

# CONFIRMATION HEARINGS ON FEDERAL APPOINTMENTS

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## HEARINGS

BEFORE THE

## COMMITTEE ON THE JUDICIARY UNITED STATES SENATE

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

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JANUARY 24, FEBRUARY 26, MARCH 19, APRIL 11, AND APRIL 25, 2002

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### PART 3

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Senator CANTWELL. Thank you for those introductions. Mr. Leon.

**STATEMENT OF RICHARD LEON, OF MARYLAND, NOMINEE TO  
BE DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA**

Mr. LEON. Thank you very much, Madam Chairwoman. I appreciate——

Senator CANTWELL. I hope you are not going to be outdone because you are here in the District of Columbia. [Laughter.]

Mr. LEON. No, I can't even approach Judge Jorgenson in that regard, but I certainly want to join with her in thanking you for agreeing to chair this hearing today, and thank Senator Leahy and Ranking Member Hatch and the other Senators who have come out today to make it possible for us to have this hearing. Certainly, I think it is fair to say that the process we go through is an arduous one, and it is a relief to get to this point and we are very grateful to be here.

I am pleased to have with me here today my wife of 28 years, Christine Leon, and my son, who is 10 and about to become 11, Nicholas Leon, seated here. He is getting a firsthand lesson in the civics process, so I think that was enough of a justification for his fifth grade teacher to let him go early today.

I also have some of my former partners here, Fred Graefe and Dick Hauser, and a number of other friends who have been nice enough to come out today to join with me here today.

So, again, thank you all very much and I appreciate the opportunity to be heard.

[The biographical information of Mr. Leon follows:]

## I. BIOGRAPHICAL INFORMATION (PUBLIC)

1. **Full name (include any former names used.)**

Richard John Leon  
Nickname: ("Dick" Leon)

2. **Address: List current place of residence and office address(es).**

Residence since 1990: Chevy Chase, MD  
Office address since 1999: Vorys, Sater, Seymour, and Pease LLP  
1828 L Street, N.W.  
Suite 1111  
Washington, DC 20036

3. **Date and place of birth.**

December 3, 1949  
Natick, Massachusetts

4. **Marital Status (include maiden name of wife, or husband's name). List spouse's occupation, employer's name and business address(es).**

Marie-Christine Costa Leon (since 1973)  
Maiden Name: Marie-Christine Genievive Costa

5. **Education: List each college and law school you have attended, including dates of attendance, degrees received, and dates degrees were granted.**

College of the Holy Cross A.B., 1971  
Worcester, Massachusetts  
(9/67 - 6/71)

Suffolk University Law School J.D., cum laude, 1974  
Boston, Massachusetts  
(9/71 - 6/74)

Harvard University Law School LL.M., 1981  
(9/78 - 6/79)

6. **Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations,**

**nonprofit or otherwise, including firms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college.**

WASHINGTON PARTNER, Vorys, Sater, Seymour and Pease LLP, 1828 L Street, N.W., Washington, D.C. 20036, March 1999 to present.

COMMISSIONER, The Judicial Review Commission on Foreign Asset Control, March 2000 to January 2001.

ADJUNCT PROFESSOR OF LAW, Georgetown University Law Center, Washington, D.C., May 1997 to present. Co-teach "Congressional Investigations" with John D. Podesta.

PARTNER, Baker & Hostetler LLP, 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, April 1989 to March 1999.

SPECIAL COUNSEL, United States House Ethics Reform Task Force, February 1997 to September 1997.

SPECIAL COUNSEL ("WHITEWATER INVESTIGATION"), United States House Banking, Finance & Urban Affairs Committee, July 1994 to August 1994.

CHIEF MINORITY COUNSEL, United States House Foreign Affairs Committee "October Surprise" Task Force, February 1992 to January 1993.

COMMISSIONER, The President's Commission on White House Fellowships, December 1990 to January 1993. Appointed by President George Bush.

DEPUTY ASSISTANT ATTORNEY GENERAL, Environmental & Natural Resources Division, United States Department of Justice, March 1988 to January 1989.

DEPUTY CHIEF MINORITY COUNSEL, United States House Select "Iran-Contra" Committee, March 1987 to March 1988.

SENIOR TRIAL ATTORNEY, United States Department of Justice, Tax Division, Criminal Section, October 1983 to March 1987.

ASSISTANT PROFESSOR OF LAW, St. John's University School of Law, New York. September 1979 to August 1983. Courses taught: Criminal Law, Property, Negotiations, and Legal Research and Writing.

SPECIAL ASSISTANT UNITED STATES ATTORNEY, Southern District of New York (Civil Division), January 1977 to August 1978. Appointed by Robert B. Fiske, Jr.

UNITED STATES DEPARTMENT OF JUSTICE (HONORS PROGRAM), General Attorney, Immigration & Naturalization Service, September 1976 to January 1977.

LAW CLERK to Honorable Thomas F. Kelleher, Associate Justice of the Supreme Court of Rhode Island, September 1975 to August 1976.

LAW CLERK to Chief Justice McLaughlin and the Associate Justices of the Superior Court of Massachusetts, September 1974 to August 1975.

CLERK (part-time), Federal Reserve Bank, Boston, Massachusetts, June 1973 to August 1973.

POLICE OFFICER, Barstable Police Department, Hyannis, Massachusetts, June 1972 to August 1972.

CHIEF COUNSELOR, Hyannisport Country Club Caddie Camp, Hyannisport, Massachusetts, June 1971 to August 1971.

#### ACADEMIC BOARDS

MEMBER, Board of Trustees, Suffolk University, Boston, Massachusetts, (1989-1998).

7. **Military Service:** Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

None

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, and honorary society memberships that you believe would be of interest to the Committee.

College of The Holy Cross: 1971 Distinguished Service Award of The President of the College; Purple Key Society, Executive Board Officer; Varsity Lacrosse Team, Tri-Captain.

Suffolk University Law School: Graduated cum laude; Order of Barristers; Moot Court Board, Executive Officer, Chairman of The Tom C. Clark Moot Court Competition; Suffolk University Law Review, Staff Writer, Annual Survey of Rhode Island Law and Contributor to Vol. VIII; Outstanding Regional Student Award.

United States Department of Justice: Outstanding Attorney Award, United States Department of Justice, Tax Division; Letters of Commendation, Director of the Federal Bureau of Investigation and Commissioner of the IRS; Letters of Commendation and Certificate of Appreciation, Director of the Secret Service; Commendation, IRS Criminal Investigation Division; Trial Advocacy Instructor and Lecturer, The Attorney General's Advocacy Institute.

9. **Bar Associations:** List all bar associations, legal or judicial-related committees or conferences of which you are or have been a member and give the titles and dates of any offices which you have held in such groups.

American Bar Association

Member: (1974-1999), Tax, Criminal Law and Environmental Sections

Rhode Island Bar Association

Member: (1975-present)

District of Columbia Bar Association

Member: (1990-present)

The Federalist Society

Member: (1987-present)

Member: National Practitioners' Advisory Council, (1996-present)

Washington Legal Foundation

Member: Legal Advisory Board, (2000-present)

Committee on Admissions and Grievances, U.S. Court of Appeals, D.C. Circuit

Member: (1994-2000)

Edward Bennett Williams Inn of Court (Washington, DC)

Member: (1989-present)

Board of Trustees, Suffolk University, Boston, Massachusetts

Member: (1989-1998)

Judicial Conference for the District of Columbia Circuit

Member: (1991-present)

Judicial Conference of the Fourth Circuit

Member: (1997 and 2001)

Practitioners' Advisory Group, U.S. Sentencing Commission

Member: (March 2000-present)

Suffolk University Law School Alumni Association, Director and Past President, Boston, Massachusetts, 1985 to 1990.

Suffolk Law School Association of Metropolitan Washington, Inc., Founder, Director and Past President, 1983 to 1988.

Suffolk Law School Association of Metropolitan New York, Inc., Founder and Past President, 1981 to 1984.

10. **Other Memberships:** List all organizations to which you belong that are active in lobbying before public bodies. Please list all other organizations to which you belong.

(a) Other than my law firm, I am not a member of any organization that lobbies congress.

(b) Other organizations: The John Carroll Society (since 1990).

11. **Court Admission:** List all courts in which you have been admitted to practice, with dates of admission and lapses if any such memberships lapsed. Please explain the reason for any lapse of membership. Give the same information for administrative bodies which require special admission to practice.

Supreme Court of Rhode Island (since 1975) (Inactive status since 1999)

D.C. Court of Appeals (since 1991)

U.S. Court of Appeals for the Second Circuit (since 1977)

U.S. Court of Appeals for the D.C. Circuit (since 1992)

U.S. Court of Appeals for the Fourth Circuit (since 1990)

U.S. District Court of Rhode Island (since 1976)

U.S. District Court for the District of Columbia (since 1991)

U.S. Supreme Court (since 1984)

12. **Published Writings:** List the titles, publishers, and dates of books, articles, reports, or other published material you have written or edited. Please supply one copy of all published material not readily available to the Committee. Also, please supply a copy of all speeches by you on issues involving constitutional law or legal policy. If there were press reports about the speech, and they are readily available to you, please supply them.

