

BIOGRAPHIES

Hon. P. Kevin Castel

Judge P. Kevin Castel entered service as a United States District Judge for the Southern District of New York on November 4, 2003. He is a former law clerk to Judge Kevin Thomas Duffy of the same Court and was in private practice for twenty-six years with Cahill Gordon & Reindel LLP, the last twenty as a partner. He graduated from St. John's University and its School of Law where he was Articles Editor of the Law Review and a St. Thomas More Scholar.

Judge Castel is presently the Chair of the Court's Grievance Committee, which is the committee handling lawyer discipline. He is a former President of the Federal Bar Council, former Chair of the Commercial and Federal Litigation Section of the New York State Bar Association and former President of the St. John's Law Alumni. He served on the First Department's Disciplinary Committee for twelve years. He is an Adjunct Professor at NYU School of Law where he teaches Professional Responsibility. He has been honored with the Haig Award by the Commercial and Federal Litigation Section, the Sprizzo Award by the Manhattan Chapter of the St. John's Law Alumni and an Honorary Doctor of Laws by St John's University.

Hon. Denny Chin

On April 26, 2010, Judge Chin was sworn in as United States Circuit Judge for the Second Circuit.

From September 13, 1994, through April 23, 2010, Judge Chin served as a United States District Judge for the Southern District of New York. He presided over a number of notable matters, including cases involving Megan's Law, the Million Youth March, Al Franken's use of the phrase "Fair and Balanced" in the title of a book, the Naked Cowboy, the Google Books Project, and the United Nations Oil for Food Program. He also presided over the trial of an Afghan warlord charged with conspiring to import heroin and the guilty plea and sentencing of financier Bernard L. Madoff.

Judge Chin graduated from Princeton University magna cum laude in 1975 and received his law degree from Fordham Law School in 1978. After clerking for the Honorable Henry F. Werker, United States District Judge for the Southern District of New York, he was associated with the law firm Davis Polk & Wardwell from 1980 to 1982. He served as an Assistant United States Attorney in the Southern District of New York from 1982 until 1986, when he and two of his colleagues from the U.S. Attorney's Office started a law firm, Campbell, Patrick & Chin. In 1990, he joined Vladeck, Waldman, Elias & Engelhard, P.C., where he specialized in labor and employment law.

Judge Chin has taught legal writing at Fordham Law School since 1986. While in private practice, he provided extensive pro bono representation to the Asian American Legal Defense and Education Fund. He served as President of the Asian American Bar Association of New York from January 1992 through January 1994. He has served on the boards of numerous non-profit organizations, including Hartley House, Care for the

Homeless, the Clinton Housing Association and the Prospect Park Environmental Center. He is currently a Vice President of the Fordham Law School Alumni Association, a member of the advisory boards of the Feerick Center for Social Justice and the Center on Law and Information Policy at Fordham Law School, and a member of the Board of Trustees of Princeton University.

Judge Chin is the recipient of the Woodrow Wilson Award from Princeton University, the Spirit of Excellence Award from the American Bar Association, the Edward Weinfeld Award from the New York County Lawyers Association, the Lifetime Achievement Award from Judicial Friends, the Abely Award for Leading Women and Children to Safety from Sanctuary for Families, the Medal of Achievement from the Fordham Law Alumni Association, and the J. Edward Lumbard Award from the U.S. Attorney's Office for the Southern District of New York.

Judge Chin was born in Hong Kong.

Hon. Loretta A. Preska

Chief Judge Loretta A. Preska is the Chief Judge for the United States District Court for the Southern District of New York. She was appointed to the Court in 1992 and has served as Chief Judge since June 1, 2009. Chief Judge Preska received a B.A. from the College of St. Rose in Albany, New York in 1970, a J.D. from Fordham University School of Law in 1973 and an LL.M. in Trade Regulation from New York University Law School in 1978. Following graduation from Fordham Law School, Chief Judge Preska was an associate at Cahill Gordon & Reindel, and an associate and, beginning in January 1983, a partner at Hertzog, Calamari & Gleason until her induction as a United States District Judge. Chief Judge Preska was nominated to the U.S. Court of Appeals for the Second Circuit in September 2008.

