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NOMINATIONS OF REGGIE BARNETT WALTON AND EMMET GAEL SULLIVAN

HEARING BEFORE THE **COMMITTEE ON** **GOVERNMENTAL AFFAIRS** **UNITED STATES SENATE** **ONE HUNDRED SECOND CONGRESS**

FIRST SESSION

ON

NOMINATIONS OF REGGIE BARNETT WALTON TO BE ASSOCIATE
JUDGE, SUPERIOR COURT OF THE DISTRICT OF COLUMBIA, AND
EMMET GAEL SULLIVAN, NOMINATED TO BE ASSOCIATE JUDGE,
DISTRICT OF COLUMBIA COURT OF APPEALS

NOVEMBER 19, 1991

Printed for the use of the Committee on Governmental Affairs

DOCUMENTS COLLECTION

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(III)

NOMINATIONS OF REGGIE BARNETT WALTON AND EMMET GAEL SULLIVAN

TUESDAY, NOVEMBER 19, 1991

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

The Committee met, pursuant to notice, at 3:15 p.m., in room SD-342, Dirksen Senate Office Building, Hon. Jim Sasser, presiding.

Present: Senator Sasser.

Committee staff assigned: Doris Clanton, Paul Ellis (Senator Glenn); Susanne Marshall (Senator Roth); John Wagster and John Belferman (Senator Sasser).

OPENING STATEMENT OF SENATOR SASSER

Senator SASSER [Presiding.] The Committee will come to order.

Today, the Committee on Governmental Affairs welcomes two distinguished nominees to the courts of the District of Columbia. Neither of these nominees is a stranger to the bench. The Honorable Reggie Barnett Walton, who was nominated by the President of the United States to the Superior Court, left his seat on that bench in 1989 to serve as Associate Director of the Office of Drug Control Policy.

The Honorable Emmet Gael Sullivan is already a member of the Superior Court and has been nominated to serve on the District of Columbia Court of Appeals.

If you would come forward, please, Mr. Walton, and take your seat, I want to welcome you here before the Committee.

Mr. Walton, you were nominated on September 20, 1991 to a 15-year term as the Associate Judge of the Superior Court of the District of Columbia. I might say that Mr. Walton, who is presently a sitting judge, was born in North Charleroi, Pennsylvania, which is a place I'm not familiar with, quite frankly; it's the first time I've heard of that city.

Judge Walton came to Washington in 1971 to study at the Washington College of Law of the American University. Prior to that, the nominee received his bachelor's degree from West Virginia State College. After receiving his law degree, Judge Walton worked as a public defender in Philadelphia, returning to the Nation's Capital as an Assistant United States Attorney in 1976.

The Committee had the occasion to consider Judge Walton's qualifications for the trial bench some 10 years ago when he was first confirmed to the Superior Court. For the next 8 years, Judge

are good kids if they have the appropriate guidance. Many of those kids need to be in a setting where they can get the assistance to make them the type of people that I believe innately they have the ability to become. How you do that can sometimes be very complicated and difficult, but I do think a lot of kids that are falling through the cracks now can be saved if we have a safety net in place to provide for that assistance.

I think we need to do all we can to encourage people to become foster parents and adoptive parents. I think we have to appreciate that we're going to have to have congregate care for a lot of kids because many of those kids, unfortunately, in the home environments in which they exist are not developing in the manner that they should. I think those are things that we need to look at.

I think we need to look very closely at what we can do to improve children, and possibly things that we can also do to improve families. I think we have seen some success with programs that provide for parenting counseling and education of parents. That can be very helpful especially for a young parent who had their child at a very young age and did not himself or herself have appropriate parental guidance. Those types of efforts have helped.

I know that there is one program up in Boston in which they work with young men who have impregnated young girls, and they work with these young men so that they will hopefully play a role in the upbringing of their children. And they have shown some success in reference to that effort.

I think those are the types of efforts that we need to engage in if we are going to strengthen parenting and strengthen the family.

Senator SASSER. Well, I couldn't agree with you more. I think that is one of the fundamental root problems that we have, and I think we need to start by doing a better job with our children.

Judge Walton, at this point if there are no further statements you wish to make regarding your background, views or general qualifications, if you have any further statement regarding your views or general qualifications, the Committee would be pleased to receive it. I assume you have no further statement.

Mr. WALTON. I do not, Senator.

Senator SASSER. The Committee will hold the record open for 10 days until the close of business on Friday, November the 29th.

If any member of the Committee has additional questions of the nominee, I would encourage them through their staffs who are here to encourage their Senator to submit these questions in writing and the nominee to respond as promptly as possible in writing so that both questions and answers can be included in the record.