(A) Publications

**Article:** Congressional Investigations: Are Partisan Politics Undermining Our Vital Institutions?, 31 Suffolk U. Law Rev. 825 (1998).

**Symposium:** The Independent Counsel Process: Is It Broken And How Should It Be Fixed? (contributing participant), 54 Wash. & Lee Law Rev. 1515 (1997).

**Chapter:** "Environmental Crime", Lawyers' Desk Book On White-Collar Crime, published December 1991.

**Article:** Clarence Thomas: Another Potter Stewart? USA Today, September 16, 1991, opp. editorial page.



**Article:** Environmental Criminal Enforcement: A Mushrooming Cloud, 63 St. John's Law Rev. 679 (1989).

**Article:** Art of Inquiry Rehashing (with U.S. Representative Henry Hyde) Washington Times, June 19, 1989, opp. editorial page.

**Article:** Justice Kelleher: A Public Servant's Perspective, 22 Suffolk U. Law Rev. 267 (1988).

**Comment:** Informed Consent to Medical Treatment, Avoiding the "Community of Silence," 8 Suffolk U. Law Rev. 904 (1974).

**Comment:** Torts-Recovery for Negligently Inflicted Loss of Consortium Recognized for Both Spouses, 8 Suffolk U. Law Rev. 1334 (1974).

(B) Speeches:

Speeches 2001

- 4/18/01 Guest Lecture on "Congressional Investigations"  
University of Georgia Law School  
Professor Larry Thompson's Course  
(no written text)
- 3/23/01 Panel Discussion on the Senate Confirmation Process  
Washington University of St. Louis  
Professor Kathleen Clark's Class  
Other panelists: Eliot Minchberg, Amitai Etzioni  
(no written text)

Speeches 1997

- 11/20/97 Delivered the Donahue Lecture at Suffolk University Law School.  
First law school alumnus invited to deliver the lecture.  
Speech was expanded into an article. (See publications section)
- 10/30/97 Moderator, Panel Discussion on Congressional Investigations from  
Watergate to Whitewater. Sponsored by the Federal Bar Council and Held  
in the U.S. Courthouse SDNY.  
Other panelists: Richard BenVeniste, Professor Samuel Dash, Leonard  
Garment, Honorable Elizabeth Holzman, and Bernard Nussbaum.

6/27/97      Participated in a panel discussion on "Congressional Investigations" at the Fourth Circuit Judicial Conference. It was part of a symposium on the Independent Counsel Statute. Transcript was published as an article. (See publications section)  
Other panelists: Honorable Charles H. Haden, II, Chief Judge So. Dist. Of W.-Va., and John W. Nields, Jr., Washington, DC

Speeches 1996

10/21/96      San Antonio, Texas  
 Petroleum Industry Seminar  
 Topic: Environmental Criminal Enforcement  
 (no written text)

8/15/96      CLE Program  
 Houston, Texas  
 Topic: Environmental Criminal Enforcement  
 (no written text)

Summer  
 1996      Guest Lecturer on Congressional Investigations  
 Professor John Podesta's Course in "Congressional Investigations"  
 Georgetown Law School, Washington, DC  
 (no written text)

Speeches 1995

8/24/95      CLE Program  
 Houston, Texas  
 Oil and Gas Industry Conference  
 Environmental Criminal Enforcement  
 (no written text)

Speeches 1993

3/2/93      "Becoming a Lawyer" Seminar at  
 Catholic University Law School  
 Professor Katherine Bender's Course  
 Guest lecture on the legal profession  
 (no written text)

Speeches 1992

4/13-14/92 Executive Enterprises Seminar on Environmental Litigation  
Panelist: Environmental Criminal Enforcement  
Washington, DC  
(no written text)

Speeches 1991

11/21/91 Clark County Bar Association  
Luncheon Address on Supreme Court Confirmation Process of Justice  
Thomas  
(no written text)

8/28/91 Freshman Orientation Speech  
Suffolk University Law School, Boston, Massachusetts  
(no written text)

6/21/91 CMA Conference  
Speech on Environmental Criminal Enforcement  
New York City  
(No written text)

Speeches 1990

12/11 or  
12/12/90 Co-Chair, CLE – Executive Enterprises, Inc.  
Environmental Enforcement & Litigation Conference  
Panelist: Environmental Criminal Enforcement  
Washington, DC  
(no written text)

10/10/90 CLE Program  
Association of Corporate Counsel's  
Speech on Environmental Criminal Enforcement  
Houston, Texas  
(no written text)

9/24/90 International Association of Drilling Contractors  
Environmental Criminal Enforcement Speech  
New Orleans, Louisiana  
(no written text)

Speeches 1989

- 7/19/89      Environmental & Regulatory Seminar  
Hosted by Baker & Hostetler's Columbus office  
Spoke on Environmental Enforcement  
(no written text)
  
- 6/7/89      Bancroft School (private high school in Worcester, Massachusetts)  
Commencement Address  
(no written text)
  
- 3/3/89      American Bar Association  
Annual White Collar Crime Institute  
Panelist on Environmental Criminal Enforcement  
New Orleans, Louisiana  
(no written text)

Speeches 1988

- 10/13/88    NEIC Conference in Washington, DC  
Speech on Environmental Criminal Enforcement  
(no written text)
  
- 10/6/88    CHR&M Environmental Practice Group Seminar  
Speech on Environmental Criminal Enforcement  
Oakland, California  
(no written text)
  
- 9/26/88    CLE Program  
Speech on Environmental Criminal Enforcement  
Los Angeles, California  
(no written text)
  
- 5/4/88    Federal Bar Association  
Hazardous Waste & Toxic Tort Symposium  
Speech on Criminal Enforcement  
Cleveland, Ohio
  
- 3/11/88    American Bar Association  
White Collar Crime Institute  
Panelist on Congressional Investigations  
New Orleans, Louisiana  
(no written text)

13. **Health:** What is the present state of your health? List the date of your last physical examination.

Very good. My last exam was on July 25, 2001.

14. **Judicial Office:** State (chronologically) any judicial offices you have held, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

None.

15. **Citations:** If you are or have been a judge, provide: (1) citations for the ten most significant opinions you have written; (2) a short summary of and citations for all appellate opinions where your decisions were reversed or where your judgment was affirmed with significant criticism of your substantive or procedural rulings; and (3) citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, please provide copies of the opinions.

Not applicable.

16. **Public Office:** State (chronologically) any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. State (chronologically) any unsuccessful candidacies for elective public office.

Deputy Assistant Attorney General, Environment & Natural Resources Division, United States Department of Justice, March 1988 to January 1989. (Appointed by Attorney General Meese)

Commissioner, The President's Commission on White House Fellowships, December 1990 to January 1993. (Appointed by President George Bush.)

Commissioner, The Judicial Review Commission on Foreign Asset Control, March 2000 to January 2001. (Appointed by U.S. Congressman Porter Goss, Chairman House Intelligence Committee.)

17. **Legal Career:**

- a. Describe chronologically your law practice and experience after graduation from law school including:

1. **whether you served as clerk to a judge, and if so, the name of the judge, the court, and the dates of the period you were a clerk;**

9/74-8/75 – Law Clerk to Chief Justice McLaughlin and the Associate Justices of the Superior Court of Massachusetts.

9/75-8/76 – Law Clerk to the Honorable Thomas F. Kelleher, Associate Justice of the Supreme Court of Rhode Island.

2. **whether you practiced alone, and if so, the addresses and dates;**

No.

3. **the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected, and the nature of your connection with each;**

(See below).

b.

1. **What has been the general character of your law practice, dividing it into periods with dates if its character has changed over the years?**

9/76-1/77 – General Attorney, Immigration & Naturalization Service, U.S. Department of Justice (Honors Program).

1/77-8/78 – Special Assistant United States Attorney, Southern District of New York (Civil Division). (Appointed by Robert B. Fiske, Jr.). 1 St. Andrew's Plaza, New York, New York.

Description: Responsible for litigating civil cases in the U.S. District Court for the Southern District of New York and the U.S. Court of Appeals for the Second Circuit, with a primary focus on immigration litigation. Briefed and argued nine appeals in the Second Circuit. Briefed and argued numerous motions in the U.S. District Court. None of my cases went to trial.

9/78-6/79 – Graduate Student, Harvard Law School LL.M. Program.

7/79-8/83 – Assistant Professor of Law, St. John's University School of Law, New York. Union Turnpike and Utopia Parkway, Jamaica, New York.

Description: Taught courses in Criminal Law, Property, Negotiations, and Legal Research and Writing.

10/83-3/87 – Senior Trial Attorney, United States Department of Justice, Tax Division, Criminal Section. Tenth and Pennsylvania Avenue, N.W., Washington, D.C.

