

RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE

Judge Berman has been a United States District Judge for the Southern District of New York since November 1998, taking senior status in 2011. He received a B.S. degree from Cornell University in 1964, a J.D. degree in 1967 from N.Y.U. School of Law, and a M.S.W. in May of 1996 from the Fordham University Graduate School of Social Service. He received a Diploma of Comparative Law in 1968 and a Diploma of International Law in 1970 from the University of Stockholm Faculty of Law.

Judge Berman was an associate at Davis Polk & Wardwell from 1970 to 1974, and served as the Executive Assistant to United States Senator Jacob K. Javits from 1974 to 1978. In 1978, he became General Counsel to Warner Cable Corporation (and to MTV Networks Inc. in 1984). In 1986, he became a member of LeBoeuf, Lamb, Greene & MacRae and served as managing partner of LeBoeuf Lamb's Los Angeles office from 1989 to 1991. From May 1995 until his appointment as a Federal District Judge, he served as a New York State Family Court Judge for Queens County.

Judge Berman has lectured on the "Rule of Law" and the "Independence of the Judiciary" in Istanbul, Turkey (2014) and Tirana, Albania (2013). He is the author of "Special Immigrant Juvenile Status", "A Team Model to Identify Child Abuse," "Seven Steps to Protect Children," and "Community Service for Juvenile Offenders," published in the *New York Law Journal*. Judge Berman is a member of the New York State-Federal Council and the New York County Lawyers' Association Family Court Task Force. He has served as Chairman of the Southern District's Media Relations and Magistrate Judges Committees and is a member of the Southern District's Clerk's Office Committee. He has served as an Adjunct Professor at New York Law School and as a member of the New York State Permanent Judicial Commission on Justice for Children.

Vincent Martin Bonventre

Vincent Martin Bonventre is the Justice Robert H. Jackson Distinguished Professor of Law at Albany Law School. He teaches, comments and advises on courts, judges, and various areas of public law. Those areas include the judicial process, the Supreme Court and state high courts, criminal law, and civil liberties. He has authored numerous works on those subjects.

Dr. Bonventre received his PhD in Government, specializing in public law, at University of Virginia; a JD from Brooklyn Law School; and a BS from Union College.

He was a law clerk to Judges Matthew J. Jasen and Stewart F. Hancock, Jr. of New York's highest court, the Court of Appeals. Between those clerkships, he was selected by Chief Justice Warren Burger to serve as a Supreme Court Judicial Fellow. Previously, he served two tours in the U.S. Army—one in military intelligence and one as trial counsel in the JAG Corps.

He is the author of *New York Court Watcher*, a blog devoted to research and commentary on the U.S. Supreme Court and the New York Court of Appeals. He is also the founder and Editor of *State Constitutional Commentary*, an annual publication of the Albany Law Review devoted to American state constitutional law, and he is the founder and Director of the *Center for Judicial Process*.

Linda J. Clark

Linda Clark is a nationally recognized litigator and chair of the firm's Health Care Controversies practice. She has served as lead litigation counsel, as well as national, regional and local counsel, in a range of matters including the prosecution and defense of claims brought in state and federal courts for large groups of business and institutional clients including New York's sprawling failed trust litigation.

Linda is a trusted advisor to health care providers, pharmaceutical companies and pharmacies nationwide with regard to the resolution of high-stakes disputes and government investigations. She represents health care professionals and entities in administrative proceedings, hearings and appeals before various federal and state regulatory agencies including the New York Office of the Medicaid Inspector General, New York State Department of Health, and New York State Workers' Compensation Board.

Linda's practice also focuses on complex multi-party litigation. She has vast experience representing drug manufacturers, product manufacturers, and contractors in the defense of class certification applications and mass tort claims. She has successfully litigated and managed thousands of asbestos cases for national and regional manufacturers. These engagements have included extensive trial work, leading to four New York verdicts in the upstate asbestos litigation, as well as the successful management and coordination of discovery and national trial strategies. Linda has also served as the court-appointed defense liaison counsel for three jurisdictions in the Northern District of New York.

Linda was selected as a Top 100 Health Care Lawyer in the State of New York in 2013; listed in The Best Lawyers in America, 2013-2017 for mass tort litigation/class actions – defendants; and selected by peer review for inclusion in Super Lawyer directory 2010-2016 for business litigation. She is a frequent lecturer, organizer and contributor of written materials at accredited national, regional and local continuing legal education programs for attorneys.

Carrie H. Cohen



PARTNER

250 WEST 55TH STREET
NEW YORK, NY 10019-9601
(212) 468-8049
CCOHEN@MOFO.COM

EDUCATION

CORNELL UNIVERSITY
(B.A., 1989)
UNIVERSITY OF
PENNSYLVANIA LAW
SCHOOL (J.D., 1993)

BAR ADMISSIONS

NEW YORK

PRACTICES

WHITE-COLLAR DEFENSE
FCPA + ANTI-CORRUPTION
SECURITIES LITIGATION

Carrie H. Cohen has a distinguished record of success in the courtroom handling high-stakes litigation, with a particular focus on white-collar and securities cases. Prior to joining the firm, she was an Assistant United States Attorney in the Southern District of New York, where she tried public corruption, investment fraud, and securities cases, including securing the conviction of Sheldon Silver, the longtime Speaker of the New York State Assembly, on corruption and money laundering charges. Ms. Cohen also served in the New York State Attorney General's Office, as Chief of the Public Integrity Unit in the Criminal Division, and as an Assistant Attorney General in the Civil Rights Bureau, receiving the Louis J. Lefkowitz Memorial Award for outstanding service.

