

CARRIE H. COHEN

Partner, New York, +1 (212) 468-8049, CCohen@mofo.com



Carrie H. Cohen is a partner in Morrison & Foerster’s Investigations + White Collar Defense Group in New York where she co-chairs its Workplace Misconduct Task Force and routinely advises and represents corporations, boards, and c-suite executives in sensitive investigative and regulatory matters and bet the company criminal and civil cases.

A former federal and state prosecutor, Carrie investigated and tried public corruption, investment fraud, and securities cases while serving as an Assistant United States Attorney in the United States Attorney’s Office for the Southern District of New York. She also served as Chief of the Public Integrity Unit in the Criminal Division in the New York State Attorney General’s Office and as an Assistant Attorney General in the Civil Rights Bureau, where she received the Louis J. Lefkowitz Memorial Award. She currently serves on the New York State Bar Association’s Wrongful Convictions Task Force and the New York County Lawyer’s Association Plea Bargaining Task Force as well as being a Trustee of the Federal Bar Council and a member of the Federal-State Judicial Advisory Council.

Carrie has long been a leader in advancing women in the legal profession both in the United States and globally. She co-chairs Morrison & Foerster’s Women’s Strategy Committee, a group that works closely with firm leaders to ensure the advancement of women remains a strategic priority and 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 and South Africa. Carrie also co-authored the recent and acclaimed New York State Bar Association report adopted by the American Bar Association “If Not Now, When?: Achieving Equality for Women Attorneys in the Courtroom and in ADR.”

Carrie earned her J.D. from the University of Pennsylvania Law School where she is currently an Adjunct Professor and her B.A. from Cornell University.

EDUCATION

Cornell University (B.A., 1989)

University of Pennsylvania
Law School (J.D., 1993)

RANKINGS

Benchmark Litigation
2018 “Top 250 Women in
Litigation”

Global Investigations Review
2018 Top 100 “Women in
Investigations”

Legal 500 US
2018 Recommended Lawyer in
“Corporate Investigations and
White-Collar Criminal Defense”

National Law Journal
2016 “Litigation Trailblazer”

CARRIE H. COHEN

REPRESENTATIVE MATTERS

- Appointed by the United States Department of Justice to the Monitorship team in the criminal prosecution of Odebrecht for violations of the Federal Corrupt Practices Act brought by the United States Attorney's Office for the Eastern District of New York.
- 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 a privately held company in a class action in the Eastern District of New York alleging consumer fraud and RICO claims.
- 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; obtained a dismissal of the criminal complaint with prejudice.
- 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.

PRESENTATIONS

- Speaker, "Ms. JD's 11th Annual Conference on Women in Law: "Speak Up"," University of Pennsylvania Law School (March 2019)
- Moderator, "The #MeToo Mandate: Redefining Respect and Trust in the Workplace Culture," 2019 Global Ethics Summit Presented by Ethisphere (March 2019)
- Speaker, "Taking the Lead 2019: Winning Strategies and Techniques for Commercial Cases," New York State Bar Association (March 2019)
- Moderator, "Significant Developments in the Regions (Northeast)," American Bar Association's 33rd Annual National Institute on White Collar Crime (March 2019)
- Speaker, "When Soldiers Speak: *Cortright v. Resor*," Federal Bar Council's 2019 Winter Bench and Bar Conference (February 2019)
- Program Coordinator, "Sexual Harassment and #MeToo," Federal Bar Council's 2019 Winter Bench and Bar Conference (February 2019)
- Panelist, "Public Corruption Trials in a Post-McDonnell World," Federal Bar Council (January 2019)

CARRIE H. COHEN

- Panelist, “Dealing with “Imperious” CEOs: What Boards Need to Do to Protect Enterprise Value,” Silicon Valley Directors’ Exchange (SVDX) Panel Discussion, Santa Clara University School of Law (January 2019)
- Panelist, “Litigating Sexual Harassment Cases in the “Me Too” Era,” NYSBA Annual Meeting 2019 (January 2019)
- Panelist, “The Risks of a ‘Fake It ‘Til You Make It’ Business Culture: The Rise and Fall of Theranos,” The 8th Annual Institute for Law & Policy, Creighton University (December 2018)
- Panelist, “Operating on the Edge of Compliance: Value Creator or Business Destroyer,” The 8th Annual Institute for Law & Policy, Creighton University (December 2018)
- Moderator, “Workplace Misconduct Investigations in the Age of #MeToo,” 2018 MoFo Summit for Women In-House Counsel (November 2018)
- Moderator, “Women on Boards,” 2018 MoFo Summit for Women In-House Counsel (November 2018)
- Panelist, “Due Process and Bias in Criminal Investigations,” Columbia University Law School Panel Discussion (November 2018)
- Lecturer, “Implicit Bias and Diversity in the Legal Profession,” First American Title Insurance Co. (October 2018)
- Guest Lecturer, “Public Corruption and the Law,” John Jay College of Criminal Justice (October 2018)
- Panelist, “Defending the Gatekeeper: When In-House Counsel and Compliance Professionals are Investigated,” PLI’s Storming the Gatekeepers: When Compliance Officers and In-House Lawyers Are at Risk 2018 (September 2018)
- Panelist, “Red Cards, Red Handed: FIFA Corruption and the Long Arm of U.S. Law Enforcement,” Woodrow Wilson International Center for Scholars Webcast (June 2018)
- Panelist, “Questioning Witnesses,” New York State Bar Association, Commercial & Federal Litigation Section, Trial Practice Webinar (May 2018)
- Moderator, “Privilege and Ethical Issues Encountered in Corporate Investigations,” New York State Bar Association, Criminal Justice Section, Spring Meeting (May 2018)
- Program Co-Chair and Moderator, “Plea Negotiations in White Collar Cases,” New York State Bar Association, Criminal Justice Section, Spring Meeting (May 2018)
- Panelist, “A Woman’s Place is in the Courtroom,” The Association of the Federal Bar of New Jersey (May 2018)
- Lecturer and Critique Faculty, “Direct Examinations,” New York State Bar Association, Young Lawyers Section, Trial Academy (April 2018 and April 2017)

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- Guest Lecturer, “White Collar Criminal Law and Procedure: High Profile Trials and Corporate Resolutions,” Harvard Law School (March 2018 and March 2017)
- Panelist, “Special Problems for Prosecutors in Public Corruption Prosecutions,” Pace Law Symposium: Public Corruption Prosecution After McDonnell and Beyond (March 2018)
- Program Faculty, “Taking the Lead: Winning Strategies and Techniques for Commercial Cases,” New York State Bar Association, Commercial & Federal Litigation Section (March 2018)
- Panelist, “Significant Legal Developments in the Regions,” American Bar Institute, National Institute on White Collar Crime (March 2018)
- Program Leader, “Public Corruption Post-*McDonnell*,” Federal Bar Council (February 2018)
- Panelist, “Implicit Bias and Diversity in the Legal Profession: Exploring Best Practices for Lawyers and Judges,” New York State Bar Association Annual Meeting 2018 - Commercial & Federal Litigation Section (January 2018)
- Panelist, “Leveling the Playing Field: Addressing Institutional and Implicit Bias and Identifying Opportunities for Women’s Participation and Success,” New York State Bar Association, Fourteenth Annual Edith I. Spivack Symposium (January 2018)
- Teaching Faculty, “Advanced Trial Academy,” New York State Bar Association, Young Lawyers Section (October 2017)
- Speaker, “Are Plea Bargaining, Trial by Judge, and Acquittal by Judge Constitutional,” The Federalist Society (October 2017)
- Panelist, “Federal, State, and Local: Opportunities & Challenges in Different Jurisdictions,” National Attorneys General Training & Research Institute, Center for Ethics & Public Integrity, Anticorruption Academy (August 2017)
- Panelist, “Jury Addresses: Framing the Case and Bringing it Home,” National Attorneys General Training and Research Institute, Center for Ethics & Public Integrity, Anti-corruption Academy (August 2017)
- Moderator, “Trial Practice Skills: Presented Through a Mock Trial Team,” American Bar Association CLE in the City (August 2017)
- Panelist, “Too Big to Jail: Corporate Impunity from Wall Street to the White House,” ProPublica, New America (July 2017)
- Moderator, “Getting to Equal: Women in the Legal Profession,” Pan African Lawyers Union 8th Annual Conference & 5th General Assembly (July 2017)