Description: Lead counsel in major criminal tax investigations and prosecutions of national and regional significance. Responsibilities included conducting all phases of complex investigations and litigation, including grand jury, case review, analysis of legal and policy issues, pre-trial motions and trial. Liaison to the President's Drug Task Force Coordinator for the Pacific Northwest. Successfully prosecuted over 20 defendants on tax and other criminal charges. Lead counsel in three of the four cases that went to trial before a jury and in three other cases that pled guilty on the eve of trial. Argued numerous pre and post trial motions.

3/87-3/88 – Deputy Chief Minority Counsel, U.S. House Select Iran-Contra Committee. The Capitol, Washington, D.C.

Description: Participated in all phases of the investigation as the second ranking counsel to Congressman Dick Cheney (R-WY), and the Republican Members of the Committee (i.e. Wm. Broomfield, H. Hyde, J. Courter, Wm. McCollum, and M. DeWine). Principally responsible for those portions of the investigation relating to the NSC, the Vice President, the State Department and the Justice Department. Deposed and interviewed dozens of witnesses, including senior government officials and cabinet officers. Questioned and presented witnesses at the televised hearings, e.g., John M. Poindexter and Robert C. McFarlane. Briefed and prepared Congressmen for their questioning of public witnesses. Edited and drafted portions of the Committee's Minority Report. (Top Secret and SCI Clearances).

3/88-1/89 – Deputy Assistant Attorney General, Environment & Natural Resources Division, United States Department of Justice. Tenth & Pennsylvania Avenue, N.W., Washington, D.C.

Description: Responsible for overseeing the 150 plus attorneys in the Environmental Enforcement and Environmental Crimes Section, which are principally responsible for conducting and monitoring all civil and criminal litigation and investigations nationwide, involving the hazardous waste statutes, the Clean Air Act and the Clean Water Act. Also responsible for overseeing the Policy, Legislation and Special Litigation Section. Argued the successful criminal appeal in In re Search of 4801 Fyler Ave., 879 F.2d 385 (8<sup>th</sup> Cir.).

4/89-3/99 – Baker & Hostetler LLP, Washington, D.C. 1050 Connecticut Avenue, N.W., Washington, D.C.

Description: Represented individuals and corporations under investigation by grand juries, congressional committees and executive branch agencies. Counseled individuals and companies in complex litigation, with an emphasis on civil and criminal environmental enforcement, criminal tax and business fraud litigation. Conducted internal corporate investigations and counseled individuals on ethics compliance. Virtually all litigation matters were before federal courts. Criminal defense and investigatory work probably averaged 70 plus percent of the matters handled. Two of the cases I handled went to trial (one civil, one criminal). The overwhelming majority of the criminal matters I handled were either disposed of by guilty pleas or with no charges being brought. Most of the civil matters I handled were settled prior to trial, and on one occasion after extensive meetings with agency attorneys (i.e., U.S. EPA).

2/92-1/93 – Chief Minority Counsel, United States Foreign Affairs Committee “October Surprise” Task Force. Ford House Office Building, Washington, D.C.

Description: Retained by the House of Representatives to serve as the lead counsel and principal staffer of a five attorney/twelve person staff to Congressman Henry Hyde (R-IL), and the Republican Members of the Task Force (i.e. J. Leach, O. Snowe, D. Bereuter, and P. Goss). Responsible for overseeing and directing all aspects of the investigation in coordination with the



Chief Counsel to the Democratic Members. Deposed and interviewed numerous witnesses in the United States and abroad, including former and present senior government officials, and cabinet officers. Presented formal briefings to the Task Force on the status and direction of the investigation. Drafted portions of the Task Force's Joint Report and served as the Minority's chief editor of the report. (Top Secret and SCI Clearances).

7/94-8/94 – Special Counsel (“Whitewater Investigation”), United States House Banking, Finance & Urban Affairs Committee. Rayburn House Office Building, Washington, D.C.

Description: Served as the lead counsel and principal staffer of a four attorney/ten person staff to Congressman Jim Leach (R-IA), and the Republican Members of the Committee during the investigative phase leading up to the hearings and during the hearings themselves. Conducted deposition-like interviews of approximately 40 senior White House, Treasury Department and RTC officials. Extensively briefed and oversaw the preparation of Congressmen and Congresswomen for their questioning of public witnesses.

2/97-9/97 – Special Counsel, United States House Ethics Reform Task Force. c/o U.S. House Ethics Committee, Washington, D.C.

Description: Retained by the House of Representatives to serve as the lead counsel and principal staffer to Co-Chairmen Bob Livingston (R-LA) and Benjamin Cardin (D-MD), and the Republican and Democratic Members, of a bipartisan 12 Member Task Force created to review, evaluate, and propose changes to the process by which ethics complaints are initiated and investigated in the House. The Task Force's comprehensive package of revisions was adopted, with amendments, by the House on September 18, 1997. Prepared and presented over a ten week period extensive briefings to the Task Force. Drafted and edited legislative alternatives to existing rules and Task Force Report to Congress.

5/97-Present – Adjunct Professor of Law, Georgetown University Law Center, 600 New Jersey Avenue, N.W., Washington, D.C.

Description: Co-teach “Congressional Investigations” with John D. Podesta.

3/99-present – Partner, Vorys, Sater, Seymour and Pease LLP,  
1828 L Street, N.W., Washington, D.C.

Description: Represent individuals and corporations under investigation by grand juries, congressional committees and executive branch agencies. Lead counsel in complex litigation, with an emphasis on civil and criminal environmental enforcement, criminal tax and business fraud litigation. Conduct internal corporate investigations and counsel individuals on ethics compliance. Partner in charge of the White Collar Crime and Congressional Investigations practice areas in the Washington office. Virtually all litigation matters are before Federal Courts. Criminal defense and investigatory representations probably account for 70 plus percent of the matters handled.

3/00-1/01 – Commissioner, Judicial Review Commission on Foreign Asset Control. 1331 F Street, N.W., Washington, D.C.

Description: Appointed by Porter Goss (R-FL), Chairman of the U.S. House Permanent Select Committee on Intelligence, as a member of a five person, bipartisan, House/Senate Commission to review and evaluate all judicial, regulatory and administrative authorities relating to the blocking of assets of foreign persons by the United States Government and the remedies available to United States companies and persons affected by the same. The Commission, which was chaired by Larry D. Thompson, participated in extensive briefings with senior law enforcement officials, conducted detailed public hearings in the House and Senate. It submitted an extensive written report in January 2001 on its activities, including its findings, conclusions and recommendations, to the Intelligence, Judiciary, and International Relations Committees of the House and to the Intelligence, Judiciary and Foreign Relations Committees of the Senate. (Top Secret and SI, TK and G Clearances).

2. **Describe your typical former clients, and mention the areas, if any, in which you have specialized.**

(See above).

1. Did you appear in court frequently, occasionally, or not at all? If the frequency of your appearances in court varied, describe each such variance, giving dates.

The frequency of my appearances in court have varied greatly depending upon the position I held. When I served in the U.S. Attorney's office in New York City (January 1977 to August 1978) and in the Criminal Section of the Tax Division at the Department of Justice (September 1983 to March 1987), I appeared in court frequently. When I served as a law professor at St. John's University and as the Deputy Chief Minority Counsel to the House Select Iran-Contra Committee, I did not appear in court at all. When I served as a Deputy Assistant Attorney General from March 1988 to January 1989, I appeared in court only once to argue an appeal in the U.S. Court of Appeals for the Eighth Circuit.

With respect to private practice, over the past 12 years I have appeared in court, occasionally, depending upon the type of case.

2. What percentage of these appearances was in:
- (a) federal courts;
  - (b) state courts of record;
  - (c) other courts.

Virtually all of my appearances in private practice have been in varying federal courts around the country. The only state court I appeared in was for one particular case in Maryland.

As a federal prosecutor and Special Assistant U.S. Attorney, all of my appearances were in the federal courts.

3. What percentage of your litigation was:
- (a) civil;
  - (b) criminal.

If you combined my litigation experience in both the public and private sectors, I would approximate that the

percentage of my litigation experience was 75 percent criminal and 25 percent civil.

4. **State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.**

The number of cases in courts of record that I have tried to a verdict, or judgment, would be five. I was the lead counsel in four of the five cases. I was co-counsel in the fifth case; a five week criminal trial in which I split evenly the responsibility of presenting the eighty witnesses for the United States, and the various arguments pre, post and during the trial.

I would note further, however, that I served as lead counsel in a sixth case that was litigated extensively in the U.S. District Court for the District of Columbia and ultimately tried for 4 weeks before a three judge panel of arbitrators.

5. **What percentage of these trials was:**

- (a) jury;  
(b) non-jury.

One hundred percent if you do not include the four week arbitration trial. If you include that trial, then eighty three percent jury and seventeen percent non-jury.