Hon. Angela M. Mazzarelli

Justice Angela M. Mazzarelli is an Associate Justice of the Appellate Division, First Department. She was educated in the public schools of Southboro, Massachusetts, graduated with honors from Brandeis University, and received her Juris Doctor Degree from Columbia University School of Law, where she was a teaching fellow in property law. Upon her graduation from law school, Justice Mazzarelli worked as a Legal Services lawyer in the South Bronx representing indigent persons in Housing and Family Courts. She then spent seven years as a Law Assistant in the Civil Term of the Supreme Court in Manhattan, and later worked as a Principal Law Clerk to a State Supreme Court Justice. When Justice Mazzarelli left that position, she entered private practice, specializing in civil litigation.

In addition to her many bar association and court committee activities, Justice Mazzarelli has been active in organizing educational programs for the community at large, lawyers, and other judges. She is a member of the Board of Directors of the Practicing Law Institute, and the National Organization of Italian American Women. She was the 1997 President of the Association of Justices of the Supreme Court of the State of New York.

Hon. Barbara R. Kapnick

Justice Barbara R. Kapnick was elected to the Civil Court in 1991, appointed as an Acting Supreme Court Justice in April 1994 and elected to the Supreme Court, New York County in 2001. During that time she handled many different Parts, and was assigned to the Commercial Division in September of 2008. She is a member of the New York State Bar Association, Judicial and Commercial and Federal Litigation Sections, and the New York City Bar, where she has served on numerous committees. She is a Master of the New York American Inn of Court, and is also a past president of the Jewish Lawyers Guild, where she remains active as a member of the Board of Governors. She is also a longstanding member of the New York Women's Bar Association where she previously served as Co-Chair of the Litigation Committee.

Since June 2008, Justice Kapnick has been a member of the Advisory Committee on Judicial Ethics. She also serves as Chairperson of the Board of Trustees of the New York County Public Access Law Library. Justice Kapnick sits on the Board of Directors of the Judges and Lawyers Breast Cancer Alert and the New York State Association of Women Judges. She is also active in the Supreme Court Justices Associations in New York, currently serving as President of the Citywide Association, and a member of the Executive Committee of the Statewide Association.

A frequent lecturer for many Bar Associations, Justice Kapnick has also received numerous awards, including the William Goodstein Memorial Award for Dedicated Service and Leadership from the Association of Law Secretaries to the Justices of the Supreme and Surrogate's Courts, the Benjamin N. Cardozo Award from the Jewish Lawyers Guild, and the Harlan Fiske Stone Memorial Award from the New York City Trial Lawyers Association.

Bernice K. Leber

Bernice K. Leber's practice concentrates on the prosecution and defense of complex civil business disputes, with an emphasis on those involving commercial disputes (real property, securities, financial and intellectual property). She also handles professional liability cases, ethics and disciplinary matters involving lawyers, law firms and accountants.

In her 30+ years as a lawyer, Bernice has represented clients in the construction, real estate, real estate development, law firm, accounting, securities and financial services industries. Notably, she litigated successfully the cancellation of a 99 year sale-leaseback and related financing and construction contracts for a developer, performed workouts of real estate financings for many real estate developers with banks – both with and without litigation and in and out of bankruptcy, represented developers, banks and financing companies in disputes over construction, zoning, environmental and financing issues, litigated successfully in the Second Circuit and Appellate Divisions bidding disputes on behalf of the Empire State Development Corporation and NYS Dormitory Authority, provided tax planning advice involving a closely held portfolio of \$1B, and handled federal tax treaty cases before IRS and the federal courts. She also has litigated

intellectual property actions in the advertising, sports, publishing, computer, fragrance, food, liquor and fashion industries. In the Second Circuit, Ms. Leber has represented domestic foreign public and closely-held companies (e.g., The Hillman Corporation, Amarex, AMI, Princeton Economics), banks, investment advisors and pension fund advisers under the securities, commodities exchange, ERISA and various state and tax laws as well as the New York State Bar Association in a lawsuit concerning ethical standards of lawyer advertising, lawyers and law firms on conflicts of interest, ethics rules.