Ms. Cohen is an experienced trial attorney, having tried both criminal and civil cases, and has vast experience conducting large and complex criminal and civil investigations involving federal, state, and local agencies and regulators. In addition to being the lead prosecutor in the Sheldon Silver case, Ms. Cohen has been lead or co-lead counsel on other significant public corruption cases, including the prosecution of then-state Comptroller Alan Hevesi for personal use of state employees' time, and on investment and securities fraud trials, including a significant multi-stock securities fraud case and an \$80 million Ponzi scheme case. As a former federal and state prosecutor, Ms. Cohen focuses on white-collar criminal matters, securities and investment fraud cases, internal investigations, regulatory enforcement proceedings, and bribery, procurement, money laundering, and enterprise corruption cases. Prior to her government service, Ms. Cohen spent six years in private practice, including as a litigation associate at Morrison & Foerster.

Ms. Cohen is a bar association leader and regular speaker at white-collar and bar association programs. Among her many public service roles, Ms. Cohen has held numerous bar leadership positions, including serving as the past Vice President of the New York City Bar, chair of its Executive Committee, and a member of its Nominating Committee, and former Chair of the Federal & Commercial Litigation Section of the New York State Bar Association. Ms. Cohen currently serves on the Advisory Group to the New York Federal-State Judicial Council, as a representative to the New York State Bar Association House of Delegates, and as a member of the Federal Bar Council, American Inns of Court. Ms. Cohen also has been a leader in advancing women in the legal profession both in the United States and globally, and she currently serves as a member of the New York City Bar's Cyrus R. Vance Center for International Justice, where she spearheads a professional development program for women attorneys in Latin America. Carrie Cohen is also an Adjunct Professor at the University of Pennsylvania Law School.

Representative Matters:

- Represent a transportation company at trial in the Southern District of New York for a civil case brought by the New York State Attorney General's Office and the City of New York alleging illegal transportation of untaxed cigarettes.

- Represent an investment adviser charged in the Eastern District of New York with alleged investment fraud.
- Represent a real estate executive charged by the New York State Attorney General's Office with alleged bid-rigging.
- Represent a New York State judge charged with bribery in state court by the New York State Attorney General's Office.
- Represent a venture capital fund manager charged in the Southern District of New York with securities fraud; obtained a significantly below-guidelines sentence.

Hon. Mae A. D'Agostino
U.S. District Judge

Judge D'Agostino is a graduate of Syracuse University College of Law. She has been a District Judge in the Northern District of New York since 2011. Prior to that time, Judge D'Agostino was a trial lawyer, concentrating in medical malpractice defense. She is fellow of the International Academy of Trial Lawyers and also of the American College of Trial Lawyers.

KATHLEEN R. DeCATALDO, ESQ. is the Executive Director of the New York State Permanent Judicial Commission on Justice for Children where she is responsible for developing and implementing the work of the Commission which aims to improve the lives and life chances of children involved in the court system. Responding to emerging child welfare, juvenile justice and related health, education and other wellbeing issues, Ms. DeCataldo is responsible for the development of materials, training aids, trainings and conferences to enhance judicial and other professionals' knowledge and understanding of the issues as a means to better serve children involved with the court system. Ms. DeCataldo advocates for the Commission's agenda by developing legislative, administrative and other reforms; speaking at state, national and local events; serving on leadership committees and advisory groups, including the , the New York State Education Department School Safety Task Force, the New York City Mayor's Leadership Team on School Climate and Discipline, New York Initiative for Children of Incarcerated Parents Steering Committee and New York State Child Welfare Court Improvement Project Advisory Group; and conducting trainings and forums. Ms. DeCataldo received the 2016 New York State Bar Association Howard A. Levine Award for excellence in child welfare and juvenile justice. In September, Ms. DeCataldo received the New York City Police Department School Safety Partnership Award for her work on the Mayor's Leadership Team on School Climate and Discipline. Prior to coming to the Commission, Ms. DeCataldo served as Assistant Deputy Counsel and Director of Legislation and Special Projects at the New York State Office of Children and Family Services. Ms. DeCataldo was appointed by the U.S. District Court for the Eastern District of NY as the State representative to the Nicholson Review Committee arising from the *Nicholson v. Scopetta* litigation 2001-2004 and Co-chair of the statewide collaborative Adoption Now Workgroup. While at OCFS, Ms. DeCataldo was instrumental in the passage of the Permanency Bill, Chapter 3 of the Laws of 2005, and the PINS Diversion law, Chapter 57 of the Laws of 2005. Ms. DeCataldo received the 2006 OCFS Commissioner's Award for Merit/Employee of the Year. Ms. DeCataldo served as Family Court Judge in Schenectady County in 2000. Prior to that time she served as a law guardian and attorney for parents in child protective, family violence, and juvenile justice proceedings. Ms. DeCataldo is a graduate of Albany Law School and the State University of New York at Stony Brook.



Judge Victoria A. Graffeo

MEMBER

“The analytical skills that I honed as an appellate jurist are of great benefit when serving clients with complex legal issues.”

CONTACT

vgraffeo@harrisbeach.com
(518) 701-2744

AREAS OF EXPERIENCE

Alternative Dispute Resolution -
Leader
Appellate - Leader
Business and Commercial
Litigation
Government Compliance and
Investigations
Expert Witness Opinions and
Testimony on New York Law

EDUCATION

JD, 1977, Albany Law School
BA, 1974, State University of New
York College at Oneonta

ADMISSIONS

New York
United States District Court
Northern District of New York
Southern District of New York
Eastern District of New York
United States Court of Appeals
Second Circuit
United States Supreme Court

Drawing on her many years of serving on the bench of the New York State Court of Appeals, the Appellate Division, Third Department and the State Supreme Court, Judge Graffeo is involved in appeals, commercial litigation in federal and state courts, and represents clients in government compliance matters. She also serves as a mediator and is a neutral arbitrator with the American Arbitration Association.

With 16 years of service on New York appellate courts, Judge Graffeo has worked with domestic and foreign law firms engaged in international lawsuits governed by New York law that involve significant breach of contract claims, corporate disputes and other commercial litigation.