18. **Litigation: Describe the ten most significant litigated matters which you personally handled. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:**

- (a) the date of representation;
- (b) the name of the court and the name of the judge or judges before whom the case was litigated; and
- (c) the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. **United States v. Franklyn Perry** (D Nevada)  
No. CR-LV 84-118 – HDM (Jury Trial: 12/84 – 1/85)

Honorable Howard D. McKibben  
U.S. District Judge, Nevada, presiding

Counsel for the United States: Robert P. Dickerson (lead counsel)  
AUSA, Las Vegas, Nevada

Richard J. Leon  
Trial Attorney  
Tax Division,  
Criminal Section  
Washington, DC

Counsel for Defendant: J. Tony Serra, Esq.  
San Francisco, CA

Franklyn Perry was prosecuted for a variety of crimes arising out of a series of ponzi type schemes that he used to defraud hundreds of investors throughout the Southwestern United States of tens of millions of dollars of income. Mr. Perry was indicted, and convicted, of tax evasion, mail fraud, wire fraud and obstruction of an investigation. The jury trial lasted over four weeks. Although I was not the lead counsel, I examined half of the approximately 80 witnesses we presented and I presented the opening summation for the government. Mr. Perry was convicted on all counts and was sentenced to twenty five years in prison, which at that time was the longest sentence in the history of the Tax Division for a criminal tax case. I received letters of commendation from FBI Director Webster and IRS Commissioner Eggert. I also received the Tax Division's Outstanding Attorney award. The conviction was upheld on appeal in the Ninth Circuit (unpublished opinion). Postscript: On two occasions after his incarceration, the U.S. Marshal Service received information indicating that Mr. Perry had attempted to hire somebody to kill the judge and the two prosecutors.

Relevant Addresses and Phone Numbers:

Honorable Howard D. McKibben  
Chief Judge, U.S. District Court, Nevada  
(775) 686-5880

Robert P. Dickerson, Esq.  
Dickerson, Dickerson, Consul and Pocher  
Suite 350  
777 North Rainbow Blvd.  
Las Vegas, Nevada 89101  
(702) 388-8600

J. Tony Serra, Esq.  
506 Broadway  
San Francisco, California 94133  
(415) 986-5591

2. United States v. Dominic Fontiere (C.D. of California)  
Docket No. CR 86-545 WDK (disposition by plea)

Honorable William D. Keller  
U.S. District Judge, Central District of California, presiding

Counsel for the United States: Richard J. Leon (lead counsel 1986)  
Sam Strother (co-counsel 1986)  
Tax Division, Criminal Section

Bruce J. Kelton (lead counsel 1984-1985)  
Deputy Chief, Organized Crime  
Strike Force, LA

Counsel for Dominic Fontiere: Bruce I. Hochman (lead counsel)  
Richard Marmaro  
Hochman, Salkin & DeRoy  
Beverly Hills, California

Stephen V. Wilson (1984-1985)  
Hochman, Salkin & DeRoy

The Department of Justice's Organized Crime Strike Force in Los Angeles conducted a lengthy investigation into possible criminal charges arising out of Super Bowl ticket scalping by NFL team owners and/or personnel. In 1985 I was assigned to assist the Deputy Chief of the Strike Force, Bruce Kelton, who was heading up the investigation. When Mr. Kelton left the Department of Justice to enter private practice in January 1986, I become the lead counsel in the investigation. A senior Tax Division prosecutor, Sam Strother, was assigned to assist me several months later.

On June 19, 1986, the grand jury indicted Dominic Frontiere the husband of Los Angeles Rams owner Georgia Rosenbloom Frontiere for three felonies: two counts of filing false income returns and one count of making false statements to federal agents. Because of Mr. Frontiere's prominence in both the athletic and entertainment world (i.e., he was an Emmy Award winning composer and conductor who had been the director of music at Columbia Pictures) the case received tremendous visibility in Southern California and in the national sports press. The case was prepared for trial and litigated during the post-indictment pre-trial phase. One week prior to trial, Mr. Frontiere decided to plead guilty to two of the three felony counts. He was sentenced in October 1986 to 12 months incarceration. Throughout the investigation, pre-indictment phase and post-indictment trial preparation phase, we constantly briefed the local U.S. Attorney, Robert Bonner on the status of the case, as well as the Assistant Attorney General of the Tax Division, Roger Olsen. As lead counsel, I was principally responsible for the preparation of the indictment, the trial preparation, and the drafting and arguing of the pretrial motions and the sentencing argument.

Relevant Addresses and Phone Numbers:

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Sam L. Strother, Esq. (retired)  
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Honorable Robert L. Bonner, esq.  
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Honorable Roger M. Olsen, Esq. (retired)  
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Bruce I. Hochman (deceased)

Honorable Stephen V. Wilson  
U.S. District Judge, C.D. of California  
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Proskauer Rose LLP  
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Los Angeles, California 90067  
(310) 557-2900

3. **United States v. Otto and Matti Hurst** (D. Nevada)  
Docket No. 86-1111 (Jury Trial, January 1986)

Honorable Howard D. McKibben, presiding  
U.S. District Judge, Nevada

Counsel for the United States: Richard J. Leon (lead counsel)  
Tax Division, Criminal Section

Robert M. McCallum  
Tax Division, Criminal Section

Counsel for the Hursts: Henry R. Gordon  
Las Vegas, Nevada

In 1985 the Tax Division decided to experiment in two areas of the country with a new technique to combat tax protester movements: the simultaneous investigation and prosecution of a large number of protesters in the same geographic area with one or more common background traits.

To that end, I was assigned as the lead counsel to conduct a grand jury investigation into a tax protester movement that had developed within



the International Brotherhood of Electrical Workers Union Local 367 in Las Vegas, Nevada. The investigation focused on 11 of the 500 union members suspected of involvement in that movement and four of their wives. Otto Hurst, who was the ring leader of the movement, was the second ranking official in the union, which at that time was the largest union in Las Vegas. The investigation culminated in the conviction of all 15 individuals. Five of the fifteen went to trial (i.e., Otto and Matti Hurst, Harold and Junbeth Altman and Jim Bergman), the others pled guilty.

The Hursts were tried together and their trial was the culmination of the year and a half investigation. The jury trial lasted for approximately a week and both Mr. and Mrs. Hurst were convicted of five counts of tax evasion. Mr. Hurst was sentenced to four years in prison for his conduct. As lead counsel, I oversaw all aspects of the investigation, the trial preparation, the pre and post trial motions and the trial itself. I examined half of the approximately 25 witnesses we presented. I cross examined Mr. Hurst and presented the final summation. The convictions were upheld on appeal in the Ninth Circuit (unpublished opinion).

Relevant Addresses and Phone Numbers:

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4. United States v. Harold and Junbeth Altman (D. Nevada)  
Docket No. 85-1291 (Trial by Jury May 1985)

Honorable Lloyd D. George  
U.S. District Judge, Nevada

Counsel for the United States: Richard J. Leon (lead counsel)  
Tax Division, Criminal Section

Robert M. McCallum  
Tax Division, Criminal Section

Counsel for the Defendant  
Harold Altman:

William Tidwell  
Las Vegas, Nevada

Counsel for Defendant  
Junbeth Altman

Randall Pike  
Las Vegas, Nevada

This trial, which lasted one week, was the first in a series of trials arising out of an investigation into a tax protester ring operating out of the International Brotherhood of Electrical Workers Union in Las Vegas, Nevada. Mr. & Mrs. Altman were indicted for willfully failing to file their 1980 and 1981 income tax returns and with willfully filing fraudulent refund claims for the tax years 1976 through 1979. Mr. Altman was convicted on all 6 counts. Mrs. Altman was convicted of the two failure to file counts, but the jury was hung on the four counts of fraudulent claims for refunds. The court, therefore, declared a mistrial as to those four counts. Mr. Altman was sentenced to 18 months incarceration and Mrs. Altman was sentenced to home detention. The convictions were upheld on appeal in the Ninth Circuit (unpublished opinion).

Relevant Addresses and Phone Numbers:

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William Tidwell, Esq.  
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5. United States v. Jim Bergman (D. Nevada)  
Docket No. 86-1102 (Jury Trial December 1995)

Honorable Philip Pro  
United States Magistrate  
Las Vegas, Nevada

Counsel for the United States: Richard J. Leon (lead counsel)  
Tax Division, Criminal Section

Robert M. McCallum  
Tax Division, Criminal Section

Counsel for the Defendant: Alan R. Harter  
Las Vegas, Nevada

The defendant was indicted for failing to file income tax returns, and was convicted by a jury on all counts after a three day trial. This trial was the second of three arising out of an experimental tax protester enforcement program aimed at large and highly visible protester rings. As lead counsel I oversaw all aspects of the pretrial preparation and motions practice. During the trial, I argued the summation and presented half or more of the witnesses. The case was upheld on appeal in the Ninth Circuit. (United States v. Bergman, 813 F.2d 1027 (9<sup>th</sup> Cir. 1987))

Relevant Addresses and Phone Numbers:

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6. United States v. Donald P. Percival and James S. Chapman (E.D. of Virginia) Criminal Action No. 89-306A (Jury Trial November 6-10, 1989)

Honorable James C. Cacheris  
U.S. District Judge, E.D. of Virginia

Counsel for the United States: Paul G. Cassell, (lead counsel)  
Assistant U.S. Attorney, E.D., Va.