In 2009, Bernice served as the 111th President of the New York State Bar Association, the largest voluntary bar association in the US (80,000 members). She also served three terms as a director of the New York Bar Foundation; three terms (ongoing) as a member of the Corporate Board Selection Committee of the Financial Women's Association; a member of the State Bar and ABA House of Delegates; member of the Executive Committee of the Intellectual Property Section of the New York State Bar Association; is a member of the Finance Committee of the State Bar Association. She chairs the Strategic Financial Planning Committee of the State Bar. She is also past First Vice-President from the 1st Judicial District to the State Bar, former chair of the New York State Bar Association's Commercial and Federal Litigation Section (1997-1998) and Past Chair-Elect of the Section; past Chair of the Subcommittees on Discovery, Appellate Practice, Federal Judiciary; and past member of the Courts of Superior Jurisdiction (1995-1998), Committee on Judicial Administration, and the Civil Courts Committee for the Association of the Bar of the City of New York.

In 2012, Bernice became a Distinguished Neutral, International Centre for Dispute Resolution (ICDR). In 2011, Bernice began serving on the Professional Ethics and Judicial Ethics Committee of the City Bar, has lectured to lawyers and clients on "hot button" ethics issues (City Bar January 2012; State Bar 2011) and has provided and continues to provide guidance as a member of the City Bar Ethics Hotline for inquiries on legal ethics. In 2011, Bernice was also appointed to Senator Charles E. Schumer's Judicial Selection Panel and to the Governor's New York State First Department Judicial Screening Committee.

Maria T. Vullo

Maria T. Vullo is a senior partner at Paul, Weiss, Rifkind, Wharton & Garrison LLP in the Litigation Department. Maria has significant trial and appellate experience in complex litigations and investigations, including in the areas of securities, real estate, insurance, tax, consumer fraud, bankruptcy, antitrust, constitutional law, and environmental law. Maria's professional experience includes numerous trials, arbitrations, mediations and evidentiary hearings; appellate arguments before the U.S. Supreme Court, U.S. Courts of Appeals for the Second, Ninth (including en banc) and Tenth Circuits, and the New York State Appellate Division, First and Second Departments. Maria returned to Paul, Weiss in 2011, after serving as Executive Deputy Attorney General for Economic Justice under New York State Attorney General Andrew Cuomo, where she led the Economic Justice Division, comprising the Bureaus of Investor Protection, Antitrust, Real Estate Finance, Consumer Frauds and Internet. While in the

Attorney General's office, Maria was responsible for significant investor protection, antitrust and consumer fraud matters, including Martin Act investigations and settlements, investigations and litigations regarding insurance company practices, allegations of price fixing, bid rigging and other antitrust violations, deceptive consumer marketing practices, and violations relating to cooperative and condominium offerings.

Maria's client representations have included financial institutions in investigations and civil lawsuits stemming from the financial crisis; investment banks in civil lawsuits regarding financial advice in connection with mergers and acquisitions; private equity firms involved in disputes arising out of investments; real estate developers in litigations involving purchase agreements and approvals by governmental agencies; corporations in proceedings before federal and state governmental agencies; domestic and international public corporations sued by shareholders for allegedly false and misleading disclosures; a major biotechnology company in a jury trial relating to a groundbreaking treatment for disease; debtors, equity and debt holders in bankruptcy litigations and trials involving debtor-in-possession financing, plan confirmation and claims of fraudulent conveyance, breach of fiduciary duty, and alter ego liability; regulated companies in proceedings before governmental agencies; a large communications company in litigation with a radio personality over a contractual noncompetepo clause; private and public corporations in tax disputes with federal and state agencies and private parties; manufacturing companies in litigations and arbitrations concerning business transactions; brokerage and trading firms in disputes with business partners; and other corporate and individual clients in complex litigation and investigatory proceedings.