Prior to joining Harris Beach, Judge Graffeo served a 14-year term on New York State's highest court, the New York Court of Appeals, from December 2000 to November 2014, ending her tenure as Senior Associate Judge. She authored over 250 civil and criminal majority opinions for the Court and she was appointed by the Chief Judge to serve as Chair of several Access to Justice committees. In April 1998, she was designated to serve as an additional Associate Justice of the Appellate Division of the New York Supreme Court in the Third Judicial Department. In September 1996, Judge Graffeo was appointed to fill a justice vacancy on the New York State Supreme Court in the Third Judicial District and was elected to a full term of office commencing January 1, 1997. She presided over jury and nonjury trials, hearings, motion arguments and other proceedings in Albany, Rensselaer, Schoharie, Sullivan and Ulster counties.

Her judicial appointments included chair of the New York State-Federal Judicial Council, chair of the Advisory Committee on the Pro Bono Scholars Program, co-chair of the Advisory Committee on New York State Pro Bono Bar Admission Requirements, chair of the Advisory Committee on Pro Bono Service By In-House Counsel In New York State, Court of Appeals Liaison to the New York State Board of Law Examiners and member of the American Bar Association's Legal Education and Bar Admission Section.

From January 1995 to September 1996, Judge Graffeo served as Solicitor General and Counsel to the New York State Attorney General. She was

involved with the executive and administrative matters of the Office of the Attorney General, with more than 400 attorneys. As head of the Appeals and Opinions Bureau, she was directly responsible for management of the state's federal and state appellate litigation and the rendering of Attorney General Opinions to state agencies and municipalities. Judge Graffeo had responsibility for the review and approval of hundreds of briefs to the United States Supreme Court, the United States Court of Appeals for the Second Circuit, the New York State Court of Appeals and the Appellate Divisions of the New York State Supreme Court.

Previously, Judge Graffeo had a number of posts in state government from 1982 to 1994. She served as Chief Counsel to the Assembly Minority Leader of the New York State Assembly, Counsel to the Minority Leader Pro Tempore of the New York State Assembly and Assistant Counsel of the New York State Division of Alcoholism and Alcohol Abuse. She began her legal career as a litigation associate in an Albany law firm.

PROFESSIONAL + COMMUNITY ACTIVITIES

New York State Bar Association, member

New York City Bar Association, member

New York State Academy of Trial Lawyers, member

Albany County Bar Association, member

Women's Bar Association of the State of New York, past president of the Capital District Chapter

Capital District Italian-American Bar Association, Vice President

Third Judicial Department, Character and Fitness Committee, member

New York Business Development Corporation, New York State Senate appointee to Board of Directors

Opera Saratoga, Board of Directors

Forum for Executive Women, member

Zonta Club of Albany, member

Albany Law School, National Alumni Council, former member

SUNY Oneonta Alumni Association, past treasurer and board member

RECOGNITION

Best Lawyers, Appellate Practice, 2017

New York Law Journal, Lawyers Who Lead by Example Lifetime Achievement Honoree, 2016

New York State Comptroller, Thomas P. DiNapoli, Received Italian Heritage and Culture Award, 2016

New York State Bar Association, Vincent E. Doyle, Jr. Award for Outstanding Judicial Contribution to the Criminal Justice System, 2015

Legal Aid Society of Northeastern New York and the Albany County Bar Association, Recognized for her work on Access to Justice Initiatives, 2015

Fund for Modern Courts, Career Public Service Award, 2015

Discover True Engagement™

Capital District Italian-American Bar Association, Hon. Anthony V. Cardona Award for “excellence in service and commitment to the legal community,” 2015

American Italian Museum in Albany, Inducted into the Wall of Fame, 2015

New York State Senate and Assembly Resolutions, Recognition of contributions to the Italian-American community in the Capital District and public service, 2015

RECENT PUBLICATIONS + SPEAKING ENGAGEMENTS

- “CPLR Article 78 Challenges to Administrative Determination,” chapter in *Commercial Litigation in New York State Courts*, Fourth Edition, published by Thomson Reuters
- “New York’s 50-Hour Pro Bono Requirement,” chapter in *Beyond Elite Law: Access to Civil Justice in America* published by Cambridge University Press, April 2016
- “Effective Appellate Practice,” New York State Bar Association’s Trial Lawyers Section, July 7, 2015
- Introduction to *Attorney Escrow Accounts – Rules, Regulations and Related Topics*, Fourth Edition, New York State Bar Association, June 2015



Henry M. Greenberg
Shareholder

greenbergh@gtlaw.com
Direct: +1 518.689.1492

Albany
54 State Street
6th Floor
Albany, NY 12207
USA
T +1 518.689.1400
F +1 518.689.1499

Litigation | Health & FDA Business | Government Law & Policy

A former Counsel to the New York State Attorney General, General Counsel to a major New York State agency and federal prosecutor, Hank Greenberg has handled numerous high-profile matters. He concentrates his practice on civil litigation, criminal and civil investigations, health law matters, and regulatory and administrative law.

From 2007 to 2010, Hank served as Counsel to then New York State Attorney General (now Governor) Andrew M. Cuomo. In that capacity, he worked on some of the agency's most significant litigation and public policy initiatives. He also served as General Counsel for the New York State Department of Health (1995 to 2000), where he was the chief legal advisor to the Commissioner of Health and administered an office of more than 100 attorneys engaged in virtually all aspects of administrative law.

Amongst the other government posts he has held, Hank served as Counsel to the Lieutenant Governor of New York State (1995), an Assistant United States Attorney (AUSA) for the Northern District of New York (1990 to 1995) and law clerk to then Associate Judge (later Chief Judge) Judith S. Kaye of the New York Court of Appeals (1988-1990). As an AUSA, he prosecuted numerous federal criminal cases, including white collar crime and public corruption.