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- Moderator, “The Legal Profession: Re-capturing its Place in Society,” Pan African Lawyers Union 8th Annual Conference & 5th General Assembly (July 2017)
- Moderator, “State Constitutional Issues,” New York Federal-State Judicial Council, Symposium in Honor of Chief Judge Judith S. Kaye (May 2017)
- Panelist, “Internal Negotiation: Fostering Collaboration & Dialogue Within Teams, Divisions & Your Firms,” WIN Summit (May 2017)
- Moderator, “Public Relations Crises,” 2017 MoFo Summit for Women In-House Counsel (April 2017)
- Panelist, Women in the Profession Program: Annual Conference 2017, New York City Bar's Vance Center for International Justice (March 2017)
- Panelist, “Women in the Courtroom: The Impact of Women in the Judiciary and the Need For More Women Judges and Lead Trial Attorneys,” New York State Bar Association, Thirteenth Annual Edith I. Spivack Symposium, Committee on Women in the Law (January 2017)
- Presenter, “Trial Practice CLE: A Re-Enactment of a Commercial Trial,” New York State Bar Association, Commercial & Federal Litigation Section (November 2016)
- Guest Lecturer, “Ethics in Government: Investigation and Enforcement,” New York University Law School (November 2016)
- Speaker, “A Jill of All Trades: Female Attorneys in the Public and Private Sectors,” University of Pennsylvania Law School (October 2016)
- Speaker, “Public Corruption and the Law,” The Cornell Club New York (October 2016)
- Speaker, “The Current Wave of Public Corruption Cases: Hot Topics and Recent Developments,” American Bar Association, Criminal Justice Section: White Collar Crime Committee (May 2016)
- Moderator, “Social Media and Its Effect on the Jury System,” New York State Bar Association, Commercial & Federal Litigation Section 2016 Spring Meeting (May 2016)
- Panelist, “Lessons from Recent Trials,” New York City Bar Association's Fifth Annual White Collar Crime Institute (May 2016)

PUBLICATIONS

- [“The New Imperative to Investigate Workplace Misconduct,”](#) *New York Law Journal* (January 29, 2018)
- [“Hearing the Need For More Women's Voices in the Courtroom,”](#) *Law360* (December 20, 2017)

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- [“Challenging the Criticism of Federal Prosecutors in 'Chicken---- Club'”](#), *New York Law Journal*, Vol. 258, No. 111 (December 11, 2017)
- [“Recent Trials Show Importance Of Investigating Cooperating Witnesses,”](#) *New York Law Journal*, Vol. 258, No. 28 (August 10, 2017)
- [“Digital Age Expands Communication but Creates Discovery, Litigation Pitfalls,”](#) *New York Law Journal*, Vol. 257, No. 107 (June 6, 2017)
- [“Where Are the Women Litigators?”](#) *NYSBA Journal* (May 2017)
- [“The Section’s Women’s Initiative,”](#) *NYSBA Commercial and Federal Litigation Section Newsletter*, Vol. 23, No. 1 (Spring 2017)
- [“Challenges to SEC Administrative Proceedings Echo Complaints Against Arbitration,”](#) *New York Law Journal*, Vol. 247, No. 47 (March 13, 2017)
- [“Insider Trading Case Reminder of Long-Simmering Parent-Child Privilege Debate,”](#) *Wall Street Lawyer*, Vol. 20, Issue 12 (December 2016)

DAVID LOUIS COHEN, ESQ.
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KEW GARDENS, NEW YORK 11415
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david@davidlouiscohenlaw.com

EDUCATION: BROOKLYN LAW SCHOOL, JURIS DOCTOR, 1971.
NEW YORK UNIVERSITY, SCHOOL OF COMMERCE, B.S., ACCOUNTING, 1967.

BAR ADMISSIONS: NEW YORK STATE, 1971; UNITED STATES DISTRICT COURT, EASTERN AND SOUTHERN DISTRICTS OF NEW YORK, 1975; UNITED STATES COURT OF APPEALS, FOURTH CIRCUIT, 1996; UNITED STATES SUPREME COURT, 1998.

PROFESSIONAL EXPERIENCE: PRIVATE PRACTICE OF LAW, 1975 TO PRESENT.
PRACTICE CONSISTS PRIMARILY OF LITIGATION IN STATE AND FEDERAL COURTS. I HAVE TRIED IN EXCESS OF ONE HUNDRED FIFTY JURY CASES IN STATE AND FEDERAL COURTS.

MEMBER GRIEVANCE, COMMITTEE FOR THE SECOND, ELEVENTH AND THIRTEENTH JUDICIAL DISTRICTS, 2012 to PRESENT.

COUNSEL, NEW YORK STATE ASSEMBLY COMMITTEE ON CODES, 1993 TO PRESENT.

MEMBER, NEW YORK STATE ASSEMBLY, REPRESENTING 27TH ASSEMBLY DISTRICT, PART OF QUEENS COUNTY, 1980-1982. SERVED ON THE CODES, JUDICIARY, CORPORATIONS, GOVERNMENT OPERATIONS AND MENTAL HEALTH COMMITTEES.

COUNSEL, NEW YORK STATE ASSEMBLY COMMITTEE ON THE JUDICIARY, 1977 - 1980; COMMERCE COMMITTEE, 1975-1976

STAFF ATTORNEY, LEGAL AID SOCIETY, CRIMINAL DEFENSE DIVISION, 1971-1974.

ADJUNCT FACULTY MEMBER, HOFSTRA UNIVERSITY SCHOOL OF LAW - TRIAL ADVOCACY PROGRAM 2000 -2008.

LECTURER AND CRITIQUE FACULTY - NYSBA YOUNG LAWYERS SECTION TRIAL ACADEMY, CORNELL LAW SCHOOL 2014-PRESENT.

PROFESSIONAL ASSOCIATIONS: NEW YORK STATE BAR ASSOCIATION - FORMER VICE PRESIDENT 11TH JUDICIAL DISTRICT AND MEMBER AT LARGE OF EXECUTIVE COMMITTEE. SECRETARY - CRIMINAL JUSTICE SECTION 2017-2019. HOUSE OF DELEGATES 2005 - PRESENT.

QUEENS COUNTY BAR ASSOCIATION - PRESIDENT 2007-2008; JUDICIARY, BAR PANELS AND CRIMINAL COURTS COMMITTEES; CLE LECTURER.

CRIMINAL COURTS BAR ASSOCIATION OF QUEENS - PRESIDENT, 1997-1999.

NEW YORK STATE ASSOCIATION OF CRIMINAL DEFENSE ATTORNEYS- FOUNDING MEMBER.

Rick Collins, Esq.

Rick Collins is a principal in the law firm of Collins Gann McCloskey & Barry PLLC [www.cgmbesq.com], with main offices on Long Island. He is a former prosecutor in the Office of the Nassau County District Attorney, and has been practicing criminal defense since 1990. He has served as a faculty member in dozens of trial practice courses. He is nationally recognized as a legal authority on anabolic steroids and other performance-enhancing drugs and substances, and has testified in federal court as an expert witness and before the U.S. Sentencing Commission. He has degrees in psychology and law, and is a nationally Certified Strength and Conditioning Specialist (NSCA-CSCS). His practice and career have been profiled in diverse periodicals, and he has been interviewed as a steroid legal expert on national television, in numerous national magazine articles, and in the documentary film about performance enhancing drugs, "Bigger, Stronger, Faster*" (2008). He received his undergraduate degree from Hofstra University, Hempstead, NY, and his law degree from Hofstra School of Law, where he attended on a full academic scholarship and served on the *Law Review*. He was admitted to the New York Bar in 1985 and is also admitted to practice in Massachusetts, Pennsylvania, Texas, the District of Columbia, and numerous federal courts.