Marcus Davis  
Special Assistant U.S. Attorney  
E.D., Va.

Counsel for James S. Chapman Richard J. Leon (lead counsel)  
Gregory A. Paw  
Baker & Hostetler LLP  
Washington, D.C.

Counsel for Donald P. Percival Thomas Hylden (lead counsel)  
Sachs Greenbaum & Taylor  
Washington, D.C.

I represented James S. Chapman, a retired Sargent on the U.S. Secret Service Police Force, from September 1989 until August 1993 in a two count case in which he was charged with one count of conspiracy to violate federal firearms laws and one count of an unlawful firearm sale in violation of 18 U.S.C. § 922(b)(3). I was the lead counsel for Mr. Chapman and was assisted by a second year associate, Gregory A. Paw. I oversaw and participated in the drafting of all pretrial motions and I handled all aspects of the weeklong jury trial before Judge James C.

Cacheris (opening, summation, the direct and cross examinations of all witnesses as appropriate). I also argued all of the pretrial and post trial motions and the sentencing argument. I drafted significant portions of and edited the entire, appellate brief. I argued the appeal in the Fourth Circuit. The trial consisted of approximately 28 witnesses, including the two defendants. Mr. Chapman was convicted of both the conspiracy and the illegal sale of a firearm to an undercover ATF agent. He was sentenced to six months in prison, and fined \$3,000. The conviction was upheld on appeal in the Fourth Circuit. (United States v. Chapman and Percival, 932 F.2d 964 (4<sup>th</sup> Cir. 1991). Certiorari was denied by the U.S. Supreme Court.

Relevant Addresses and Phone Numbers:

Honorable James C. Cacheris  
Senior Judge, U.S. District Court (E.D. of Virginia)  
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Professor, University of Utah College of Law  
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Marcus J. Davis (retired)  
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7. Stephen A. Goldberg Company v. Texaco, Inc. (D. District of Columbia)  
Civil Action No. 90-0488 LFO

Honorable Louis F. Oberdorfer  
U.S. District Judge, District of Columbia  
 (litigated before the court from 3/90 – 7/92)

Arbitration Panel:

William R. Perlik (Chair), Wilmer Cutler & Pickering  
 Honorable Fred Fielding, Wiley Rein & Fielding  
 Honorable Alfred H. Moses, Covington & Burling

Counsel for the Plaintiff: Marc Fleischaker  
 James H. Hulme (lead trial counsel)  
 Donald Mitchell  
 Lawrence E. Blatnick  
 Arent, Fox, Kintner, Plotkin & Kahn  
 Washington, DC

Counsel for Defendant: Richard J. Leon (lead counsel)  
 Frederick W. Chockley, III  
 Christina R. Silva  
 Baker & Hostetler LLP  
 Washington, DC

I was the lead counsel for a team of attorneys at Baker & Hostetler that represented Texaco, Inc. in a lawsuit before the Honorable Louis Oberdorfer. The plaintiff, Stephen A. Goldberg Company (“Goldberg”), a large real estate development company in Washington, was suing Texaco for gasoline contamination of soil and groundwater to certain real property next to the Convention Center in downtown Washington. The legal theories advanced by Goldberg included: strict liability, negligence per se, restitution, private nuisance, trespass and negligence. Goldberg was seeking in excess of \$12 million dollars in damages. The case was exhaustively litigated before Judge Oberdorfer, from March 1990 up until July of 1992 when the parties, upon the urging of the court, entered into an agreement to submit the case for binding arbitration. A three judge panel of leading attorneys in Washington DC was convened (William R. Perlik of Wilmer Cutler, & Pickering, chaired the panel). The case was tried before the arbitrators during the Fall of 1992 and the early Winter of 1993. It consumed approximately 18 trial days. As lead counsel in the case I was responsible for the overall strategy and management of the case. I was assisted by a then senior associate, Frederick W. Chockley, III and a young associate Christina R. Silva. I conducted depositions, edited and

drafted key pleadings and argued certain motions before the court. As lead counsel, I questioned over half of the witnesses and delivered the summation for Texaco. In March 1993, the arbitrators awarded a judgment of approximately \$2.9 million for the Stephen A. Goldberg Company. Thereafter, on June 8, 1993 the parties filed a stipulation dismissing the case with prejudice.

Relevant Addresses and Phone Numbers:

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Honorable Alfred H. Moses, Esq.  
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Lawrence E. Blatnick, Esq.  
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Co-Counsel:

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Christina R. Silva, Esq.  
Blue Cross & Blue Shield  
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125<sup>th</sup> Avenue  
Pittsburgh, PA 15222  
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8. **United States v. Pillsbury Company** (W.D. of Missouri)  
Docket No. (Guilty plea entered 10/22/90)

Honorable James England  
U.S. Magistrate, W.D. Missouri

Counsel for the United States:

David C. Jones  
AUSA, Western District of Missouri  
Springfield, MO

Counsel for Pillsbury:

Gordon Ankney (co-counsel)  
Thompson & Mitchell  
St. Louis, MO

Richard J. Leon (co-counsel)  
Baker & Hostetler LLP  
Washington, DC

David F. Fisher (In-house counsel)  
Group Counsel  
Pillsbury Company  
Minneapolis, MO



I served as co-counsel to the Pillsbury Company in a grand jury investigation and prosecution into the illegal discharge of a pollutant by employees into a creek in Joplin, Missouri which occurred as a part of the closing of a Pillsbury plant in 1989. As co-counsel in the case, I met and worked extensively with the in-house counsel of Pillsbury, David Fisher, and the local counsel in Missouri, Gordon Ankney. We in turn met and negotiated on a number of occasions with AUSA Jones in an effort to reach a possible disposition of the case. In addition, I made a presentation to the Department of Justice, both in person and in writing, regarding various legal and policy issues raised by the case, including the applicability of the responsible corporate officer doctrine. The company ultimately pled guilty on October 22, 1990 to a one count misdemeanor violation of the Clean Water Act for the illegal discharge of a pollutant into a navigable water of the United States. It was fined \$275,000, which was divided between the State of Missouri and the federal government.

Relevant Addresses and Phone Numbers:

Honorable James England  
U.S. Magistrate W.D. of Missouri  
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Hon. David F. Fisher, Esq.  
Commissioner of Administration  
State of Minnesota  
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9. United States v. Joseph G. & Nicholas G. Miller (N.D. of Ohio)  
Docket No. 3: 96 CR00778-001 and 3: 96 CR0078-002

Honorable David A. Katz  
U.S. District Judge, Northern District of Ohio

Counsel for the United States: David A. Bauer  
Supervisory Assistant U.S. Attorney,  
N.D. of Ohio  
Toledo, Ohio

Counsel for Defendants: Richard J. Leon (lead counsel)  
H. Karl Zeswitz, Jr.  
Baker & Hostetler  
Washington, DC

I represented Joseph G. and his son Nicholas G. Miller throughout a lengthy and highly complex IRS criminal tax investigation from 1993 to 1997 into possible criminal tax offenses against each of them individually and the large privately held company that they owned. Their company was at that time one of the largest video rental chains in the nation; operating over 50 stores in Ohio, Michigan, and Indiana.

The investigative phase required numerous document productions pursuant to administrative subpoenas and numerous meetings with the IRS agent handling the case. There were many complicated accounting and technical tax issues. The case was authorized for prosecution by the Tax Division at the Department of Justice in September 1995, and it was transferred to the U.S., Attorney's office in Toledo for prosecution. From that point forward, I had numerous meetings with the AUSA handling the case in an effort to resolve it in a manner mutually acceptable to my clients and the government. On January 19, 1997, Mr. Miller and his son Nicholas each waived their right to an indictment and each pled guilty to a three count information, charging each with two counts of income tax evasion and one count of aiding and assisting in the preparation of a false corporate tax return. On April 25, 1997, after extensive briefings, Judge Katz sentenced each of the Millers to a period of home confinement, probation thereafter, and required each to pay substantial fines for their offenses.