In 2014, on the recommendation of Governor Cuomo, the State Commissioner of Education appointed Hank to serve as Fiscal Monitor for the troubled East Ramapo School District in Rockland County. Two years earlier, the Commissioner appointed Hank special investigator to conduct a complete review of the Education Department's processes for receiving, reviewing and investigating reports of alleged improprieties involving student assessments. In both investigations, Hank delivered reports with recommendations to the State's Board of Regents that resulted in significant regulatory reforms.

Hank has held numerous leadership positions with the 74,000 member New York State Bar Association. He is chair of the Committee on the New York State Constitution, vice-president of the 3rd Judicial District, and a member of the Executive Committee and House of Delegates. He also was chair of the Committee on Court Structure and Operations, Legislative Policy Committee, Special Committee on Law School Loan Assistance for the Public Interest, and Committee on Attorneys in Public Service.

Hank serves on a number of professional committees and other bodies. He is counsel to the New York State Commission on Judicial Nomination, which nominates New York's Court of Appeals Judges; chairs

the Third Department Judicial Screening Committee and the New York State Fair Advisory Board; and is a member of the State Judicial Screening Committee, Judicial Task Force on the New York State Constitution and the State Commission on the Restoration of the Capitol. He is vice chair of Statewide Programming for The Historical Society of the New York Courts, a Life Fellow of the New York Bar Foundation, and a member of the New York State Judicial Institute on Professionalism in the Law and the Advisory Group of the New York State and Federal Judicial Council.

Hank is a frequent lecturer and has been published numerous times on a wide range of legal subjects, including constitutional law, administrative law, criminal procedure, trial and appellate practice, health law, legal history and judicial philosophy.

Areas of Concentration

- > Civil litigation
- > Criminal and civil investigations
- > Health care
- > Regulatory and administrative law
- > White collar criminal litigation
- > Appellate practice

Professional and Community Involvement

- > Counsel, New York State Commission on Judicial Nomination, 2013-Present
- > Chair, Third Department Judicial Screening Committee, 2011-Present
- > Member, New York State Judicial Screening Committee, 2011-Present
- > Member, Judicial Task Force on the New York State Constitution, 2016-Present
- > New York State Bar Association
 - Vice President, Third Judicial District, 2016-Present
 - Chair, Committee on the New York State Constitution, 2015-Present
 - Member, Executive Committee, 2016-Present
 - Member, Executive Director Search Committee, 2016-2017
 - Committee on Court Structure and Operations
 - Chair, 2014-2015
 - Vice-Chair, 2011-2014
 - Member, House of Delegates, 2004-2008, 2014-Present
 - Chair, Legislative Policy Committee, 2002-2006

Education

J.D., *cum laude*, Syracuse University College of Law, 1986

- > Board Member, Moot Court
- > Member, Justinian Honorary Law Society
- > Member, Order of Barristers
- > Recipient, Dean Paul Shipman Andrews Memorial Award
- > Team Member, "Outstanding Contribution to Team Competition," Moot Court Team Award
- > Two-Time Recipient, "Excellence in Advocacy," Lewis F. Powell, Jr. Medal, American College of Trial Lawyers and the American Bar Association
- > Winner, "Best Trial Advocate - All Rounds, Region II," National Trial Competition
- > Winner, "Best Oral Argument in Regional Final, Region II," National Appellate Competition
- > President, Law Student Senate, 1985-1986
- > Member, *Syracuse Journal of International Law and Commerce*, 1984-1986
- > Notes and Comments Editor, 1985-1986
- > Staff Editor, 1984-1985

B.A., with honors, University of Chicago, 1983

Admitted to Practice

- > New York
- > U.S. Court of Appeals for the Second Circuit
- > U.S. District Court for the Eastern District of New York
- > U.S. District Court for the Northern District of New York
- > U.S. District Court for the Southern District of New York
- > U.S. District Court for the Western District of New York

Hon. Judy Harris Kluger
Sanctuary for Families, Executive Director

Since assuming the role of Executive Director at Sanctuary for Families, Judge Kluger has secured substantial new sources of private and public funding, growing the agency budget from approximately \$15 million to a budget of \$20 million today. Prior to joining Sanctuary, Judge Kluger served for 25 years as a judge in New York State, most recently as Chief of Policy and Planning for the court system, where amongst her responsibilities was oversight of New York State's 350 problem-solving courts. In 2013, she received the Award for Excellence in Public Service from the New York State Bar Association and is a prior recipient of Sanctuary's Abely Award for Leading Women and Children to Safety.

PARTNER

Marilyn C. Kunstler

[vCard](#) / [PDF](#) / [Email](#) / [Add to Binder](#)

New York

575 Lexington Ave
7th Floor
New York, NY 10022
Phone 212 446 2393

PROFILE

Marilyn is a trusted litigator who focuses on complex commercial and securities litigation, internal investigations, and corporate governance reviews.

She represents both plaintiffs and defendants in litigation concerning the financial markets and corporate governance disputes. She has represented boards of directors, corporations, investment banks, private equity investors, hedge funds, and accounting firms in a wide variety of matters in state and federal courts around the country. These matters have included securities litigation, shareholder derivative suits, business disputes, bankruptcy litigation, SEC and other governmental investigations, as well as numerous internal investigations.



PRACTICES ×

Banking and Financial Services
Global Investigations and White Collar Defense
Securities Litigation

EDUCATION ×

Columbia Law School, J.D.; Columbia Law Review; Harlan Fiske Stone Scholar
University of Washington, M.A., English
University of Washington, B.A., *with distinction*, English

ADMISSIONS ×

Bars

In addition to representing clients, Marilyn serves on the Board of Directors of the New York Women's Bar Association Foundation. From 2010 to 2013, she chaired the Federal Courts Committee of the New York City Bar Association. She was appointed to the Advisory Group of the Judicial Improvements Committee of the U.S. District Court for the Southern District of New York, addressing efficient management of complex litigation. Marilyn is a founding member of the Advisory Group of the New York State-Federal Judicial Council and served as co-chair from 2000 to 2007. She speaks regularly on issues concerning corporate governance, management of complex litigation, and e-discovery.