Biography – Nicholas J. DeMartino

Nick is a lifelong resident of Syracuse and of the City's "Northside." A graduate of Henniger High School, Nick holds a Bachelor of Science Degree (summa cum laude) in Political Science from Brockport State University, in Brockport, New York and a Juris Doctor Degree from Western New England College School of Law in Springfield, Massachusetts.

Nick began his legal career in 1986 by serving as a Deputy County Attorney with the Onondaga County Department of Law, where he prosecuted child abuse and neglect cases.

He then went on to serve for 15 years as an Assistant District Attorney with the Onondaga County District Attorney's Office. During his tenure as an Assistant District Attorney, Nick prosecuted general felony cases, violent felony and career criminal cases, as well as narcotics cases. He served the Homicide Bureau for 11 years and also served as Chief of the White Collar Bureau.

While in the Homicide Bureau, Nick investigated and prosecuted over 100 murder and death penalty cases.

As an ADA, Nick's administrative duties included serving as Supervisor of Project P.R.O.U.D., the District Attorney's felony drug diversion program, Supervisor of Project Safe Schools and was the District Attorney's liaison to both the Neighborhood Watch Groups of Syracuse and Neighborhood Watch of Central New York.

Nick left the District Attorney's Office in 2004 as a Chief Assistant assigned to the Homicide Bureau.

In 2001, Nick served as a Syracuse City Court Judge, during which time, among his other duties, he initiated and presided over Syracuse Community Court.

In 2004 he joined the Syracuse law firm of Costello, Cooney & Fearon as Special Counsel, where he specialized in Family Law, Criminal Defense, Insurance and Legal Malpractice Defense.

Nick served as an Adjunct Professor of Law at Cazenovia College, in Cazenovia, New York for 20 years, where he taught Business Law, Sports Law and Legal and Business Ethics. He also frequently serves as a guest lecturer at Syracuse University and at the Syracuse University School of Law.

Nick resumed his work as a prosecutor in 2007 when he joined the New York State Attorney Generals' Office, Criminal Prosecutions Bureau. As an AAG, Nick covered an approximate seven county Central New York Region and concentrated primarily on the investigation and prosecution of white collar, financial and environmental crimes.

In 2015, Nick left the Attorney General's Office joined the firm of Green & Brenneck, in Syracuse, where he specialized in all aspects of criminal defense, including homicides, major felonies, white collar, DWI and Vehicle and Traffic matters.

In 2018, Nick opened his own Criminal Defense law firm in Syracuse. His practice includes all aspects of criminal defense, ranging from simple traffic tickets to homicides. Nick practices in all counties in New York and is admitted to practice in United States Federal Court, Northern District of New York.

In 2014, Nick served as President of the Onondaga County Bar Association.

Nick currently serves as the 5th District Representative on the New York State Bar Association, Criminal Justice Section Executive Committee and served as the Committee's representative to the NYSBA's House of Delegates. In addition, he serves as chairperson of the Criminal Law Section, Membership Committee and Animal and the Law Committee of the Onondaga County Bar Association. He is also the Director of the OCBA's Volunteer Advocate Lawyer for Animal Abuse Court (VALAC) Program.

Nick's community activities include serving as president of The Friends of Schiller Park and serves on the Board of Directors of The Central New York Animal Cruelty Task Force and P.E.A.C.E., Inc. He has served as Chairperson of The Columbus Day Parade Through Little Italy, has coached soccer at the Eastwood Soccer League and basketball at Our Lady of Pompei School in Syracuse. Nick has also served as the host of the radio show, "Music D'Italia."

Nick is the proud father of his son, Joe, an Automotive Graphics Engineer in Troy, Michigan, daughter, Elizabeth, a Senior at Oswego State University and three rescue Pit Bulls, Domino, Tyra and Aphrodite.

Vincent E. Doyle III is a recognized leader in the New York State legal community, having served as the 114th president of the New York State Bar Association, the nation's largest and oldest voluntary state bar association. He is also a widely-respected commercial litigator whose practice includes serving as an arbitrator and mediator in commercial and other matters.

Vince's practice focuses on complex commercial disputes, as well as internal and governmental investigations. He regularly handles trials, appeals, arbitrations and mediations for corporate clients and individuals. Vince also regularly represents attorneys and a number of the region's largest law firms in litigation, disciplinary and ethical matters.

Vince has held a number of leadership positions with state and local bar associations, and has served on numerous government and independent panels seeking to improve the legal system. He served on the Board of Directors of the Bar Association of Erie County, and is a past president of the Erie County Aid to Indigent Prisoners Society, which administers the county's assigned counsel program. Vince is also a Fellow of the American College of Trial Lawyers, and serves on the panel that screens applicants for judicial appointment by the Governor of the State of New York. He served on the Transition Committee for New York State Attorney General Letitia "Tish" A. James.

Vince received the 2012 Lawyer of the Year Award from the Bar Association of Erie County, and a Distinguished Alumni Award from the State University of New York at Buffalo Law School, where he earned his J.D. magna cum laude. Vince earned his B.A. from Canisius College, with All College and English Honors

Timothy J. Fennell, Esq.

*Amdursky, Pelky, Fennell & Wallen, P.C.
26 East Oneida Street
Oswego, New York 13126*

Profile:

Upon graduating from Albany Law School, Union University, in May of 1983, Tim joined the law firm of Leonard Amdursky. Tim was named a partner in 1987. Tim is currently the Managing Partner. Tim is admitted to both the New York State and Federal Courts, and enjoys a busy practice in both civil and criminal law, with emphasis on litigation, trusts and estates, matrimonial law and real estate. Tim has presented cases to the Court of Appeals and the United States Supreme Court.

Bar Activities:

Member: New York State Bar Association
(Torts, Insurance, Compensation Law, Trial Lawyers and Real Property Sections
Sustaining Member; Fellow of the NYS Bar Foundation)
American Bar Association
Oswego County Bar Association
Northern District of New York Federal Court Bar Association
New York State Trial Lawyers Association
New York State Academy of Trial Lawyers

Leadership: New York State Bar Association

<i>1995-present: of note:</i>	<i>Lawyer Referral Information Service Committee Chair of Committee 1998-2004</i>
<i>1997-1998: 2001-2004: 2014-2018:</i>	<i>House of Delegates</i>
<i>2003-2004: 2018</i>	<i>Nominating Committee (Alternate)/ 5th District</i>
<i>1998-2009:</i>	<i>TICL Section (5th District Representative to Executive Committee)</i>
<i>2004-2007:</i>	<i>New York State Conference of Bar Leaders/ At-Large Representative Awards Committee/Nominating Committee</i>
<i>2006 -2007: 2008-2011:</i>	<i>New York State Bar Association Executive Committee (Member-At-Large), Liaison to TICL, Trial Lawyers and Real Property Sections</i>
<i>2007:</i>	<i>Member; Special Committee on Legal Specialization</i>
<i>2010-present</i>	<i>Lecturer/Faculty Member – NYSBA Young Lawyers Trial Academy</i>
<i>2011:</i>	<i>President’s Working Group on Judicial Pay Raises</i>

2011: *Committee on Mass Disaster Response*

2012: *Member, Special Committee on Voter Participation*

2013: *Committee on Veterans*
of note: *Chair 2015-2017*

2013-2017: *TICL Membership (co-Chair)*

2016: *TICL Secretary*

2017: *TICL Chair-Elect*

2018: *TICL, Chair*

2015-present: *Membership Committee*

2018: *Member, Special Committee on Judicial Screening*

American Bar Association

2007-2010: *Lawyer Referral and Information Committee*

Oswego County Bar Association

1994-1995: *President*

1993-1994: *Vice President*

1992-1993: *Treasurer*

of note: *created Judicial Screening Committee; Participant moot court program and scholarship program; organized first composite photograph of the Oswego County Bar in fifty years; committee on Law Practice Continuity (current Chair)*

2013-2014; 2019
2015-2016 *Chair, Judicial Screening Committee*
Chair, Committee on Law Practice Continuity

Other

2005-2013: *5th District Pro Bono Committee*
of note: *member of Committee which has developed a program to coordinate and deliver legal services to indigent clients*

2007-present
2016-2018: *5th District Women in the Courts Committee*
Member, NYS Independent Judicial Qualification Commission for 5th District

Education:

1983: *Albany School of Law, Union University*
Juris Doctor

1980: *LeMoyne College*
B.A. Political Science, cum laude

Community Activities:

of note: St. Mary's Church
Trustee 1995-2006
Chair, Finance Committee
Co-leader Parish initiative for construction of
\$1.8 million Parish Center
Finance Committee 2016-present

1998-2004: Baldwinsville Little League Board of Directors

2007-2013: Hope for Bereaved, Inc., Board Member

2006-2016: LeMoyne College Alumni Association,
President, 2013-2015

2016-present: LeMoyne College Board of Regents

Personal:

Home Address: 7626 Pico Lane
Baldwinsville, New York 13027

Email: tfennell@apfwlaw.com

Family: Judith Mayne, spouse; Children, Matthew and Maggie



MICHAEL L. FOX, B.A., J.D.