In addition, Maria has demonstrated throughout her career a commitment to public service, *pro bono* representations, and community involvement. She has tried precedent-setting cases under the Alien Torts Claims Act and the Freedom of Access to Clinic Entrances Act, has authored numerous *amicus curiae* briefs before the U.S. Supreme Court and Circuit Courts of Appeals, and is a board member of several nonprofit organizations including the National Organization of Italian-American Women (Vice Chair), Common Cause/New York, the Women's Equality Coalition, Inc. (General Counsel), the Fund for Modern Courts, and the Citizens Crime Commission of New York City. In 2013, Maria was one of seven persons nominated by the New York State Commission on Judicial Nominations for the position of Associate Judge of the New York Court of Appeals. She has received numerous awards from peers and media, including the National Law Journal's "Hot Defense List" and "Top 10 Women Litigators," Crain's "40 Under 40" Recognition, and Super Lawyers from 2006 until the present. Ms. Vullo also serves on the Governor's First Department and State Judicial Screening Committees.

Ms. Vullo is a graduate of the College of Mount Saint Vincent (B.A., Political Science), New York University School of Law (J.D.), and Wagner Graduate School of Public Service (M.P.A.).

Thomas J. Kavalier

Thomas J. Kavalier is a member of the Executive Committee and Cahill Gordon & Reindel LLP's litigation practice group.

Tom has successfully litigated a variety of high-visibility matters for a roster of leading companies (and their boards, officers and directors) in virtually every major field, including financial services, entertainment, energy, telecommunications, publishing, professional services, insurance, food and agriculture, healthcare and heavy manufacturing.

Tom conducts jury trials, bench trials, appeals, commercial arbitrations (and other forms of A.D.R), and administrative and investigatory proceedings throughout the United States. He has served as an arbitrator for the American Arbitration Association, National Association of Securities Dealers, Better Business Bureau, New York Supreme Court and United States District Court for the Southern District of New York.

Tom is a Fellow of the American Bar Foundation and a Fellow of The International Academy of Trial Lawyers. He is also a Life Fellow of the New York Bar Foundation. He received the Fordham Law Alumni Association's Medal of Achievement in 1998 and the Fordham University School of Law Dean's Medal of Recognition in 2002.

Tom is a former Vice President of the Federal Bar Council and a former President of the Fordham Law Alumni Association. Tom also has been a member of the Judiciary Committee of the Association of the Bar of the City of New York.

Wayne N. Outten

Wayne N. Outten is a founding and the managing partner of Outten & Golden LLP. His practice focuses exclusively on representing individuals in all areas of employment law. He co-chairs the firm's Executives and Professionals Practice Group.

Mr. Outten was selected by his peers as one of the "Best Lawyers in America" every year since 1987 and as one of New York's Super Lawyers, where he is listed as one of the Top 100 New York Metro Super Lawyers every year since 2006. Best Lawyers designated him "Lawyer of the Year 2010" for Labor and Employment Law - New York City and "Lawyer of the Year 2012" for Litigation - Labor and Employment in New York City. He was selected for listing in Law Dragon every year since 2005 and was selected for the Lawdragon 500 Leading Lawyers in America in 2006 and for the Lawdragon 500 Leading Plaintiff Lawyers in America in 2007. Mr. Outten has been an AV Preeminent Rated Lawyer in the LexisNexis Martindale-Hubbell Top Rated Lawyers since 1992.

Mr. Outten is a founding member and leader in numerous professional associations, including the National Employment Lawyers Association (NELA), the College of Labor and Employment Lawyers, the Section of Labor and Employment Law of the American Bar Association, the New York State Bar Association's Labor & Employment Law Section, and the Employment Disputes Committee of the CPR Institute for Dispute Resolution. Mr. Outten has also lectured extensively on employment law, especially on negotiation, mediation, and arbitration of employment disputes, on employment and

severance agreements, and on retaliation and whistleblower claims. He is a widely published author whose work is frequently found in legal and popular publications.