Before joining Boies Schiller Flexner, Marilyn was associated with the New York City firms of Davis Polk & Wardwell and Schulte Roth & Zabel, where her practice focused on securities and commercial litigation, and internal investigations.

EXPERIENCE

Marilyn's most significant recent matters include:

- Representing the new corporate directors of Viacom in class actions alleging that -- by accepting their positions -- aided and abetted breaches of fiduciary duty by Sumner Redstone and his daughter, Shari
- Representing a multibillion dollar investment company in securities fraud claims against the promoters, auditors, and principals of a failed reverse merger with a Chinese operating company, subsequently identified as a massive international fraud, in which Marilyn defeated nine motions to dismiss
- Representing one of the largest publicly traded hedge funds in the world and settling a potential billion dollar claim in a securities class action for \$32.5 million

New York

U.S. Supreme Court

U.S. Court of Appeals: Second Circuit

U.S. Court of Appeals: Third Circuit

U.S. Court of Appeals: Seventh Circuit

U.S. District Court: Southern District of New York

U.S. District Court: Eastern District of New York

AWARDS AND ASSOCIATIONS

2012 Office of Appellate Defender's First Monday in October, selected to serve as mock Supreme Court Justice

2011 American Inns of Court Professionalism Award for the Second Circuit

New York City Bar Association (Chair, Federal Courts Committee, 2010-2013)

New York Women's Bar Association Foundation, Inc. (Board of Directors)

New York Fair Trial/Free Press Conference (Board of Trustees)

Advisory Group to the New York State-Federal Judicial Council (Founding Member, Co-Chair, 2001-2007)

Recognized as one of the Top Lawyers in *New York-Metro Super Lawyers* magazine regularly since 2006

CLERKSHIPS

Hon. Robert R. Beezer, U.S. Court of Appeals: Ninth Circuit

HOWARD A. LEVINE

PERSONAL

Date of Birth: March 4, 1932

EDUCATION

Schenectady, New York Public School System

B.A. Yale University – 1953

LL.B. Yale University – 1956

EXPERIENCE

Admitted to New York State Bar 1956

- 1956-1957 Assistant in instruction and research in criminal law, Yale Law School
- 1957-1959 Associate of Hughes, Hubbard, Blair and Reed, Attorneys, New York City
- 1959-1970 In private practice, Schenectady
- 1961-1966 Assistant District Attorney, Schenectady County
- 1963-1964 Part-time clerk to Justice James Gibson, Appellate Division, Third Department
- 1967-1970 District Attorney, Schenectady County
- 1971-1980 Family Court Judge, Schenectady County
- Also served at civil and criminal jury terms by assignment as an Acting County Judge, Schenectady, Suffolk and Westchester Counties
- 1981 Justice of the Supreme Court, Fourth Judicial District, State of New York
- 1982-9/1993 Associate Justice, Supreme Court Appellate Division, Third Department
- 9/8/1993-12/31/2002 Associate Judge, New York State Court of Appeals
- 2000-2002 Chair, New York Federal-State Judicial Council
- 2003-2005 Robert H. Jackson Distinguished Professor of Law, Albany Law School
- 2003 Jurist-in-Residence, Siena College
- 2003-present Senior Counsel, Whiteman Osterman & Hanna, LLP
- 2007-present United States Court of Appeals Second Circuit Committee on Attorney Admissions and Grievances
- 2007-2011 New York State Commission on Public Integrity

PROFESSIONAL HONORS

- 2003 Recipient of New York State Bar Association's Annual Gold Medal Award for "Distinguished Service In The Law," the highest honor the State Bar bestows on a member of the legal profession
- 2000 Recipient of Distinguished Public Service Award, Federal and Commercial Litigation Section, New York State Bar Association
- 1987 Creation of New York State Bar Association "Howard A. Levine Award for Excellence in Juvenile Justice and Child Welfare" to be given annually by the Association's Committee on Juvenile Justice and Child Welfare
- 1980 Recipient of New York State Division for Youth's "Service to Youth" Award

HOWARD A. LEVINE

PROFESSIONAL ACTIVITIES

- Presently Member, American Bar Association
Member, American Law Institute
Member, Schenectady County Bar Association
Member, New York State Bar Association (past Chairman, Special Committee on
Juvenile Justice: 1979-1985; Secretary, Judicial Section: 1980-1981
- Previously President, Association of Family Court Judges of the State of New York 1979-1980
New York State Division for Youth Independent Review Board 1975-1980
Juvenile Justice Advisory Board of the State Division of Criminal Justice Services
1975-1980
Member, New York State Temporary commission on Child Welfare 1974-1982
Member, New York State Temporary Commission on Recodification of the Family
Court Act 1980-1984
Member, Governor's Select Commission on the Future of the State/Local Mental
Health System 1984-1985
Member, New York State Supreme Court Justices' Committee on Pattern Jury
Instructions 1985-1993



Judge Jonathan Lippman
Of Counsel

E jonathan.lippman@lw.com

New York

885 Third Avenue
 New York, NY 10022-4834

USA

T +1.212.906.1622

Bar Qualification

New York

Education

JD, New York University School of Law, 1968

Public Service Award ('03)

BA, New York University, 1965
 Phi Beta Kappa; *cum laude*

Languages

English

Practices

Supreme Court & Appellate

Litigation & Trial Practice

Complex Commercial Litigation

PROFILE

Drawing upon four decades of experience in the New York State Court system, The Honorable Jonathan Lippman provides strategic counsel to clients on New York Law and appellate matters nationwide. Chief Judge Lippman is Of Counsel in the New York office of Latham & Watkins and a member of the firm's Litigation & Trial Department.