*Assistant Professor of Business Law & Pre-Law Advisor – Mount Saint Mary College
Lecturer-in-Law – Columbia University School of Law*

Dr. Michael L. Fox is an Assistant Professor of Business Law in the School of Business at Mount Saint Mary College, in Orange County, New York. He teaches courses in the undergraduate business program and in the Masters of Business Administration program. He also serves as the College's Pre-Law Advisor. In addition, he is a Lecturer-in-Law in Professional Responsibility at Columbia University School of Law in New York City. Professor Fox has recently published a book on electronic discovery, social media and ethics, entitled Primer for an Evolving eWorld (Kendall Hunt Publishing Co. 2019).

Professor Fox received his Bachelor of Arts (B.A.) degree, Phi Beta Kappa and *summa cum laude*, from Bucknell University, in Lewisburg, PA, with a major in Economics and minor in Biology. He was elected to Phi Beta Kappa in his junior year. At graduation, he received the award for the highest standing in Economics, and he was active throughout his college career, among other things serving as a member of the Middle States Period Review Report Committee for Bucknell, and as a member of the University Judicial Boards.

Dr. Fox received his Doctor of Law (J.D.) degree from Columbia University School of Law, in New York City, where he was a Harlan Fiske Stone Scholar and an Articles Editor on the *Columbia Business Law Review*.

Professor Fox served as a law clerk to the Hon. Lawrence E. Kahn, U.S. District Judge, in the Northern District of New York, in Albany. He has been rated AV-Preeminent by Martindale-Hubbell since 2015, and has been selected to the Upstate New York Super Lawyers list in 2013, 2014, 2015 and 2016. He is admitted to practice in New York State, as well as in the Southern, Eastern and Northern Districts of New York, the Second Circuit U.S. Court of Appeals, and the United States Supreme Court.

Professor Fox previously worked as an associate in the litigation department of Stroock & Stroock & Lavan LLP, in Manhattan; and was, sequentially, an associate, senior counsel, and then partner, and the litigation managing attorney at Jacobowitz & Gubits, LLP, in New York's Hudson Valley. At Jacobowitz & Gubits his primary practice areas were Federal Practice, Electronic Discovery, Employment and Discrimination Law, Business Entity Disputes, Property Disputes, Estates Litigation, as well as general civil litigation. From February 2014 to November 2016, he served as Deputy Corporation Counsel and special labor counsel for the City of Port Jervis. Immediately prior to entering full-time academia, Professor Fox was special counsel at the Hudson Valley law firm of Catania, Mahon, Milligram & Rider, PLLC, from October 2015 through November 2016.

Professor Fox has been very active with the American Bar Association, New York State Bar Association, and Orange County Bar Association. He is presently the Vice President for the Ninth Judicial District of the NYSBA, and a member of the NYSBA Executive Committee and House of Delegates. He is a former Delegate to the ABA House of Delegates (2008-2014), and previously served as Delegate to the NYSBA House of Delegates (2008-2014), and as a Member-at-Large of the Executive Committee (2015-2017). He is a member of the Commercial & Federal Litigation Section and Trial Lawyers Section of NYSBA, and past Chairperson of the Young Lawyers Section (one of the largest NYSBA Sections). Dr. Fox also serves on the NYSBA Committee on Professional Discipline and Committee on Legal Education and Admission to the Bar, among others; and is Executive Committee Liaison to the Intellectual Property Law Section, and Committee on Technology & the Legal Profession. He is the Chair of NYSBA's Standing Committee on Communications and Publications. Professor Fox formerly chaired the Executive Committee Subcommittee on Association Publications; served as YLS Program Co-Chair for the 2009 two-day Bridge-the-Gap CLE Program during NYSBA annual meeting; and was Co-Chair of the 2012 and 2014 Trial Academy programs at Cornell Law School. He was a member of the Critique Faculty for the 2013, 2014, 2015 and 2016 Trial Academy programs, and in 2017 and 2018 he served as a team leader and lecturer at Trial Academy. Professor Fox is a member of the ABA's Business Law Section, and a former member of its Litigation Section. Professor Fox currently serves on the Board of Directors of the Orange County Bar Association, and is a member of the New York City Bar.

In addition to his recent book, Professor Fox has authored or co-authored articles and CLEs, and spoken at programs and symposia, concerning Federal civil procedure, attorney-client privilege & work product, electronic discovery, evidence, professional ethics, employment law, and advice for pre-law students.

Hon. Erin P. Gall, Justice, Supreme Court
Elected in 2012 to a 14 year term and currently sits in Oneida and Herkimer
Counties

Other Professional Experience

Served for 13 years as Oneida County Supreme Court, Principal Court Attorney to
Acting Supreme Court Justice Barry M. Donalty

Assistant Public Defender with the Oneida County Public Defender's Office, Civil
Division

Robshaw and Associates, Attorney - Buffalo, NY

Admission of the Bar

Admitted to NYS and Massachusetts in 1997

Education

Juris Doctorate from SUNY at Buffalo School of Law in 1996

B.A. from Boston College in 1993

Has been a lifelong resident of Oneida County and currently resides in New
Hartford with her husband, Bill and three children, William, Rowan, and Grayson.

PETER GERSTENZANG, ESQ.

Introduction

Peter Gerstenzang is the senior partner in the Albany firm of Gerstenzang,, Sills, Cohn & Gerstenzang where he focuses on Criminal Defense with an emphasis on DWI cases and Vehicular Crimes. Mr. Gerstenzang commenced his legal career as a prosecutor for the United States Army in the Republic of Vietnam. From 1972 to 1975, he was an Assistant District Attorney for the County of Albany. Certified as a breath test operator, he taught at the New York State Police Academy in its Breath Test Training Program for 12 years.

Mr. Gerstenzang is Board Certified by the National College for DUI Defense (“NCDD”), and currently serves as a Dean Emeritus and Fellow of the National College for DUI Defense, which holds an annual seminar in Cambridge, Massachusetts on the campus of Harvard Law School. He previously served on the NCDD's Board of Regents from 2003 to 2013, as Assistant Dean in 2012-2013, and Dean in 2013-2014. The NCDD is the only organization accredited by the American Bar Association to certify attorneys as specialists in DUI law.* His book, *Handling the DWI Case in New York*, published annually by Thomson/Reuters, is considered a standard reference in the field of Driving While Intoxicated cases.

Peter Gerstenzang is a regular lecturer for the New York State Bar Association, the New York State Association of Criminal Defense Lawyers, the National Association of Criminal Defense Lawyers, the New York State Magistrates Association, and the New York State Defenders Association. In addition, he lectures for numerous County Bar and Magistrates Associations, public defense organizations and the New York State Court Clerks Association.

* The NCDD is not affiliated with any governmental authority. See Rules of Prof. Con., Rule 7.4(c)(1); Hayes v. New York Attorney Grievance Comm. of the 8th Jud. Dist., 672 F.3d 158 (2d Cir. 2012).