Judge Walton, we are hoping to mark up your nomination and that of Judge Sullivan as well, I might say, tomorrow so that we can have the Senate act on this prior to adjournment. I know you are anxious to get back to your former job, and I suspect your wife is anxious to get you back there, so we'll do our best to get it done.

Thank you, Judge Walton. On behalf of myself and the Committee, I appreciate your appearing this afternoon.

Mr. WALTON. Thank you, Senator.

Senator SASSER. The Committee will now turn to the second nominee, the Honorable Emmet G. Sullivan.

I want to welcome you before the Committee, Judge Sullivan. As you know, the President has nominated you for promotion to the sixth floor, as they say at the courthouse of the District of Columbia, elevation to the Court of Appeals, and the nomination is to the position of Associate Justice for a term of 15 years.

We welcomed you I think before the committee last June, if I'm not mistaken, Judge Sullivan, when you were present for a hearing on the nomination of your former law partner, Wendell Gardner, to the Superior Court.

Mr. SULLIVAN. That's correct, Senator.

Senator SASSER. I understand that you are only the latest in a line of judges from the Houston law firm. If the nominating commission doesn't stop raiding them, I wonder if there is going to be anyone left to practice law in that firm soon.

Our nominee is a native of Washington, D.C. He received his undergraduate and law degrees from Howard University here in the District of Columbia. He was, as I've said, a partner in the law firm of Houston, Sullivan & Gardner at the time of his confirmation to the Superior Court in November of 1984, and since July of 1990, Judge Sullivan has served as the presiding judge of the court's Probate and Tax Divisions, having been deputy presiding judge since 1987, if I'm not misinformed.

On September the 20th, Judge Sullivan was nominated to be one of the nine judges on the Court of Appeals for the District of Columbia.

Now, I've just finished, Judge Sullivan, describing the Committee's procedure for nominations under Rule 8, and since both of these nomination hearings will be printed in one record, I don't see any need for boring you or the audience with repeating myself.

Judge Sullivan, your biographical information will be placed in the record of this hearing, and the background investigation of the Federal Bureau of Investigation has been reviewed by the Chairman, and I believe by the Committee's ranking member.

Senator SASSER. I will repeat myself to the extent of thanking you, Judge Sullivan, as we did Judge Walton, for your helpfulness and cooperation with Committee members and staff during the nominations process.

If you are accompanied by any guests or family members, we'd be pleased if you wish to introduce them, Judge Sullivan.

Mr. SULLIVAN. Thank you, Mr. Chairman.

My wife of 22 years, Nan, is present, and I'm delighted that she is present today. She recently underwent major surgery, and I am delighted that she is here today because in so many ways she is responsible for me being here today.

My father, Emmet Sullivan, is present; my sisters, Judy Sullivan and Pat Sullivan, are present. My sons, Emmet and Erik are present.

My former law partner is present, Judge Wendell Gardner, and my present deputy presiding judge of the Probate and Tax Division, Judge Eugene Hamilton is present, and I might add that he is a native of the Chairman's home State, and he is also our senior most active judge on the bench.

With respect to courtroom staff, my secretary of long standing, Geri Kyler, is present; my courtroom clerk, Ms. Ann Phillips, is present; my law clerk, Alan Issokson, is present.

Also my sister-in-law, Rosplino Harmon, is present as well.

Senator SASSER. I want to welcome you all here today, particularly Mrs. Walton and Ms. Sullivan and Mr. Sullivan, your father. It is a pleasure to have them here.

Judge Sullivan, you bring along an impressive entourage when you appear before the Committee, and we are pleased to see all of them today.

If you would raise your right hand and be sworn, we can proceed with your testimony.

Do you solemnly swear that the testimony you are about to give in this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SULLIVAN. I do.

Senator SASSER. Thank you.

Now, once again, Judge, we are required to pose certain standard questions under the Committee rules, and you understand that.

Do you know of any reason, personal or otherwise, which would prevent you from fully and honorably discharging your responsibilities as a judge of the court to which you have been nominated?

**TESTIMONY OF EMMET GAEL SULLIVAN, NOMINATED TO BE
ASSOCIATE JUDGE, DISTRICT OF COLUMBIA COURT OF APPEALS**

Mr. SULLIVAN. No, sir, I do not.

Senator SASSER. Is it your present intention, Judge Sullivan, if you are confirmed, to fulfill your entire 15-year term as far as you can foresee?

Mr. SULLIVAN. Yes, sir, it is.