Chief Judge Jonathan Lippman joined Latham & Watkins' New York office after retiring as the Chief Judge of New York and Chief Judge of the New York Court of Appeals, the state's highest court. Chief Judge Lippman advises clients on New York law and appellate matters nationwide and is a leader of the firm's pro bono practice, with a particular concentration on matters involving issues of access to justice.

Chief Judge Lippman has served at all levels of the New York State Court system throughout his career, including as staff attorney, administrator and judge. His administrative service includes six years as Chief Clerk and Executive Officer of the New York Supreme Court for New York County (Civil Term) and six years as the Deputy Chief Administrator for Management of the New York State Courts, during which time he was responsible for managing and overseeing the day-to-day operation of the statewide court system.

Chief Judge Lippman was appointed by Governor Pataki as Judge of the New York Court of Claims in 1995, and served by appointment from 1996 to 2007 as Chief Administrative Judge of the New York State Courts, the longest tenure of anyone to have held this position. He was elected to New York's Supreme Court in 2005, and in 2007 Governor Spitzer appointed Chief Judge Lippman as Presiding Justice of the New York Appellate Division, First Department. He was appointed by Governor Paterson as Chief Judge of New York two years later, serving until 2015.

Throughout his career in the New York State Courts, Chief Judge Lippman authored major decisions addressing constitutional, statutory and common law issues shaping the law of New York, the contours of state government and the lives of all state citizens. He has been centrally involved in many significant reforms of the judiciary and legal profession, and has taken an active leadership role in identifying permanent funding for civil legal services. Chief Judge Lippman speaks and writes frequently on matters related to court and legal reform and social justice issues.

Chief Judge Lippman has received numerous awards and honors, and has held many prominent national leadership positions throughout his career.

Gregory A. Litt

Skadden

Partner, New York

International Litigation and Arbitration



T: 212.735.2159
F: 917.777.2159
greg.litt@skadden.com

Education

J.D., University of Texas
School of Law, 2001
M.P.Aff., University of Texas, 2001
B.A., Brandeis University, 1996

Bar Admissions

New York
Texas

Experience

Law Clerk, Hon. Amalya L. Kearsse,
U.S. Court of Appeals for the
Second Circuit (2001-02)

Gregory A. Litt represents clients in complex commercial disputes, focusing on disputes arising out of international business transactions and other cross-border affairs. He regularly appears as an advocate before U.S. federal and state courts and international and domestic arbitration tribunals, including the ICC, the LCIA, the AAA and ICDR and others.

Mr. Litt helps clients navigate every aspect of international business conflicts, serving as coordinating counsel in multi-jurisdictional disputes and addressing problems involving multiple parties, governments, regulators, NGOs and the media. He advises on specialized international legal issues including international forum and jurisdiction disputes, the enforcement of arbitration agreements, extraterritorial discovery and international judgment enforcement, and represents clients in mediation and settlement negotiations.

Recognized as a "Rising Star" in International Arbitration by *Euromoney's Guide to the World's Leading Experts in Commercial Arbitration*, Mr. Litt has worked in wide array of industries, including accounting, aviation, construction, energy, banking and finance, hospitality, insurance, media, publishing and telecommunications. He also has played a significant role in some of the world's most important disputes involving FIFA and the business of international football.

Notable representations have included:

- LCIA arbitration on behalf of Japanese telecommunications company NTT Docomo, resulting in a \$1.2 billion award against Tata Sons Limited of India;
- international litigation on behalf of Channel Islands-based aircraft leasing company Flight-lease Holdings, as plaintiff in New York state court, resulting in a \$400 million judgment against European aircraft manufacturer Airbus;
- ICDR arbitration on behalf of an Anglo-Irish Bank concerning management of a New York real estate investment fund, resulting in a complete victory and control of the fund;
- defense of international judgment enforcement proceedings in U.S. federal and state court on behalf of Canadian Imperial Bank of Commerce, including a substantial victory in New York's highest state court;
- a U.S. energy company against a Korean gas company in a Singapore-venued ICC arbitration and related strategic corporate maneuvers over the ownership and control of a Korean joint venture, resulting in a highly successful disposition of assets;
- ICC Arbitration on behalf of a U.S. car rental company against a French bank in a \$450 million post-closing adjustment dispute with respect to the sale of a business in England; and
- a Brazilian sports marketing company as plaintiff in Florida litigation and in companion proceedings before FIFA and the courts of Paraguay against CONMEBOL, the soccer federations of 10 Latin American countries and their business partners.

Mr. Litt has been active in the international dispute resolution community for many years. He played a substantial role in the creation and launch of the New York International Arbitration Center, and he currently serves as co-chair of NYIAC's technology committee and a member of its audit committee. He frequently publishes articles and book chapters, gives lectures and participates in industry panels on international arbitration and other aspects of international disputes.

Presiding Justice Karen K. Peters



- Became the first woman to be Presiding Justice of the Third Department when appointed by Gov. Andrew Cuomo on April 5, 2012.
- Appointed to the Third Department on February 3, 1994 by Gov. Mario Cuomo.
- A graduate of George Washington University (1969) and New York University School of Law (1972).
- Began her legal career in private practice, later serving as an Assistant District Attorney in Dutchess County.
- A former assistant professor at the State University of New York at New Paltz.
- Served as counsel to the State Division of Alcoholism and Alcohol Abuse from 1979 to 1983 before becoming director of the State Assembly Government Operations Committee in 1983.
- Judicial career began with her election to the Ulster County Family Court in 1983.
- In 1992, became the first woman elected to the Supreme Court in the entire Third Department, and was re-elected in 2006.
- Served as a member of the Commission on Judicial Conduct from 2000 to 2012.
- Chair of the State Bar Association Committee on Judicial Wellness and has also served on that Association's Special Committee on Alcoholism and Drug Abuse, Special Committee on Procedures for Judicial Discipline, and the President's Committee on Access to Justice.
- Received numerous awards, including the State Bar Association's Judicial Section Inaugural Award for Advancement of Judicial Diversity, the Center for Women in Government and Civil Society's Public Service Leadership Award, the Capital District Women's Bar Association Judge Kaye Distinguished Membership Attorney Award, Albany Law School's Kate Stoneman Award and the Robert L. Haig Award for Distinguished Public Service.