MICHAEL GETNICK

EMAIL: mgetnick@getnicklivingston.com

BAR ADMISSIONS: New York (1970)

COURT ADMISSIONS: United States Supreme Court; United States District Court, Northern and Western Districts of New York

EDUCATION: Pennsylvania State University (B.A., 1966); Cornell University Law School (J.D., 1969)

PROFESSIONAL ASSOCIATIONS: New York State Bar Association (President, 2009-2010); Member; Executive Committee); Oneida County Bar Association (President, 1992); New York State Academy of Trial Lawyers; National Institute of Trial Advocacy; Fellow of New York Bar Foundation; Northern District of New York Federal Court Bar Association

COMMUNITY ORGANIZATIONS: Zoning Board of Appeals of the Town of Kirkland, New York (Chair and Legal Counsel); Fifth Judicial District Pro Bono Action Now Committee (Member); Greater Northeast Chapter of the American Heart Association (past Board Member); Legal Aid Society of Mid-New York (Past President)

PRACTICE AREAS: Litigation; Appellate Practice; Personal Injury; Business Law; Insurance Law; Mediator and Mediation Practice.

The Honorable Deborah H. Karalunas obtained a Bachelor of Arts degree from Cornell University in 1978 and graduated cum laude from Syracuse University College of Law in 1982. At the College of Law, Karalunas was a member of the International Law Review, Moot Court and Justinian Honor Society. Following law school, Karalunas clerked for United States District Court Judge Howard G. Munson in the Northern District of New York. In 1983, Karalunas joined the law firm of Bond, Schoeneck & King in Syracuse, New York where she later became a partner. In 2002 Karalunas was elected to serve as a Supreme Court Justice in the 5th Judicial District. She presides over a panoply of civil cases including commercial, personal injury, medical malpractice, intellectual property, constitutional and environmental. In 2007 Karalunas was appointed Presiding Justice of the Supreme Court, Commercial Division, Onondaga County, and in 2017 she was appointed to the New York State Committee on Pattern Jury Instructions. She is Chair of the 5th Judicial District Women in the Courts Committee and the 5th Judicial District Library Board.

Justice Karalunas is a member of the New York State Bar Association, the Central New York Women's Bar Association, the Onondaga County Bar Association, and the Armenian Bar Association. In addition to leading various committees and sections, Karalunas served on the Board of Directors of the Onondaga County Bar Association and the Central New York Women's Bar Association. She was President of the Central New York Women's Bar Association, Presiding Member of the Judicial Section of the New York State Bar Association, Trustee of the Onondaga County Bar Foundation, and President of the Association of Justices of the Supreme Court of the State of New York.

Karalunas teaches New York Civil Practice at Syracuse University College of Law. She is Editor of the *Judicial Dispatch* and author of a chapter in the treatise *Commercial Litigation in New York State Courts*. Karalunas also lectures frequently on many substantive law and trial practice topics.

Justice Karalunas was the 2009 recipient of the Syracuse University College of Law Distinguished Alumni Achievement Award, the 2017 recipient of the Central New York Women's Bar Association's inaugural Karen DeCrow Award, and a 2018 Public Service Honoree of the Armenian Bar Association.

Karalunas lives in Jamesville, New York with her husband, George. They have three children, Sarah (Nick), Evan (Samantha) and Brian, and three grandchildren, Julian, Alina and Elliot.

JUSTICE GUY H. MITCHELL

Guy H. Mitchell, a Harlem native who is fluent in the Spanish language, is a highly-respected Justice of the Supreme Court-Criminal Term in New York County. In February of 2015 he was appointed Criminal Court Judge by Mayor de Blasio. During his term as a Criminal Court judge he presided over initial arraignments, calendar parts, along with several hearings, bench and jury trials for misdemeanor offenses. From August of 2016 through February of 2017, Justice Mitchell was the presiding judge of Midtown Community Court (MCC), the leading problem-solving court in the United States. At MCC Justice Mitchell presided over various matters including summonses, arraignments, the quality of life part, human trafficking, the youth and young adult parts. In October of 2017 he was elevated to Acting Supreme Court and Family Court Justice where he presided over a variety of felony pre-trial hearings and jury trials for Adult and Youthful Offenders and he was the presiding Justice of the Youth Part. In October of 2018 to present, he conducts Felony Jury Trials and is the presiding Justice of the Drug Diversion Court.

Justice Mitchell is a graduate of S.U.N.Y at Brockport College and Ohio Northern University School of Law.

During the span of Justice Mitchell's career in law, he tried over 150 jury trials to verdict. He worked as an Assistant District Attorney in Bronx County, as a Special Assistant United States Attorney and as the Chief of the Criminal Division for the U.S. Virgin Islands Department of Justice. Before taking the bench, he was the Assistant Attorney General in Charge of the Harlem/Bronx Regional Office.

As an Assistant District Attorney Justice Mitchell presented hundreds of cases to the Grand Jury, prosecuted dozens of high profile homicides, major offenses and was Supervisor of the weekend complaint room and the Homicide/Felony Duty Supervisor. At the Virgin Islands Department of Justice he supervised prosecuting attorneys on the islands

of St. Thomas, St. Croix and St. John. While at the Office of the Attorney General Justice Mitchell prosecuted both criminal and civil matters and he participated in several community-based outreach programs for members of the Harlem and Bronx communities. During his tenure with the office of the NY Attorney General, Justice Mitchell was named downstate coordinator for Guns & Gangs, investigated government corruption and he served as the managing attorney for the state prosecution of criminal and civil matters including public integrity, immigration and consumer fraud, investor protection and civil rights. He also volunteered as a Small Claims Court Arbitrator in NY County where he presided over 175 trials. In 2010 he was award Arbitrator of the Year, New York County.

Justice Mitchell believed in giving back to his community and inspiring others by establishing the Harlem Based Hoop Brothers Mentoring Program in 1996. In 2006 the Hoop Brothers mentorship program received the unsung heroes award by the Congressional Black Caucus in Washington D.C. Judge Mitchell has received several awards for his commitment to seeking justice and for his involvement in the community. He was awarded by the Bronx DA, law enforcement groups, bar associations, schools and community organizations for his participation in community outreach events. As a member of the alumni chapter of Kappa Alpha Psi Fraternity, Inc. Justice Mitchell is constantly involved with programs for members of the community in Harlem NY. These programs include the Kappa mentorship program for the youth, the annual Halloween Haunted House initiative, the service of Thanksgiving dinner to the homeless at Milbank Community Center, and the wrapping of toys and the distribution of gifts for homeless families.

In addition to all that Guy does for his community he is the First District Representative for the Executive Committee of the Criminal Justice Section of the New York State Bar Association, former board member of the Metropolitan Black Bar association, member of the Dominican Bar Association and he is a lecturer at several legal and non-legal related events including the annual Trial Academy for the Young Lawyers Section and at the Theodore T. Jones Trial Advocacy Program.

Joseph D. Morath, Jr.

Recognized by his peers as a rising star in the legal profession, Joseph D. Morath, Jr. is an experienced trial attorney who focuses his practice on personal injury, wrongful death and nursing home litigation. He has obtained multiple jury verdicts, including million and multi-million dollar awards, and reached numerous settlements on behalf of his clients.

A veteran of the United States Armed Forces, Joe served for four years as an active duty infantryman with the United States Marine Corps. Following the completion of his active duty service, he served three years as a military police officer with the New York Army National Guard, including one year in support of Operation Joint Forge in Bosnia-Herzegovina.

Today, as a successful attorney, Joe remains committed to supporting his fellow Armed Forces veterans, and has served as a veteran mentor at the City of Buffalo Veteran's Court, the first court of its kind in the nation that tries cases involving U.S. Armed Forces veterans, while accounting for the hardships that are unique to those formerly in military service. Joe is also a past member of the Board of Directors of Western New York Heroes Inc., an organization that provides veterans, members of the armed services, and the widows and children of deceased veterans with access to essential services, financial assistance, and resources that support their lives and sustain their dignity. He also is the former chair of the Bar Association of Erie County's Committee on Veterans' and Service-Members' Legal Issues, and sits on the board of directors for the SUNY Buffalo Law Alumni Association.