Senator SASSER. Is there anything else that you are aware of in your personal or professional background which would present any conflict of interest with the duties of the position to which you have been nominated by the President of the United States?

Mr. SULLIVAN. No, sir, there is not.

Senator SASSER. If a potential conflict of interest should arise while you are serving as an associate justice, will you describe for the benefit of the Committee and the record how you think it would be best to resolve such a conflict?

Mr. SULLIVAN. Yes, sir. Having been a trial judge for the past 7 years, I am particularly sensitive to conflicts of interest. If I am of the opinion that a potential conflict of interest exists in a case, I will identify the potential conflict of interest to the litigants who appear before me, and if requested to recuse myself, I shall.

Senator SASSER. Judge Sullivan, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress in the event you are confirmed to this judicial post?

Mr. SULLIVAN. Yes, sir, I do.

Senator SASSER. Now, as is customary, the Committee affords the nominee the opportunity to present any statement or information he or she thinks is pertinent to the Committee's consideration of the nomination.

Judge do you have any additional information you wish to call to the Committee's attention regarding your background, education, professional experience and qualifications to be a member of the Court of Appeals of the District of Columbia?

Mr. SULLIVAN. Yes, sir, just very briefly.

I believe that my background and experience, both as a practicing attorney for 12 years, and a judge for the past 7 years, make me exceptionally well-qualified to serve as an associate judge of the D.C. Court of Appeals.

As you know, I am a native Washingtonian, born, raised and educated exclusively in the District of Columbia from nursery school through law school. In fact, with the exception of one year in law school when I resided in Maryland, my residence has been exclusively in Washington.

I therefore have very extensive roots in this city which translate into an abiding concern for everything that takes place in this city, especially the administration of justice in our local courts.

With respect to my experience, my entire adult career has centered around the courts in the District of Columbia. Upon graduation from law school, I clerked for a Superior Court judge; thereafter, I joined a law firm and practiced law in all of the courts in the District of Columbia, including the D.C. Court of Appeals, representing hundreds of clients, plaintiffs as well as defendants.

Since my investiture as a trial judge in November of 1984, I have been one of the very few judges who has sat in every division of the Superior Court—Criminal, Civil, Family, Probate and Tax—presiding over hundreds of cases.

As a practicing attorney and as a judge, I have also served on numerous committees with mandates to improve the administration of justice in the District of Columbia. I like to think that over the years I have made a positive contribution to our local court system and to the citizens of this city.

I am indeed honored, flattered and proud to have been appointed by the President to serve on the highest court in the District of Columbia, and I look forward to a speedy confirmation and the opportunity to serve the community in this very important position.

In closing, I wish to thank you and your staff for the courtesies extended to me and my staff throughout the confirmation process.

Senator SASSER. Thank you very much, Judge Sullivan.

We will likewise hold your record open until the close of business on Friday, November the 29th, and any additional questions from Committee members to you, Judge Sullivan, we request that you answer promptly in writing for the record.

Judge you too, I think, are on our mark-up agenda of the full Committee tomorrow, so I hope and I am confident that you will be embarked upon your duties shortly.

Let me once more express my appreciation to you for your cooperation with the Committee staff. That is always very helpful to us. And if there is nothing further to be said and no more business to come before the Committee, the Committee will stand in recess subject to the call of the Chair.

[Whereupon, at 3:50 p.m., the Committee was adjourned.]

1 BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

A. BIOGRAPHICAL INFORMATION

1. Name: (Include any former names used.)
Emmet Gael Sullivan
2. Position to which nominated:
Associate Judge, District of Columbia Court of Appeals
3. Date of Nomination:
September 20, 1991
4. Address: (List current place of residence and office addresses.)
Home: 1810 Redbud Lane, N.W.
Washington, D. C. 20012
Office: Superior Court of the District of Columbia
500 Indiana Avenue, N.W.
Washington, D. C. 20001
5. Date and place of birth:
June 4, 1947, Washington, D. C.
6. Marital status: (Include maiden name of wife or husband's name.)
Married - Nan LaNita (Clemmons) Sullivan
7. Names and ages of children:
Emmet A. Sullivan II, 20 years of age
Erik G. Sullivan, 12 years of age
8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.
Howard University: September, 1964 - June, 1968; B.A. degree awarded June, 1968
Howard University School of Law: September, 1968 - June, 1971; J.D. degree awarded June, 1971.
9. Employment record: List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment.