Relevant Addresses and Phone Numbers:

Honorable David A. Katz  
U.S. District Judge N.D. of Ohio  
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10. Ellen Sauerbrey et al v. State Administrative Board of Election Laws, et al. (In the Circuit Court for Anne Arundel County) Civil No. C-94-17721-CC

Honorable Raymond G. Thieme, Jr.  
Circuit Judge, presiding

Counsel for the Plaintiffs:  
(12/7/94 – 1/7/95)

Lee T. Ellis, Jr., Esq. (lead counsel)  
Richard J. Leon, Esq.  
Ralph Blasey, Esq.  
Tracey McPherson, Esq.  
Gregory A. Paw, Esq.  
Baker & Hostetler LLP  
Washington, DC

John M. Carbone, Esq.  
c/o Sauerbrey HDQ  
Cockeysville, MD

Counsel for State Agencies:

Ralph S. Tyler, Esq.  
Deputy Attorney General  
Baltimore, MD  
for State Administrative  
Board of Election Laws

<u>Counsel for Glendening and Townsend</u> :	George A. Nilson, Esq. Robert C. Douglas, Esq. Piper & Marbury Baltimore, MD  Bruce L. Marcus, Esq. Marcus & Bonsib Greenbelt, MD  John Hardin Young, Esq. Washington, DC  Joseph Sandler, Esq. Democratic National Committee Washington, DC
<u>Counsel for Prince Georges County Board of Elections Supervisors:</u>	Eric H. Nyce, Esq. Upper Marlboro, MD
<u>Counsel for Montgomery County Board of Elections</u> :	John P. Diuguid, Esq. Washington, DC
<u>Counsel for the United States</u> :	Honorable Lynne A. Battaglia United States Attorney for the District of Maryland

My partner Lee Ellis and I, together with several associates, represented the Republican Gubernatorial Candidate, Ellen Sauerbrey, and her running mate, in their historic challenge to the election contest in 1994 against Paris Glendening and his running mate. That election was the closest gubernatorial contest in Maryland's history and the challenge was the first ever brought in a gubernatorial contest in the history of Maryland.

Circuit Judge Thieme, with the consent of counsel, set an extraordinarily abbreviated discovery schedule in order to insure the completion of a challenge and an appeal prior to the scheduled inauguration of a new governor in January 1995. The discovery process took place during the last 2 weeks of December 1994 and the first week of January 1995. The trial was set for January 9, 1995.

Although I was the engagement attorney in the case due to my preexisting relationships with the RNC's general counsel's office, my partner Lee Ellis, a seasoned Maryland state litigator, was the logical choice to be our lead counsel. As his co-counsel, I participated extensively in all phases of the discovery and the preparation process for what would be the first televised trial in Maryland's history. I reviewed and edited pleadings, took and defended depositions, negotiated issues with opposing counsel and counseled our clients, and their staff, regarding the strategy and direction of the litigation. I participated in a number of court hearings.

Due to reasons we are not at liberty to discuss, Mr. Ellis and I, on behalf of our firm and with the permission of the court, withdrew as counsel for the plaintiffs on January 7, 1995. Thereafter, we assisted in the orderly transition of the case to new counsel.

Relevant Addresses and Phone Numbers:

Honorable Raymond G. Thieme, Jr.  
Judge, Court of Special Appeals of Maryland  
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19. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe the nature of your participation in this question, please omit any information protected by the attorney-client privilege (unless the privilege has been waived.)

1. **Special Counsel,**  
**U.S. House Ethics Reform Task Force**  
**February 1997 to September 1997**

Retained by the House of Representatives to serve as the lead counsel and principal staffer to Co-Chairmen Bob Livingston (R-LA) and Benjamin Cardin (D-MD), and the Republican and Democratic Members, of a bipartisan 12 Member Task Force created to review, evaluate, and propose changes to the process by which ethics complaints are initiated and investigated in the House. The Task Force's comprehensive package of revisions was adopted by the House, with amendments, on September 18, 1997. I prepared and presented extensive briefings, over a 10 week period to the Task Force in executive session. I drafted legislative alternatives to the existing rules, and significant portions of the Task Force Report to Congress.

2. **Deputy Chief Minority Counsel,**  
**U.S. House Select "Iran-Contra" Committee**  
**March 1987 to March 1988**

Participated in all phases of the investigation as the second ranking counsel to Congressman Dick Cheney (R-WY), and the Republican Members of the Committee (i.e. Wm. Broomfield, H. Hyde, J. Courter, Wm. McCollum, and M. DeWine). Principally responsible for those portions of the investigation relating to the NSC, the Vice President, the State Department and the Justice Department. Deposed and interviewed dozens of witnesses, including senior government officials and cabinet officers (e.g., the Secretary of State, the Attorney General of the United States, etc.). Questioned and presented witnesses at the televised hearings, (e.g., John M. Poindexter and Robert C. McFarlane, etc.). Briefed and prepared Congressmen for their questioning of public witnesses. Edited and drafted portions of the Committee's Minority Report. (Top Secret and SCI Clearances)

3. **Chief Minority Counsel,**  
**U.S. House Foreign Affairs Committee "October Surprise" Task Force**  
**February 1992 to January 1993**

Retained by the House of Representatives to serve as the lead counsel and principal staffer of a five attorney/twelve person staff to Congressman Henry Hyde (R-IL), and the Republican Members of the Task Force (i.e. J. Leach, O. Snowe, D. Bereuter, and

P. Goss). Responsible for overseeing and directing all aspects of the investigation in coordination with the Chief Counsel to the Democratic Members. Deposed and interviewed dozens of witnesses in the United States and abroad, including former President Jimmy Carter and former senior government officials, and cabinet officers, (e.g., Hon. Henry Kissinger and Hon. Edwin Meese III). Presented formal briefings to the Task Force on the status and direction of the investigation. Drafted portions of the Task Force's Joint Report and served as the Minority's chief editor of the report. (Top Secret and SCI Clearances).

4. **Special Counsel, U.S. House Banking Finance and Urban Affairs Committee**  
**"Whitewater" Investigation**  
**July 1994 to August 1994**

Served as the lead counsel and principal staffer of a four attorney/ten person staff to Congressman Jim Leach (R-IA), and the Republican Members of the Committee during the investigative phase leading up to the hearings and during the hearings themselves. Conducted deposition-like interviews of approximately 40 senior White House, Treasury Department and RTC officials (e.g., Bernard Nussbaum, Mack McClarty and John Podesta, etc.). Briefed and prepared Congressmen and Congresswomen for their questioning of public witnesses during the two weeks of televised hearings.

5. **Commissioner, Judicial Review Commission on Foreign Asset Control**  
**March 2000 to January 2001**

Appointed by Porter Goss (R-FL), Chairman of the U.S. House Permanent Select Committee on Intelligence, as a member of a five person, bipartisan, House/Senate Commission to review and evaluate all judicial, regulatory and administrative authorities relating to the blocking of assets of foreign persons by the United States Government and the remedies available to United States companies and persons affected by the same. The Commission, which was chaired by Larry D. Thompson, participated in extensive briefings with senior government officials, conducted public hearings in the House and Senate, and submitted a written report in January 2001 on its activities, including its findings, conclusions and recommendations, to the Intelligence, Judiciary, and International Relations Committees of the House and to the Intelligence, Judiciary and Foreign Relations Committees of the Senate. (Top Secret and SI, TK and G Clearances).



6. Member, Admissions & Grievances Committee  
U.S. Court of Appeals for the District of Columbia Circuit  
1994 to 2000

I was appointed in 1994 by the U.S. Court of Appeals for the District of Columbia Circuit to serve a three year term on its Admission and Grievances Committee. I was reappointed to a second term in 1997. During my six years of service (the maximum allowed) the Committee met periodically and reviewed complaints referred to it by the court regarding certain members of its bar. Occasionally, we would conduct hearings into allegations brought and hear arguments from the party under investigation. On several occasions, I authored an opinion on behalf of the committee embodying the recommended disposition of the matter to the court.

7. Assistant Professor of Law, St. John's University School of Law, New York  
September 1979 to August 1983

Adjunct Professor of Law, Georgetown University Law Center, Wash., D.C.  
May 1997 to present

Trial Advocacy Instructor and Lecturer, The Attorney General's Advocacy  
Institute

Over the past twenty years I have had the opportunity to actively participate in the training and education of young attorneys. As a full-time and part-time law professor, I have had an extensive opportunity to develop and hone my skills in analyzing and explaining complicated legal and factual matters so that they would be readily understood by the entire range of students before me. As an instructor at the Attorney General's Advocacy Institute, I have had the pleasure of helping aspiring trial lawyers develop the techniques and skills necessary to succeed in a courtroom. I believe all three of these experiences would be valuable in dealing with the wide range of attorneys that would appear before me, as well as in assisting the jurors who would be looking to me to educate them as to the applicable laws and procedures.

Finally, as a corollary to my teaching experience, I believe the effort I have expended over the past twenty years authoring articles, and a book chapter, on various topics, would also be valuable experience for the responsibility that judges have to issue opinions on complex matters in a manner understandable by a diverse audience.

8. United States v. Tennessee Gas Pipeline Company and Tenneco, Inc.

From 1993 to 1995 I served as a lead member of a small team of outside attorneys that counseled Tenneco, Inc., and its subsidiary Tennessee Gas Pipeline Co., and negotiated on its behalf with Region IV of the U.S. EPA, a consent agreement and

consent order that settled a multiregional administrative penalty action concerning contamination by PCB and other constituents at 42 compressor stations along its 16,000 mile pipeline system. This agreement was, at that time, the largest administrative penalty case ever successfully brought by EPA under the Toxic Substances Control Act (TSCA).

In addition, during the same period, I counseled and assisted the company in the negotiation of an administrative order on consent (AOC) under CERCLA to effectuate a cleanup of PCB contamination along most of its pipeline. EPA calculated in 1994 that the likely cost of this cleanup would be \$240 million, thereby making the settlement the largest in the history of the CERCLA program.