Paul J. Napoli

Paul J. Napoli, a Senior Partner in the firm Napoli Bern Ripka Shkolnik LLP is nationally known as an advocate for his clients' rights in courts around the country, where he consistently achieves results in the multiple millions of dollars for injured plaintiffs. He routinely files individual and class cases in Federal and State Courts around the U.S.

Mr. Napoli was appointed by the Supreme Court of the State of New York as the Liaison Counsel for the New York State Consolidated Diet Drug litigations and for the New York State Rezulin litigations; he was also named Plaintiffs' Co-Liaison Counsel in the *In re: World Trade Center Disaster Site Litigation* pending before the U.S. District Court for the Southern District of New York by the Hon. Alvin K. Hellerstein.

Mr. Napoli was the lead attorney responsible for achieving settlements with numerous defendants totaling more than \$812 million for injured WTC first responders and construction workers and his firm was instrumental in lobbying the United States Congress for passage of the JAMES ZADROGA HEALTH AND COMPENSATION ACT OF 2010, which reconstituted the Victims' Compensation Fund for first responders as well as residents and employees who were exposed to WTC toxins in Lower Manhattan throughout late 2001 and into 2002. Mr. Napoli and his firm were also influential in pushing the State of New York to create a one-year safety net known as "JIMMY NOLAN'S LAW," by amending New York's General Municipal Law 50-i(4) for otherwise time-barred WTC claimants suffering from latent illness.

He has achieved more than 200 verdicts and settlements valued at over one million dollars. He has also achieved a \$52 million dollar settlement for contamination of municipal water supplies by spills of Methyl Tertiary Butyl Ether ("MTBE") by petroleum refiners and retailers; an \$875 million dollar settlement on behalf of users of a pharmaceutical that caused heart defects; an \$118 million dollar settlement on behalf of users of a pharmaceutical that caused heart defects; a \$220 million dollar settlement on behalf of users of a pharmaceutical that caused heart defects, as well as many other multimillion dollar mass tort and class action settlements.

In recognition of his success on behalf of injured plaintiffs, Mr. Napoli has been named a New York Super Lawyer® each year since 2007. In 2010, 2012 and 2013, he was named also named by the SuperLawyers® survey among their "Top 100 Lawyers in the New York Metropolitan Area". A long-time member of the invitation-only "Million Dollar Advocates Forum", Mr. Napoli has also been named among the Top 100 Trial Lawyers by the American Association for Justice. He formerly served on the Board of Directors of the New York Trial Lawyers Association, and has been active in numerous bar associations. He also sits on the St. John's University School of Law Dean's Advisory Counsel.

Mr. Napoli is admitted to practice in the state courts of New York and before the U.S. District Courts for the Southern and Eastern Districts of New York, the U.S. Courts of Appeals for the 2nd and 3rd Circuits, and the U.S. Supreme Court. In addition, he holds pro hac vice appointments in several states, including Pennsylvania, New Jersey,

Oklahoma and Florida. Mr. Napoli is the author of: "The Cost of Contamination," American Water Works Association Journal, What's New in Water and Waste Water, November 2012; "Compensation Through Legislation For 9/11 Responders And Victims: An Analysis Of Zadroga" (with Co-Author Brian Crosby), Westlaw Journal - Toxic Torts, Volume 29, Issue 8 / June 2011; and "Physician Liability In Diet Drug Litigation" NYLJ, April 20, 1998. Mr. Napoli was profiled in the recently published book "City of Dust," FT Press, 2010, by former New York Times columnist Anthony DePalma, a journalistic account of the rescue, recovery and debris removal activities at the site of the World Trade Center following the September 11, 2011 attacks, as well as the litigation arising from toxic exposure injuries by the first responders and construction workers at the site and in Alicia Mundy's "Dispensing with the Truth: the Victims, the Drug Companies and the Dramatic Story Behind the Battle over Fen-Phen," St. Martin's Press, 2011.