In 2014, Joe was selected as one of Buffalo Business First's "40 Under Forty". The 40 honorees, young leaders in the Buffalo-Niagara business community, were chosen for their outstanding achievements and their commitment to the Western New York community.

Joe earned his B.S. *summa cum laude* from the State University of New York at Buffalo, and his J.D. from the State University of New York at Buffalo Law School, where he served as a senior member of both the Buffalo and Jessup Moot Court boards. While in law school, Joe also founded and served as the first president of the United States Armed Forces Law Student Association.

Education

- State University of New York at Buffalo, B.S. criminal justice, *summa cum laude*
- State University of New York at Buffalo Law School, J.D.

Affiliations

- American Bar Association
- New York State Bar Association
- Bar Association of Erie County
- Past Board Member, Western New York Heroes, Inc.
- Past Chair, Bar Association of Erie County Committee on Veterans' and Service-Members' Legal Issues
- Director, State University of New York at Buffalo Law Alumni Association
- Founder and President, United States Armed Forces Law Student Association

Honors

- Super Lawyers, Personal Injury
- Super Lawyers, Upstate New York Rising Star
- *Buffalo Business First*, 40 Under Forty
- The National Trial Lawyers, Top 100 - Civil Plaintiff Attorney, 2017

Mr. Moschetti is a New York personal injury law firm attorney and a founding member of the law firm of Anderson, Moschetti and Taffany. He is considered one of the top personal injury and criminal defense lawyers in Upstate New York. In over thirty years of practice he has obtained numerous multi-million dollar verdicts and settlements in personal injury cases and has achieved record-setting verdicts in a number of counties in the Capital District Region, including a verdict of more than \$15.8 million dollars.

Mr. Moschetti was employed as a prosecutor in the Nassau County District Attorney's Office from 1984 to 1987. Since leaving the District Attorney's Office, he has focused on the trial of personal injury and wrongful death cases, including complex product liability and medical malpractice actions. He has represented hundreds of victims of motor vehicle collisions, construction and industrial accidents, defective products as well as medical and nursing home malpractice.

Mr. Moschetti also defends individuals and corporations charged with serious crimes in both the state and federal courts. He represents, advises and defends individual and corporate clients regarding criminal matters, government investigations, complex civil litigation, internal investigations and contested regulatory proceedings. Mr. Moschetti has earned the reputation as one of the top criminal defense attorneys in the Capital District through his representation of hundreds of clients in cases ranging from murder, assault, drugs and DWI to complex white collar cases such as mail and wire fraud, bank fraud and embezzlement. He has successfully tried numerous criminal cases in the state and federal courts. Over the years, he has also been appointed as a Special Prosecutor in a number of high-profile criminal cases in the Capital District. Mr. Moschetti also represents lawyers and judges before state agencies investigating complaints of professional and judicial misconduct.

Bar Admissions

In addition to the trial courts for the State of New York, Mr. Moschetti is admitted to practice in the U.S. Federal Court for the Northern, Eastern, and Western Districts of New York. He has argued appeals in the New York Court of Appeals and in the Second and Third Departments of the Appellate Division of the State of New York and in the U.S. Second Circuit Court of Appeals.

Bar Association Memberships

- American Bar Association
- American Association for Justice
- New York State Bar Association
- New York State Trial Lawyers Association
- National Association of Criminal Defense Lawyers
- New York State Association of Criminal Defense Lawyers

Education

- University of New Haven, CT 1981 with Honors
- Albany Law School, Albany NY, 1984 with Honors

Lectures

- Since 1987, Mr. Moschetti has given numerous lectures to lawyers for continuing legal education in the areas of civil and criminal law, including medical malpractice, product liability, construction accidents, automobile accidents, criminal defense trial tactics and suppression and evidentiary issues. He also periodically lectures to students at Albany Law School on trial practice and procedure.

Professional Associations & Memberships

- Mr. Moschetti is consistently rated AV Preeminent by Martindale-Hubbell, the highest possible rating for both legal ability and ethical standards.
- Since 2007, Mr. Moschetti has been ranked as one of the best lawyers in New York State by Super Lawyers magazine and as one of the top 25 lawyers in the Hudson Valley area.

Appointments

- In 2005, Mr. Moschetti was appointed by Governor George Pataki to the New York State Temporary Commission on Lobbying. As a Commissioner, he was involved in the regulation of the state lobbying industry regarding compliance, violations and ethics.
- In 2014, he was appointed by Governor Andrew Cuomo to the New York State Gaming Commission. The Gaming Commission regulates all aspects of gaming and gambling activities in the state, including horse racing and pari-mutual wagering, casino gambling, Class III Indian gambling, the state lottery and charitable gambling.



Michael P. O'Brien, Esq.
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Michael P. O'Brien is a trial attorney who represents individual and institutional clients throughout the New York metropolitan area. Michael has extensive experience in complex civil litigation, including municipal liability, premises liability, automobile liability, commercial disputes, insurance coverage and professional license defense. His courtroom experience includes numerous successful jury verdicts in New York State Supreme and New York City Civil courts. Michael was previously in-house counsel at a major property/casualty insurance company, and in 2010 he founded O'Brien Law Firm, PLLC.

Michael currently serves as Secretary of the Torts, Insurance and Compensation Law Section of the New York State Bar Association. He previously served as 13th District Representative. In 2011 Michael was selected by his peers for the prestigious Sheldon B. Hurwitz "Young Lawyer of the Year" Award, and in 2014 he was awarded "Section Representative of the Year". Michael is regularly asked to lecture on various topics in the civil litigation. Michael serves as a Board Member and past Chairman of the non-profit New York Center for Interpersonal Development.

Michael graduated from Providence College in 1999 and from Suffolk University Law School in 2002. He was admitted to practice law in the State of New York in 2003.

Honorable Kimberly A. O'Connor is a Judge of the Court of Claims, and currently serves as an Acting Supreme Court Justice within the 3rd Judicial District.

Judge O'Connor served as New York State's first Medicaid Inspector General having been appointed in August, 2005 by Governor Pataki. Prior to being appointed Medicaid Inspector General, Judge O'Connor was Chief Counsel to the Director of Criminal Justice, as well as Deputy Commissioner and Counsel for the Division of Criminal Justice Services. In this capacity, she was responsible for advising the Governor's Director of Criminal Justice on criminal justice policies and was responsible for the Division's legal issues. Judge O'Connor also served as Assistant Counsel to the Governor focusing on criminal justice issues. Prior to joining the Governor's office, Judge O'Connor worked for a prominent Albany law firm. Judge O'Connor began her legal career as an Assistant District Attorney in Schenectady County. She received a Bachelor of Arts from the State University of New York at Binghamton and a Juris Doctor from Albany Law School.

Thomas J. O'Hern, Esq.
210 Great Oaks Boulevard
Albany, NY 12203

Thomas J. O'Hern has been and is in private practice in Albany New York for 33 years. His practice focuses primarily on the defense of Driving While Intoxicated cases. Tom is a life member of the New York State Association of Criminal Defense Lawyers. He has been a Team Leader for the Young Lawyers Trial Practice program since its inception in 2009. He is a speaker for the New York State Bar Association, lecturing on DWI defense, defense of a drug case, and trial tactics.



Laurie Giordano-Vahey is the managing partner of Vahey Getz LLP and a Rochester native. She is a litigator, with a passion for justice and the courtroom. She is driven to win for her clients and meet their needs including counseling them to avoid disputes before they happen.

As a partner in the law firm, Laurie focuses her practice in the areas of insurance law, as well as commercial and personal injury litigation. In 2014, Laurie was named Best Lawyers' 2014-2015 Rochester, New York Insurance Law "Lawyer of the Year." In multiple years, Super Lawyers has listed Laurie as a "Top 25" Woman Attorney in Upstate New York. Laurie's clients include large and small businesses, municipal corporations, insurers and individuals. She is proud to have consistently served the legal community in New York in leadership positions, including being a former Chair of the Torts, Insurance and Compensation Law Section of the New York State Bar Association (NYSBA), as well being a Past President of the Greater Rochester Association for Women Attorneys (GRAWA).