Edna Sussman, SussmanADR LLC, Mailing Address: 20 Oak Lane, Scarsdale New York 10583
New York City Address: Suite 3500, 10 East 40th Street, New York, NY 10016
E-mail: esussman@SussmanADR.com Tel: 212-213-2173

Edna Sussman is a full time independent arbitrator and mediator and is the Distinguished ADR Practitioner in Residence at Fordham University School of Law. She was formerly a litigation partner at the law firm of White & Case LLP. Ms. Sussman has served as the chair, sole and co-arbitrator in over 200 complex commercial disputes and over 150 complex commercial mediations, both international and domestic, under various institutional rules and ad hoc involving contract interpretation, financing and banking transactions, energy, environment, franchises/distributorships, partnership and joint venture, insurance, mergers/acquisitions, accounting, intellectual property, construction, securities, real estate, pharmaceuticals, hospitality, aviation and professional liability. Ms. Sussman is a member of the panel of many of the leading dispute resolution institutions including the AAA, ICDR, AAA/ICDR Energy Arbitrators list, CPR, Hong Kong, Singapore, South China, Shanghai, Swiss, Vienna, Korea, Kuala Lumpur, Vietnam, British Columbia, Dubai, Lagos and Kigali Arbitration and Mediation Centres, U.S. Institute for Environmental Conflict Resolution, Financial Industry Regulatory Authority, and the National Futures Association and is listed by the ICC. Ms. Sussman serves on mediation panels of federal, state, bankruptcy courts in NYC.

Ms. Sussman serves on the Board and as immediate past President of the College of Commercial Arbitrators and sits on the Board of the American Arbitration Association. She is the chair of the AAA-ICDR Foundation and is the Vice-Chair of the New York International Arbitration Center. Ms. Sussman is a fellow of the Chartered Institute of Arbitrators and certified by the International Mediation Institute. She is a former Chair of the Dispute Resolution Section of the NYS Bar Association and serves as co-editor-in-chief of the NY Dispute Resolution Lawyer. She is a past co-chair of the Arbitration Committees of the ABA's International and Dispute Resolution Sections and served as the chair of the Renewable Energy Comm. and the Alternative Dispute Resolution Comm. of the ABA's Section of Environment Energy and Resources. Ms. Sussman served as the chair of the NYC Bar Association's Energy Comm. and the ADR Comm. of the Energy Bar Association. Ms. Sussman is recognized by Chambers International and Chambers USA for International Arbitration, in the International Who's Who of Commercial Arbitration and Commercial Mediation and by SuperLawyers and Best Lawyers. She was named as one of the ten outstanding international mediators by Who's Who Legal 2013 and selected as Best Lawyer's "2012 New York City Mediation Lawyer of the Year" and recognized in Chambers USA for mediation. A graduate of Barnard College 1970, and Columbia Law School 1973, Ms. Sussman has lectured and published widely on arbitration, mediation, energy and environmental issues.

RANDOLPH F. TREECE

E-mail: (W) rtreece@joneshacker.com
(H) law2jazz@gmail.com

59 Sutherland Drive, Watervliet, NY 12189

(W) 518 - 270-1250
(H): 518-436-9938

BIOGRAPHICAL PROFILE

On May 9, 2016, Randolph F. Treece joined E. Stewart Jones Hacker Murphy LLC, as of counsel specializing in mediations, arbitrations, civil rights, employment, and personal injury litigation.

Mr. Treece was appointed on April 26, 2001, Magistrate Judge to the United States District Court for the Northern District of New York. On September 14, 2009, Judge Treece was re-appointed to a second term as United States Magistrate Judge, retiring on September 25, 2015.

Prior to his appointment as Magistrate Judge, Mr. Treece served as Counsel to the Office of the State Comptroller in H. Carl McCall's administration and directed and coordinated all aspects of the Division of Legal Services in accordance with the Comptroller's overall goals, objectives and philosophy. Prior to his appointment as Counsel in February 1999, Mr. Treece served as First Deputy Capital Defender of the New York State Capital Defender Office, appointed in September 1995 to manage the Albany Office and provide trial level representation to those accused of murder in the first degree who may face the sentence of death.

After graduating from Siena College in 1970, he worked with the big eight accounting firm of Peat, Marwick and Mitchell until he entered Albany Law School in 1973. He earned a Juris Doctorate from Albany Law School in 1976 and promptly commenced a private practice, specializing in criminal law and litigation. Mr. Treece maintained this private practice for eleven years. While in private practice, he also served as an Assistant Public Defender for Rensselaer County and taught at two area junior colleges. During his stint as Assistant Public Defender, he handled hundreds of cases in all of the trial courts and served as lead trial counsel on several high profile criminal cases. In 1987 Mr. Treece joined the New York State Department of Law as an Assistant Attorney General, practicing civil litigation until September 1995. There he handled many voluminous and complex tort cases filed against the State.

In 1989, Mr. Treece was appointed an adjunct professor at Albany Law School until 2005. In addition to teaching trial tactics, Mr. Treece has instructed a public defender criminal law clinic, conducted legal educational seminars, and occasionally is asked to be a guest lecturer in other law school classes as well as at other law schools and colleges.

Mr. Treece possesses a strong commitment to his community and has served on countless community boards of directors. He is a member of board of trustee of the Albany Palace Theater. He is trustee emeriti of the Board of Trustees of Albany Law School, and the former Board of Trustee of the Capital District YMCA, Hudson Valley Community College and Siena College. He served on three committees of the New York State Bar Association and as a former delegate to the House of Delegates. He also served on the Board of Directors of the New York Bar Foundation as Treasurer. He has served on the Board of Directors of the Albany County Bar Association for approximately ten years, serving as Treasurer of this association and served as Chair of the By-Laws Committee and the Association's Minority Lawyers Subcommittee and is the author of this Association's Minority Hiring Project and Diversity Internship Fellowship Program. He served as Board Member, Executive Vice-Chair and Acting Chair in 1996 of the Urban League of Northeastern New York, Inc.