Bringing about an acceptable settlement of both of these matters was highly complicated both legally and scientifically. In addition, it was greatly complicated by the fact that there were multiple state environmental agencies, and multiple US EPA regions involved. Often times the various agencies had competing interests and positions. To say the least, there was no clear formula to bring about these results and my involvement consumed hundreds of hours of my time during each of those years.

## II. FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers. Please describe the arrangements you have made to be compensated in the future for any financial or business interest.

None.

2. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern. Identify the categories of litigation and financial arrangements that are likely to present potential conflicts-of-interest during your initial service in the position to which you have been nominated.

I will follow the standard procedures in place at the U.S. District Court, as approved by the Federal Judicial Center, to determine financial and other possible conflicts of interest.

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

I have committed to co-teach with John Podesta the "Congressional Investigations" course at Georgetown Law School in the Fall Semester 2001. This will be the fifth consecutive year we have taught this course together. I have also committed to teach the same course, alone, at the Catholic University Law School in the Spring Semester 2002.

If confirmed, I would reevaluate the burden of teaching the course one night a week, against my new duties as a judge.

4. List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, patents, honoraria, and other items exceeding \$500 or more (If you prefer to do so,

copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here.)

See Ethics in Government Act Form attached.

5. Please complete the attached financial net worth statement in detail (Add schedules as called for).

See attached.

6. Have you ever held a position or played a role in a political campaign? If so, please identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

No.

## FINANCIAL STATEMENT

### NET WORTH

#### I. ASSETS

Cash on hand and in banks:	\$8,275.00
U.S. Government securities-add schedule:	0
Listed securities-add schedule:	Riggs Bank Stock: \$1,729.00
Unlisted securities—add schedule:	0
Accounts and notes receivable:	0
Due from relatives and friends:	
Due from others:	
Doubtful:	
Real estate owned-add schedule:	\$425,000 (estimated value)
Real estate mortgages receivables:	0
Autos and other personal property:	1995 Volvo (estimated value \$12,000) 1987 Volvo (estimated value \$4,000)
Cash value-life insurance	0
Other assets itemize:	
Household items:	\$40,000 (estimated value)
401 K Retirement Account:	\$115,681
Total Assets:	\$606,685

#### II. CONTINGENT LIABILITIES

As endorser, comaker or guarantor:	0
On leases or contracts:	0
Legal claims:	0

Provision for Federal Income Tax:	N/A
Other special debt:	0

### III. LIABILITIES

Notes payable to banks-secured:	\$243,287 – ABN AMRO – home mortgage \$ 30,233 – Riggs Home Equity Line \$ 4,246 – DOJ Federal Credit Union (Auto Loan)
Notes payable to banks-unsecured:	\$ 11,499 – Riggs Line of Credit \$ 9,466 – DOJ Federal Credit Union Line of Credit \$ 7,154 – Bank of America Line of Credit
Notes payable to others:	See Attached
Accounts and bills due:	See Attached
Unpaid income tax:	0
Other unpaid income and interest:	0
Real estate mortgages payable-add schedule:	0
Chattel mortgages and other liens payable:	0
Other debts-itemize:	0
Total Liabilities:	\$366,597
Net Worth:	\$240,088
Total liabilities and net worth:	

### IV. GENERAL INFORMATION

Are any assets pledged? (Add) schedule: 0

Are you a defendant in any suits or legal actions? No

Have you ever taken bankruptcy? No

**III. LIABILITIES (CONTINUED)**

Notes payable to others:	Citifinancial (balance on loan \$5,426)	
Accounts and bills due:	Credit Card balances:	
	MBNA	\$28,545
	Citibank	\$ 3,983
	CapOne	\$ 1,391
	Optima	\$ 1,968
	Amex (S/T)	\$ 8,764
	Exxon	\$ 1,534
	Department Stores:	
	Nordstrom	\$ 2,354
	Sears	\$ 1,304
	Brooks Bros.	\$ 984
	Bloomingdale	\$ 1,967
	Neimans	\$ 624
	Hechts	\$ 579
	Lord & Taylor	\$ 355
	Saks	\$ 192
	Talbots	\$ 742

## III. GENERAL (PUBLIC)

1. **An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.**

With the exception of the academic year I was a graduate student at the Harvard Law School, I spent the first 14 years of my legal career working full-time in public service. As a law clerk, prosecutor, law professor and congressional counsel, my sole focus was aimed towards the betterment of our society, legal systems, and profession.

When I entered private practice in 1989, I was committed to finding additional opportunities to be involved on a part-time basis in public service. Fortunately, I have had a number of opportunities to do so during the past 12 years. For example, on three occasions, I have had the honor to serve as counsel to the U.S. House of Representatives on highly sensitive matters of national significance. On one of these occasions, I took a leave of absence from my law firm to work full-time for the House Banking Committee, on the other two occasions, I served as an outside counsel to two House Task Forces, billing my time at rates substantially below my normal rate.

In addition, I have been fortunate enough to serve as a commissioner on both an executive branch and congressional branch commission. From 1990 to 1993 I served as a member of the White House Fellows Commission by appointment of President George Bush. Since then, I have on four other occasions chaired the Regional Finals selection panel for the White House Fellows Program. From 2000 to 2001, I served as a member of the Judicial Review Commission on Foreign Asset Control which was established by the Congress in 1999 to advise it with respect to certain highly sensitive law enforcement and national security legislation.

With respect to the legal professional, I have been continuously involved, on a pro bono basis, in legal education over the past twenty years. In addition to organizing and heading two law school alumni organizations (e.g., New York City and Washington, DC) I served on the Board of Trustees of my alma mater for eight years. Moreover, during the past four years, I have stayed involved in legal education by co-teaching a course at Georgetown Law School with John D. Podesta.

Finally, with respect to our local bar, I served on a pro bono basis for two terms (the maximum possible) as a member of the Admissions & Grievances Committee of the U.S. Court of Appeals for the District of Columbia Circuit. This committee is



responsible for dealing, in essence, with all ethical complaints brought against members of the bar of the Court of Appeals for the District of Columbia Circuit.

2. **The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion. Do you currently belong, or have you belonged, to any organization which discriminates -- through either formal membership requirements or the practical implementation of membership policies? If so, list, with dates of membership. What you have done to try to change these policies?**

No

3. **Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, did it recommend your nomination? Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and interviews in which you participated).**

No, there is no selection commission in the District of Columbia. The selection process in which I participated consisted of the following: I was interviewed by the Counsel to the President at the White House in March 2001. He was accompanied by one of his Associate White House Counsel. In April, 2001, I met with Mayor Anthony Williams of Washington, D.C. Thereafter, I had a number of brief telephone conversations with an Associate White House Counsel to provide certain background information. In June 2001, I was provided with various forms to complete by the White House Counsel's office. In July 2001, I was informed by the White House that the FBI was going to conduct a background investigation of me. I was interviewed by a Special Agent of the FBI later that month and had a number of follow-up telephone conversations with that agent and his colleagues to provide them with further information. On September 4, 2001, I met with the Deputy White House Counsel to discuss the nomination process. On September 7, 2001, I met with Congresswoman Eleanor Holmes Norton. I was nominated by the President on September 10, 2001.

4. **Has anyone involved in the process of selecting you as a judicial nominee discussed with you any specific case, legal issue or question in a manner that could reasonably be interpreted as asking how you would rule on such case, issue, or question? If so, please explain fully.**

No

5. **Please discuss your views on the following criticism involving "judicial activism."**

The role of the Federal judiciary within the Federal government, and within society generally, has become the subject of increasing controversy in recent years. It has become the target of both popular and academic criticism that alleges that the judicial branch has usurped many of the prerogatives of other branches and levels of government.

Some of the characteristics of this “judicial activism” have been said to include:

- a. A tendency by the judiciary toward problem-solution rather than grievance-resolution;
- b. A tendency by the judiciary to employ the individual plaintiff as a vehicle for the imposition of far-reaching orders extending to broad classes of individuals;
- c. A tendency by the judiciary to impose broad, affirmative duties upon governments and society;
- d. A tendency by the judiciary toward loosening jurisdictional requirements such as standing and ripeness; and
- e. A tendency by the judiciary to impose itself upon other institutions in the manner of an administrator with continuing oversight responsibilities.

Federal judges, particularly at the trial court level, must exercise great self-restraint to avoid interfering with the constitutionally prescribed powers of the executive and legislative branches of our government. As a former congressional counsel and a former executive branch official, I am particularly sensitive to the rights and prerogatives of those two branches. Accordingly, I believe judges should place an extremely high priority on insuring both the justiciability of all matters that come before them, and the constitutionally permissible limitations on their powers to fashion remedies to resolve those controversies. Furthermore, I believe trial judges have to be especially mindful of their obligation to follow the precedents established by the U.S. Supreme Court and the Court of Appeals for their Circuit. To say the least, the doctrine of stare decisis is a cornerstone of our legal system, and must be closely adhered to by our trial judges.