In addition, her contributions and experience in the areas of personal injury and insurance law have garnered her many awards and recognitions from local, state, and national organizations. Laurie has consistently been included in The Best Lawyers in America Guide and Super Lawyers, Upstate and Corporate Counsel editions. Further, she is frequently asked to lecture to attorneys, judges and insurance professionals in her areas of practice and on trial skills. She recently presented at the NYSBA's Annual Trial Academy on the topic of "Evidence at a Civil Trial" an upcoming institute for attorneys.

Laurie is active in her community, believing that service is a way of life for her and her family. She lives in Pittsford and is happily married to her husband Mark, who currently serves in the military. Laurie also believes in healthy living and fitness for fun. In 2013, Laurie rode her bike 100 miles around Lake Tahoe to honor those who have battled cancer and to raise funds for the Leukemia and Lymphoma Society with the help of her two amazing children. In addition, she is a spin instructor for a local gym in Rochester.



Sherry Levin Wallach, Esq.

Sherry Levin Wallach is the Secretary of the New York State Bar Association and is on the Board of Directors of the Westchester County Bar Association. Currently, Sherry is Co-Chair of the NYSBA Task Force on Incarceration Release Planning and Programs. She concentrates her practice on Criminal Defense, Real Estate, Estate Planning, and General Civil Litigation in State and Federal Courts. She is admitted to practice in the Courts of the State of New York, the New York Southern and Eastern District Federal Courts, and the United States Supreme Court.

Sherry is the Immediate Past Chair of the New York State Bar Association's Criminal Justice Section, the Immediate Past Vice President from the 9th Judicial District to the New York State Bar Association Executive Committee, Immediate Past Chair of the New York State Bar Association's Membership Committee, and is serving her third four-year term in its House of Delegates.

In addition, Sherry is co-founder of the NYSBA Young Lawyers Section's Trial Academy, where she continues to serve on its faculty as a team leader and has lectured on cross examination for the past seven years. She is a frequent lecturer and organizer for continuing legal education programs for the New York State and Westchester County Bar Associations on criminal and civil trial practice, ethics, and DWI. She has also authored articles on criminal justice issues and trial practice which have been published in the New York Law Journal, The State Bar News, and The New York State Bar Association's Criminal Justice Section Newsletter. Sherry is the author of "Inside the Minds: Strategies for Defending DWI Cases in New York, 2016 ed." Published by Aspatore Books, a Thomson Reuters business.

Sherry is Of Counsel Bashian & Farber, LLP where she continuing her practice, while leading the newly formed Women's Law Group of Bashian & Farber, LLP, which focuses on legal representation and advisory services for successful women in the areas of Wealth Preservation, Estate Planning, Business Law, Real Estate, Pre-nuptial Agreements, Special Needs Planning, Probate and Estate Administration, and Sexual Harassment and Discrimination.

Sherry is also Of Counsel to Hutchinson & Brown, LLP where she represents the City of New York in hearings and motion practice.

Kaylin Whittingham's Bio

Kaylin Whittingham is the founder of Whittingham Law a legal ethics defense firm. Prior to private practice she was staff counsel at the Attorney Grievance Committee, First Judicial Department. Kaylin served as Judicial Intern to the Honorable Dolores Slovitor, United States Court of Appeals, Third Circuit and the Honorable Milton Tingling, Supreme Court of the State of New York. Recently she transitioned into the real estate industry, joining Douglas Elliman as an associate real estate broker where she guides clients in the buying, selling and rental of luxury properties in New York City.

She sits on the New York State Bar Association (NYSBA) Executive Committee and is Chair of the New York City Bar Association (NYCBA) Committee on Professional Discipline. She is the Immediate Past President of the Association of Black Women Attorneys (ABWA) and serves on the Network of Bar Leaders (NOBL) Executive Council. Kaylin speaks regularly on topics concerning Legal Ethics, Professional Discipline and Diversity and has served on many Committees focused on these issues. Kaylin earned her Juris Doctorate at Northeastern School of Law, a Bachelor in Economics at City University of New York (CUNY) and Bachelor in Literature at the University of the West Indies (UWI). Kaylin is admitted to practice in New York, New Jersey, and the United States District Court for the District of New Jersey.



Stephen P. Younger

Partner

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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 business litigator. As a seasoned trial lawyer, he has tried many cases in federal and state courts 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 serves as Editor of the New York Commercial Division Practice Guide, which is part of Bloomberg Law's Litigation Practice Portfolio Series.

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 European and 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 served as Chair of the State Bar's Task Force on Nonlawyer Ownership of Law Firms. He also chairs the State Bar's Subcommittee on the Judiciary Article of its Constitutional Convention Committee.

Mr. Younger is the State Delegate for New York to the ABA's House of Delegates where he chairs the New York delegation. He is a member of the Steering Committee for the ABA's Nominating Committee. He serves on the ABA's Standing Committee on the American Judicial System. He is Past Chair of the ABA's International Mediation Committee and its Task Force on International Trade in Legal Services. He served as the ABA's representative to the United Nations Economic and Social Council. He is chairing the ABA's 2017 summer meeting in New York City.

Mr. Younger previously served on Governor Andrew M. Cuomo's Transition Committee and was the Transition Director for Mr. Cuomo when he was the New York State Attorney General. He also served on the Transition Committee for New York County District Attorney Cyrus Vance. He 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 is Chair of the Board of the Historical Society of the New York Courts. He is a member of 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 the Chief Judge's

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Commercial Division Advisory Council. He was formerly a member of the Chief Judge's Advisory Committee on New York State Pro Bono Bar Admission Requirements. He is a co-editor of Patterson Belknap's Commercial Division Blog.

Mr. Younger serves on the Board of Directors of the CPR Institute for Dispute Resolution, and previously served as the Chair of its Executive Advisory Committee. He is a founding Board member and Vice Chair of the New York International Arbitration Center. He is also a member of the ADR Advisory Committee of the U.S. District Court for the Eastern District of New York.

A long-time Trustee of Albany Law School, Mr. Younger is Past President of its National Alumni Council. He is also Secretary of the Harvard Club of New York City and previously served on the Club's Audit Committee.

Mr. Younger is an Adjunct Professor of Law at Fordham University School of Law where he teaches commercial litigation.

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.

Education

- Albany Law School (J.D., 2011)
 - honoris causa
- Albany Law School (J.D., *magna cum laude*, 1982)
 - Editor-in-Chief, *Albany Law Review*
- Harvard University (B.A., *cum laude*, 1977)

Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Second Circuit
- U.S. District Court, Southern and Eastern Districts of New York
- U.S. Tax Court
- New York

Professional Activities

HONORS: The Citizens Union of the City of New York Civic Leadership Award; Volunteer Lawyers Project Dedication to Justice Award; Fund for Modern Courts John J. McCloy Award; Albany Law School Distinguished Alumni Award; Puerto Rican Bar's Advancement of Justice Award; Weinberg Center for Elder Abuse Prevention Champion for Change Award; Exodus Transitional Community Social Justice Award; Listed as a "Litigation Star" for New York in Euromoney Institutional Investor PLC's *Benchmark: America's Leading Litigation Firms and Attorneys*; Recognized in *The Best Lawyers in America®* in the areas of Alternate Dispute Resolution and Appellate Law; Named to Top 100 New York City attorneys in *Super Lawyers*.

