffolk County Bar) (Speaker)
11/12/04	Gathering and Presenting Evidence in the 21 st Century (NYSBA) (Chair and Speaker)
2/3/05	Lunchtime Ethics -- Conflicts of Interest (Chair/Speaker)
4/22/05	Federal Practice Primer (NY State Bar) (Speaker) (NYC)
5/5/05	Luncheon Ethics Program Witness Preparation (Chair, Speaker) (Farrell Fritz)
5/6/05	Federal Practice Primer (NYSBA - Chair, Speaker) (Melville)
5/24/05	How to Commence a Civil Lawsuit (NYSBA - Uniondale) (Speaker)
11/10/05	Franchise, Distribution and Licensing (NYSBA), NYC (Speaker)
1/24/06	Deposition Workshop- Part I (Farrell Fritz) (Chair, Speaker)
1/25/06	Commercial and Federal Litigation Annual Meeting on Ethics (Chair) (NYC)
2/13/06	Deposition Workshop, Part II-(Farrell Fritz) (Chair, Speaker)
9/25/07	The Attorney-Client Relationship: From Engagement To Divorce (Farrell Fritz) (Speaker)
11/13/07	Identify Conflicts of Interest (Farrell Fritz) (Speaker)
1/26/08	Nassau County Bar Ass'n – “The Attorney-Client Relationship: From Engagement to Break up” (Speaker)
1/30/08	NYSBA Annual Meeting (NYC) Commercial Litigation – The Ethics of Witness Preparation (Speaker)
	Federal Bar Counsel – Investigation (Speaker)

<u><i>Date</i></u>	<u><i>Program Title/Sponsor</i></u>
5/4/08	NY State Bar Association – Annual Spring Meeting (Vermont) -- Legal Ethics – New issues Raised by Emails, Blogs and MySpace (Speaker)
10/21/08	NCBA- “Conflicted about Conflicts (Speaker)
12/4/08	The Mobile Lawyer ... Ethical Issues Raised by E-mails, Blogs & Other Technologies (Farrell Fritz) (Speaker)
4/23/09	Inns of Court - Program On Ethical And Legal Issues Surrounding Witness Preparation (Presenter)
9/20/10	“Jury Selection” (Farrell Fritz) Presenter
9/29/10	“Attorney Client Privilege” (Farrell Fritz) (Presenter)
5/25/11	NY State Academy of Trial Lawyers Speaker (Mediation)
6/13/11	Federal Bar Council Ethical Dilemmas – What are your views (Speaker)
11/4/11	Judicial Institute of Professionalism, Convocation on Lawyer Independence for solo/small firm practitioners. (Chair and Moderator)
11/15/11	NYS Academy of Trial Lawyers, “Litigating Commercial Cases” (Rochester – Monroe County Bar Assoc.) (Presenter)
11/15/11	NYS Academy of Trial Lawyers, “Litigating Commercial Cases” (Buffalo –Univ. of Buffalo) (Presenter)
11/28/11	NYS Academy of Trial Lawyers, “Litigating Commercial Cases” (Sheraton – Plainview, NY) (Speaker)
11/29/11	NYS Academy of Trial Lawyers, “Litigating Commercial Cases” (St. John’s University, NYC) (Speaker)
12/15/11	Trust & Estate Council of New York Ethics of Social Media (Nassau County Bar Association) (Presenter)
5/18/2012	NY State Bar Association Examination before Trial (Speaker) (Marriott- NYC)
5/22/2012	CFO Roundtable (Document Retention issue for Board Directors) Speaker
10/1/2012	Federal Bar Association – Civil Practice Update (Speaker)(Central Islip)
10/11/12	Suffolk County Bar – Strategies for Winning Commercial Cases in NYS Courts - Division Practice (Speaker)(Hauppauge)
5/09/13	Nassau County Bar Association Program: Advice from Experts ... Commercial Cases (Haig program) (Presenter)
6/12/13	Ethics for the Newly Admitted Attorney (First Department Committee on Character & Fitness) NY County Lawyers Association (Speaker)
10/7/13	Federal Bar Association – Second Annual Federal Practice Update – Ethics and Professionalism (Speaker) (Central Islip)

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