Further, he has served on the Honorary Board of the Women's Law Project, Advisory Board of Albany Law School's Government Law Center, Advisory Board of Albany Law School-NAACP Legal Assistance Program and is one of the founders and former President of the Capital District Black Bar Association, now the Capital District Black and Hispanic Bar Association, and served as the President of the National Bar Association Region II Bar Foundation.

The Chief Judge of the New York Court System, Judith Kaye, appointed Mr. Treece to serve on the Jury Project that recommended many significant improvements to New York State's jury system. This appointment came after the Capital District Black Bar Association's report on minorities and juries, principally written by Mr. Treece, which received the Root/Stimson Award and is cited as an authority on the subject matter by other jurisdictions. Many of the Association's report were made into law. He also sat on the New York State Bar Association's Judicial Selection Committee and for five (5) years served in a similar capacity for the City of Albany.

Mr. Treece has been the recipient of an array of honors and awards. In January of 1996, Mr. Treece was awarded the Thurgood Marshall Justice Award from the Albany Chapter of the NAACP. On October 20, 1997, the New York Chapter of American Civil Liberties Union bestowed its Roland J. Smith Award for exemplary legal service upon him. In April 1998, the Urban League of Northeastern New York presented him with its McNamee Award for outstanding services as a Board Member. In April 1999, the Albany Law School Alumni Association bestowed its Distinguished Service Award upon Mr. Treece. The Albany County Bar Association in 2000 bestowed its 1999 President's Award and in the same year the Troy Boys and Girls Club inducted him into its Hall of Fame. On September 21, 2001, Mr. Treece's high school inducted him into its Hall of Fame. That same year Omega Phi Psi named him 2001 Citizen of the Year. The Center for Law and Justice bestowed its Frederick Douglas Award upon Mr. Treece in 2002. Also in 2002, the New York State Franklin H. Williams Judicial Commission on Minorities presented him with its Millennium Award. In March of 2004, Albany Law School bestowed its Distinguished Alumni in Government Award; in April, the Capital District Black and Hispanic Bar Association presented him with an award for Distinguished Service to Attorneys of Color; and, on October 15, the Troy Chapter of the NAACP presented him with its Outstanding Leadership Award. In late 2008, the Capital District YMCA bestowed its President's Award for 2009. In 2014, the Albany Chapter of the NAACP bestowed its Medgar W. Evers Award, in 2015, Albany Law School bestowed its Legal Profession Leadership Award, and in 2016, the Troy Boys and Girls Club bestowed its Lifetime Achievement Award.



Stephen P. Younger

Partner

spyounger@pbwt.com

Tel: 212-336-2685

Fax: 212-336-7981

Stephen P. Younger, Past President of the New York State Bar Association, is a leading commercial litigator who is also well-known for his alternative dispute resolution work. Having been with Patterson Belknap since 1985, Mr. Younger has more than 30 years of experience as a commercial litigator. As a seasoned trial lawyer, he has tried many cases in federal and state court and before arbitration panels. He also frequently argues appeals, particularly in the appellate courts of New York. Based on his significant ADR experience, he is often called on to serve as an arbitrator or mediator in high-stakes matters.

Mr. Younger's clients include financial institutions, mutual funds, hedge funds, pension funds and venture capital firms involved in commercial, securities and real estate disputes. He has also developed an extensive practice representing Latin American companies in U.S.-related matters.

In addition to his previous role as State Bar President, Mr. Younger has sat on numerous New York State Bar Association committees. He is Past Chair of the New York State Bar Association's Commercial and Federal Litigation Section, having previously served as Chair of its Securities Litigation Committee and of its ADR Committee. Mr. Younger also served as Chair of the New York State Bar Association's Task Force on Nonlawyer Ownership of Law Firms. He is a member of the ABA's House of Delegates, and Past Chair of the ABA's International Mediation Committee. He serves as the ABA's representative to the United Nations Economic and Social Council, and as a member of the ABA's Standing Committee on the American Judicial System and was Chair of the ABA Task Force on International Trade in Legal Services.

Mr. Younger was appointed to Governor Andrew M. Cuomo's Transition Committee and was also the Transition Director for Mr. Cuomo when he was the New York State Attorney General. He was also appointed to the Transition Committee for Attorney General Eric Schneiderman. Mr. Younger was a member of the Transition Committee for New York County District Attorney, Cyrus Vance. Mr. Younger was counsel to the New York State Commission on Judicial Nomination, which nominates New York's Court of Appeals Judges, and is a member of the Governor's First Department Judicial Screening Committee.

Mr. Younger serves on the Board of Directors for the CPR Institute for Dispute Resolution, and previously served as the Chair of its Executive Advisory Committee for seven years. He is also a founding board member of the New York International Arbitration Center. He is on the Board of Directors of the Fund for Modern Courts and received the Fund's John J. McCloy Award. He served on the Chief Judge's Task Force on Commercial Litigation in the 21st Century, and currently serves on both the Chief Judge's Commercial Division Advisory Council and the Advisory Committee to the New York County Commercial Division. He was formerly a member of the Chief

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Judge's Advisory Committee on New York State Pro Bono Bar Admission Requirements. A long time Trustee of Albany Law School, Mr. Younger is Past President of its National Alumni Council.

Mr. Younger has spoken at more than 200 seminars and written over 30 articles in the fields of securities litigation, commercial arbitration and international dispute resolution.

Prior to joining Patterson Belknap, Mr. Younger served as Law Clerk to the Hon. Hugh R. Jones, Associate Judge for the New York Court of Appeals.