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MEMBERSHIPS: Past President, New York State Bar Association (Chair, Judiciary Article Subcommittee of the Constitutional Convention Committee; Past Chair, Nominating Committee; Past Chair, Court Operations Committee; Past Chair, Commercial and Federal Litigation Section; Past Chair, Task Force on Nonlawyer Ownership of Law Firms; Past Chair, ADR Committee; Past Chair, Securities Litigation Committee); Past Chair, Mid-Atlantic Bar Conference; N.Y.S. Delegate, ABA House of Delegates; Member, Steering Committee, ABA Nominating Committee; Member, ABA Standing Committee on the American Judicial System; Past Chair, ABA International Trade in Legal Services Committee; Past Chair, ABA International Mediation Committee; Member, Association of the Bar of the City of New York (Past Member, Committee on Arbitration; Past Secretary, Task Force on Civil Courts); Former Counsel, New York State Commission on Judicial Nomination; Member, Governor's Judicial Screening Committee, First Department; Member, Chief Judge's Commercial Division Advisory Council; Member, Task Force on Commercial Litigation in the 21st Century; Past Member, Chief Judge's Advisory Committee on New York State Pro Bono Bar Admission Requirements; Member, ADR Advisory Committee, Eastern District of New York; Mediator, United States District Court, Southern District of New York, Eastern District of New York; Advisory Board, Financial Markets Regulatory Institute; Board of Directors, CPR Institute for Dispute Resolution (Past Chair, Executive Advisory Committee); Board of Directors, Fund for Modern Courts; Founding Board Member and Vice Chair, New York International Arbitration Center; Advisory Council, Brooklyn Legal Services; Chair of the Board, Historical Society of the N.Y.S. Courts; Congress of Fellows, Center for International Legal Studies; Fellow, The New York Bar Foundation; Fellow, the American Bar Foundation; Trustee Emeritus, Albany Law School; Past President, National Alumni Council, Albany Law School; Member, Eastern District of New York ADR Advisory Council; Secretary, Harvard Club of New York City.

IN THE MEDIA: *New York Law Journal*, "[Judge Lippman Named President of Historical Society](#)" (February 1, 2019)

Publications

- Co-author, "[INSIGHT: First Department Reverses Injunctions Against Fuji-Xerox Merger](#)," *Bloomberg Law* (November 14, 2018)
- Co-author, "[Daesang V. NutraSweet Reaffirms NY's Pro-Arbitration Attitude](#)," *Law360* (October 11, 2018)
- Co-author, "[Commercial Division Enjoins Xerox-Fujifilm Deal Resulting in Resignation of Xerox's CEO](#)," *Bloomberg Law* (May 18, 2018)
- Co-Editor, "New York Commercial Division Practice Guide," *Bloomberg Law* (2017)
- Co-Author, "[Bringing Cayman Derivative Claims In NY Just Got Easier](#)," *Law360* (December 5, 2017)
- Co-Author, "A Constitutional Convention, Opportunities to Restructure and Modernize the New York Courts," *NYSBA Journal* (October 2017)
- Co-Author, "[First Department Adds Two New Factors to New York's Standard of Review for Non-Monetary Settlements of Shareholder Class Actions](#)," *Bloomberg BNA's Corporate Law & Accountability Report* (March 1, 2017)
- Co-Author, "[Court Confirms Hedge Funds Did Not Act In Bad Faith, Affirms Large Judgment](#)," *New York Law Journal* (February 7, 2017)
- Co-Author, "[A New Tool For Obtaining Jurisdiction In New York Courts](#)," *Law360* (February 2, 2017)
- Author, "Chapter 25: Use of Non-Binding Alternative Dispute Resolution Mechanisms to Foster Settlement," *Settlement Agreements in Commercial Disputes: Negotiating, Drafting & Enforcement* (2017)
- Author, "[More Reasons to Arbitrate in the Big Apple](#)," *New York Law Journal* (November 25, 2013)

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- Author, "New York Law as an International Standard for Business," *Financier Worldwide* (2011)
- Author, "Court Simplification in New York," *N.Y. County Lawyer* (2012)
- Author, "Parallel Proceedings in Securities Enforcement Actions," *Journal of Securities Law, Reg. & Compliance* (2010)
- Author, "Effective Representation of Corporate Clients in Mediation," *Albany Law Review* (1996)

Representative Matters

Complex Commercial Litigations

Represented a manufacturing company in a shareholder class action concerning non-disclosure of the impact of business developments on its stock price.

Defended a brokerage firm in a RICO and securities fraud litigation concerning alleged non-disclosures of information and manipulation of market in a major Eurobond offering.

Obtained dismissal of a \$2 billion claim versus directors and officers of a foreign bank.

Defended a media company in a class action concerning the restructuring of a television station limited partnership.

Obtained dismissal on summary judgment of a securities class action against directors of a consumer products company.

Investigated a complex fraud scheme involving the privatization of state-owned enterprises in Azerbaijan, and launched cases around the world to freeze \$80 million worth of assets and recover the funds for a major insurance company.

Prosecution for a brokerage firm of NASD arbitration involving complex securities market manipulation scheme.

Conducted investigations and prosecuted litigations of an unauthorized trading scheme for a state-owned mining company, including allegations of kickback payments and market manipulation of commodities trading.

Represented a foreign bank in complex litigation brought against the trustee that oversaw mortgage pools that were alleged to have been impacted by fraudulently induced condominium purchases.

Advising the board of a tech company on takeover defense issues.

Arbitrations and ADR

Successfully defended a brokerage firm in multi-day arbitration hearings against claims that CMO investments were unsuitable for an institutional client.

Prevailed in a major international arbitration liability hearing over the breach of an agreement to acquire a telecommunications company.

Chaired an arbitration panel in an international dispute over a merger and acquisition transaction.

Won a stock exchange arbitration involving failed securities trades on behalf of a brokerage firm.

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Service as arbitrator in a dispute over the refurbishing of a private jet.

Mediated a dispute over liabilities assumed in a corporate takeover.

Successfully defended a publishing company in an arbitration seeking to enforce provisions of a shareholders agreement.

Served as the court-appointed mediator in a series of disputes over bond defaults by a Latin American country.

Represented a real estate developer in multi-day arbitration hearings in a complex construction dispute.

Represented a metals trading company in a multi-million dollar commodities arbitration involving aluminum and bauxite trading contracts.

Appeals

Obtained a reversal in a landmark Court of Appeals decision on attorney-client privilege in the context of mergers and acquisitions.

Successfully appealed a groundbreaking fiduciary duty decision concerning the liability of financial advisers in New York.

Won a case of first impression in New York's Appellate Division concerning the viability of a fraud claim for concealing evidence that was subpoenaed in a commercial arbitration.

Obtained reversal of an attachment order over a Miami hotel under novel jurisdictional theories.

Argued the appeal of collateral estoppel issues in a major commercial litigation before the New York Court of Appeals.

Handled an appeal to the New York Court of Appeals in a case of first impression involving the enforceability of preliminary agreements under New York law.

Handled a Second Circuit appeal regarding the scope of arbitration clauses as applied to a mutual fund adviser.

Argued an appeal before the New York Court of Appeals in a dispute over the dissolution of a hedge fund.

Handled an appeal in the New York Court of Appeals addressing whether the New York Attorney General is bound by arbitration clauses signed by alleged victims.

Won an appeal in the Second Circuit of a preliminary injunction against retaliation under the FLSA.

Trusts and Estates Litigation

Represented a high-profile individual in connection with his role as Executor of his late wife's estate including his right to discovery into questionable transactions.

Obtained a resolution of litigation for a high net worth individual client regarding his elective share rights to his late wife's estate.

Successfully resolved on behalf of the estate of a prominent physician a potential will contest.

Patterson Belknap

Won a major victory at trial before the U.S. Tax Court on behalf of several members of a family regarding whether sales of the stock among shareholders of a major closely-held corporation constituted arms-length transactions to establish the value of the shares.

Service as special counsel to a husband in a divorce litigation and related appeals to address assets held in family trusts.

Law Firm Defense

Defended securities fraud suit against major law firm concerning bond issue of a United States commonwealth.

Defended disciplinary complaint brought against corporate attorney.

Defended multiple disqualification motions in major commercial litigation.

Advised law firm on compliance with ethics rules.

Service as expert witness in law firm-related issues.

Other High Profile Matters

Served as lead counsel in mediation of a dispute over a large bequest to Presidential Library.

Served as Special Counsel to the Mayor to investigate the New York City Commissioner of Cultural Affairs.

Represented well-known hip-hop producer in First Amendment challenge to New York's Lobbying Law.

Handled litigation challenging the constitutionality of aspects of New York's Workers Compensation Law.

Advised New York's then Chief Judge on legal issues surrounding the prolonged failure to grant pay raises to members of the Judiciary.