<u>FROM</u>	<u>TO</u>	<u>PLACE OF EMPLOYMENT</u>	<u>POSITION</u>
6/63	7/70	Safeway Stores, Inc. 4th & L Streets, S.W. and Benning Road & Minnesota Ave., N.E. Washington, D. C.	Cashier
6/70	7/71	D.C. Bail Agency (presently known as D.C. Pretrial Services Agency) 500 Indiana Ave., N.W. Washington, D. C.	Interviewer
8/71	11/72	Neighborhood Legal Services Program 1130 6th Street, N.W. Washington, D. C.	Law Clerk
12/72	12/73	Superior Court of the District of Columbia 500 Indiana Ave., N.W. Washington, D. C. Law Clerk to Honorable James A. Washington, Jr.	Law Clerk
1/74	5/80	Houston & Gardner 615 F Street, N.W. Washington, D.C.	Attorney
5/80	7/80	Houston, Gardner & Sullivan 615 F Street, N.W. Washington, D. C.	Attorney- Partner
8/80	11/84	Houston, Sullivan & Gardner 615 F Street, N.W./921-6th Street, N.W. Washington, D. C.	Attorney- Partner
11/84	Present	Superior Court of D. C. 500 Indiana Avenue, N.W. Washington, D.C. 20001	Associate Judge
10. Military Service: List any military service, including dates, rank, and type of discharge.			
None			
11. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.			
None.			

12. Previous Appointments: Prior to this appointment, have you ever been nominated for a position requiring confirmation by the Senate? If so, please list each such position, including the date of nomination, Senate confirmation, and Committee hearing, if any.

Yes; I was nominated for the position of Associate Judge, Superior Court of the District of Columbia in July 1984. The hearing before the Committee on Governmental Affairs was on September 11, 1984; Senate Confirmation was on September 28, 1984.

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

I am a partner in a real estate venture which owns a six-unit apartment building.

14. Memberships: List all memberships and offices held in professional, business, fraternal, scholarly, civic, public, charitable and other organizations.

District of Columbia Bar

Bar Association of District of Columbia

Washington Bar Association

The Lawyer's Club

15. Political affiliations and activities:
- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.
 - (b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.
 - (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more for the past 5 years.

Answer:

- (a) None
- (b) For the past 17 years, I have been a member of the Democratic party.
- (c) None

16. Honors and awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Reginald Heber Smith Fellow - 1971 - 1972

17. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

None

18. Speeches: Provide the Committee with three copies of any formal speeches you have delivered during the last 5 years of which you have copies and are on topics relevant to the position for which you have been nominated.

None, although I have participated in extemporaneous discussions with area students on Law Day.

19. Congressional Testimony: Have you ever testified before a Committee of the Congress? If so, please provide details, including date(s).

Yes, in my confirmation hearing for my present position. (See item 12 above)

20. Selection:

(a) Do you know why you were chosen for this nomination by the President?

(b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

Answer

(a) Pursuant to D.C. Code § 11-1501 et seq., the District of Columbia Judicial Nominations Commission submitted three names to the President as nominees for this position. Although the President selected me, I was not informed why I was chosen over the other two nominees. I can assume I was chosen because I have been a sitting Judge for the past seven years.

(b) I have been a trial judge for the past seven years and have presided over hundreds of cases. As a result, I am familiar with the nature of the cases of the Court to which I have been nominated. Prior to my present appointment, I was a practicing attorney for eleven years. During that time, I represented clients in hundreds of cases before the District

of Columbia courts. Moreover, I have served on a number of committees, as a judge and lawyer, responsible for improving the administration of justice in our local court system.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

I intend to continue to participate in the real estate venture which owns an apartment building.

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

No.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

No.

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

No.

5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

I expect to serve out my full term.

C. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

1.(a) As an employee of the D. C. Superior Court, I participate in the District of Columbia Deferred Compensation Plan. As a participant, a portion of my gross salary is deferred until I retire.

1.(b) I am a co-owner of a six-unit apartment building.

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

in the position to which you have been nominated.

I am not aware of any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which I have been nominated other than conflicts arising from cases involving my former law firm, cases involving companies in which I hold securities, or cases involving the tenants or property managers of real property that I own.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

I am not aware of any other business relationships, dealings, or financial transactions which I have had during the past 10 years, other than as described in the immediately preceding response, that could in any way contribute or result in a possible conflict of interest in the position to which I have been nominated. If I become aware of any other relationships that pose conflict of interest problems, I will recuse myself.

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

None.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide copies of any trust or other agreements.)

I will resolve any potential conflict of interest by disclosing to the appropriate parties the nature of the potential conflict and by recusing myself if and when appropriate. My conduct will be guided by the Codes of Conduct for Judges issued by the Administrative Office of the United States Courts.

6. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

Yes.

D. LEGAL MATTERS

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

In July, 1974, Mrs. Karen Lumpkins filed a complaint with the Disciplinary Board of the District of Columbia Bar and sought the return of a Sixty Dollar (\$60.00) consultation fee. When I filed my response in opposition to the complaint, the complaint was dismissed. The docket number for the proceeding is 124-74.

In January, 1984, Ms. Gladys Dorgett filed a complaint with the Disciplinary Board of the District of Columbia Bar. When I filed my response in opposition to the complaint, the complaint was dismissed. The document number for the proceeding is 42-84.

In March, 1987, I received an inquiry from the District of Columbia Commission on Disabilities and Tenure in connection with my appointment of a trustee in Civil Action No. 5486-85. The inquiry concluded with the filing of my response.

In May, 1990, I received an inquiry from the District of Columbia Commission on Disabilities and Tenure in connection with a complaint filed by Mr. Willie L. Streeter regarding my entry of several orders in Civil Action No. 10603-88. The inquiry concluded with the filing of my response.

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

No.

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

I was a co-plaintiff in a case filed in the Superior Court of District of Columbia captioned as follows: Wendell P. Gardner, Jr. and Emmet G. Sullivan v. The Golden Palace Restaurant, et al., Civil Action No. 7320-83. The substance of the suit was that my law partner and I were unlawfully detained and locked in defendants' restaurant upon the refusal of defendants' employees to accept our tender of payment for a luncheon. The case was settled on terms favorable to the

plaintiffs. The terms of the settlement were sealed by Court order.

I was a plaintiff in a case filed in the Superior Court of the District of Columbia captioned as follows: Emmet G. Sullivan v. Calvin Taira, DDS, Civil Action No. 2990-90. This was a dental malpractice action that was settled on terms favorable to plaintiff.

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

No.

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

None of which I am aware.

E) FINANCIAL DATA

(Retained in Committee Files)

SUPPLEMENT FOR D.C. JUDGE NOMINEES

F. QUESTIONS CONCERNING STATUTORY QUALIFICATIONS PURSUANT TO DISTRICT OF COLUMBIA COURT REFORM AND CRIMINAL PROCEDURE ACT OF 1970, SEC. 11-1501(B) OF THE D.C. CODE AS AMENDED

1. Are you a citizen of the United States?

Yes.

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

Yes.

3. Have you been a member of the District of Columbia bar for at least 5 years? (Give year in which you became a member.)

Yes, admitted December, 1973.

4. If the answer to No. 3 is "No" -

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

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

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

(d) Upon what grounds is that eligibility based?

N/A

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

Yes.

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

2219 Bunker Hill Road, N.E., Washington, D. C.
July 1973 - July 1987

1810 Redbud Lane, N.W., Washington, D. C.
Jul 1987 - Present

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

Yes.

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

No.

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

No.



A000019813370

AFFIDAVIT

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

Emmet G. Sullivan

Subscribed and sworn before me this 31st day of October, 19 91

Aubra Allen-William

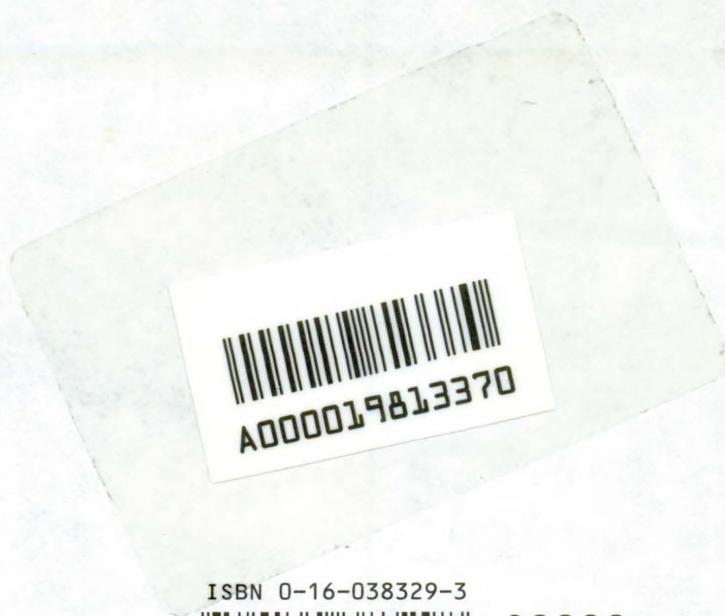
Notary Public

My commission expires 7/1/92

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