<b>AG-10</b> Rev. 1/2001		<b>FINANCIAL DISCLOSURE REPORT</b> <b>FOR NOMINEES</b>		<i>Report Required by the Ethics          in Government Act of 1978          (5 U.S.C. App. §§101-111)</i>
<b>1. Person Reporting</b> (Last name, first, middle initial) Leon, Richard J.		<b>2. Court or Organization</b> U.S. District Court for the District of Columbia		<b>3. Date of Report</b> 9/18/01
<b>4. Title</b> (Article III Judges indicate active or senior status; magistrates judges indicate full- or part-time) District Judge, Nominee		<b>5. Report Type</b> (check appropriate type) <input checked="" type="checkbox"/> Nomination, Date <u>9/10/01</u> <input type="checkbox"/> Initial <input type="checkbox"/> Annual <input type="checkbox"/> Final		<b>6. Reporting Period</b> 1/1/00 - 9/18/01
<b>7. Chambers or Office Address</b> 1828 L Street, N.W. Washington, DC		<b>8. On the basis of the information contained in this Report and          any modifications pertaining thereto, it is, in my opinion,          in compliance with applicable laws and regulations.</b> Reviewing Officer _____ Date _____		
<b>IMPORTANT NOTES:</b> The instructions accompanying this form must be followed. Complete all parts checking the NONE box for each part where you have no reportable information. Sign on last page.				

**I. POSITIONS.** (Reporting individual only; see pp. 9-13 of Instructions.)

POSITION	NAME OF ORGANIZATION/ENTITY
<input type="checkbox"/> NONE (No reportable positions.)	
1 Washington Partner (3/99 - present)	Vorys, Sater, Seymour and Pease, LLP
2 Commissioner (3/00 - 1/01)	Judicial Review Commission on Foreign Asset Control
3 See Attached	

**II. AGREEMENTS.** (Reporting individual only; see pp. 14-16 of Instructions.)

DATE	PARTIES AND TERMS
<input checked="" type="checkbox"/> NONE (No reportable agreements.)	
1	
2	
3	

**III. NON-INVESTMENT INCOME.** (Reporting individual and spouse; see pp. 17-24 of Instructions.)

DATE	SOURCE AND TYPE	GROSS INCOME (yours, not spouse's)
<input type="checkbox"/> NONE (No reportable non-investment income.)		
1		
2 2000	Vorys, Sater, Seymour and Pease, LLP	\$ 260,000
3 2000	Judicial Review Commission on Foreign Asset Control	\$ 52,609 ***
4 2000	Georgetown University	\$ 5,100
5 2000	IRA Distributions	\$ 53,300
	See Attached	\$

\*\*\* Amount Received Turned over to Vorys, Sater, Seymour and Pease, LLP

**ATTACHMENT TO FINANCIAL DISCLOSURE REPORT FOR JUDICIAL NOMINEE  
RICHARD J. LEON**

**I. POSITIONS**

<u>POSITION</u>	<u>NAME OF ORGANIZATION/PARTY</u>
Adjunct Professor (1977 – present)	Georgetown University Law Center
Member, (1991 – present)	Edward Bennett Williams Inn of Court
Member, (2000 – present)	Practitioners' Advisory Group, U.S. Sentencing Commission
Member, (1/00 – present)	Legal Advisory Board, Washington Legal Foundation
Member, 1996 – present)	National Practitioners Advisory Council, The Federalist Society
Member, (1991 – present)	The Judicial Conference of the District of Columbia Circuit
Member, (2001)	The Judicial Conference of the Fourth Circuit

**III. NON-INVESTMENT INCOME**

<u>DATE</u>	<u>SOURCE AND TYPE</u>	<u>GROSS INCOME</u>
2000	John Hancock Life Insurance (demutualization payment)	\$ <u>1,156.00</u>
2001 to date	Vorys, Sater, Seymour and Pease, LLP	<u>\$190,000.00</u>
2001	Judicial Review Commission on Foreign Asset Control	\$ <u>12,312.96</u> **

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\*\* Amount Received Turned Over to Vorys, Sater, Seymour and Pease, LLP

FINANCIAL DISCLOSURE REPORT	Name of Person Reporting	Date of Report
	Richard J. Leon	9/18/01

**IV. REIMBURSEMENTS** -- transportation, lodging, food, entertainment.  
(Includes those to spouse and dependent children. See pp. 23-27 of Instructions.)

	SOURCE	DESCRIPTION
<input type="checkbox"/>	NONE (No such reportable reimbursements.)	
1		
2	Exempt	
3		
4		
5		
6		
7		

**V. GIFTS.** (Includes those to spouse and dependent children. See pp. 28-31 of Instructions.)

	SOURCE	DESCRIPTION	VALUE
<input type="checkbox"/>	NONE (No such reportable gifts.)		
1			\$
2	Exempt		\$
3			\$
4			\$

**VI. LIABILITIES.** (Includes those of spouse and dependent children. See pp. 32-33 of Instructions.)

	CREDITOR	DESCRIPTION	VALUE CODE*
<input type="checkbox"/>	NONE (No reportable liabilities.)		
1			
2	MBNA	Credit Card	K
3	Riggs Bank	Line of Credit	J
4	Dept. of Justice Federal Credit Union	Line of Credit	J
5			
6			

\*Value Code: L-\$15,000 or less K-\$15,001-\$50,000 M-\$50,001-\$100,000 N-\$100,001-\$250,000  
 O-\$250,001-\$500,000 P-\$500,001-\$1,000,000 Q-\$1,000,001-\$25,000,000  
 R-\$25,000,001-\$50,000,000 S-\$50,000,001 or more

## FINANCIAL DISCLOSURE REPORT

Name of Person Reporting	Date of Report
Richard J. Leon	9/18/01

**VII. Page 1 INVESTMENTS and TRUSTS -- income, value, transactions** (includes those of spouse and dependent children. See pp. 34-37 of Instructions.)

A Description of Asset (including trust assets)  <i>Place (1) after each asset acquired from prior disclosure.</i>	B Income during reporting period		C Gross value at end of reporting period		D Transactions during reporting period				
	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Amr. Code1 (A-H)	Type Code2 (I-P) Div. or Int.	Value Code2 (I-P)	Value Method Code3 (Q-W)	Type Code4 (X-Z) Div. or Int. Buy, Sell, Merger, Redemption	(2) Date Month Day	(3) Value Code2 (I-P)	(4) Gain Code1 (A-H)	(5) Identity of buyer/seller (if private transaction)
<input type="checkbox"/> NONE (No reportable income, assets,									
1 Jan. 2000 to Dec. 2000 Fidelity 401(K) Mutual Fund Account		D Div.	M	T					
3 Dec. 2000 to present Fidelity 401(K) Individual Retirement Account (non invested)	C	INT	M	T					
5 Riggs National Bank Stock Since 2001			J	T					
6									
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1. Signature of the filer: _____	2. Signature of the filer: _____	3. Signature of the filer: _____	4. Signature of the filer: _____	5. Signature of the filer: _____	6. Signature of the filer: _____	7. Signature of the filer: _____	8. Signature of the filer: _____	9. Signature of the filer: _____	10. Signature of the filer: _____
11. Signature of the filer: _____	12. Signature of the filer: _____	13. Signature of the filer: _____	14. Signature of the filer: _____	15. Signature of the filer: _____	16. Signature of the filer: _____	17. Signature of the filer: _____	18. Signature of the filer: _____	19. Signature of the filer: _____	20. Signature of the filer: _____

## FINANCIAL DISCLOSURE REPORT

Name of Person Reporting	Date of Report
Richard J. Leon	9/18/01

**VII. Page 2 INVESTMENTS and TRUSTS – income, value, transactions** (Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

A Description of Asset (including trust assets)  <i>Place "X" after each asset except from prior disclosure.</i>	B Income during reporting period		C Gross value at end of reporting period		D Transactions during reporting period				
	(1)	(2)	(1)	(2)	If not exempt from disclosure				
	Type Code 1 (A-H)	Type (div- dend- rent or int.)	Value Code 2 (O-P)	Value Method Code 3 (Q-W)	Type (e.g., buy, sell, merger, redemption)	(2) Date Month Day	(3) Value Code 2 (J-P)	(4) Gain Code 1 (A-H)	(5) Identity of buyer/seller (if private transaction)
<input type="checkbox"/> <b>NONE</b> (No reportable income, assets, or transactions)									
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19									
20									
21									
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**1. Income/Gain Codes:** A=\$1,000 or less; B=\$1,001-\$2,500; C=\$2,501-\$5,000; D=\$5,001-\$15,000; E=\$15,001-\$50,000; F=\$50,001-\$100,000; G=\$100,001-\$1,000,000; H=\$1,000,001-\$5,000,000; I=\$5,000,001-\$25,000,000; J=More than \$25,000,000.  
**2. Value Codes:** L=\$15,000 or less; K=\$15,001-\$50,000; M=\$50,001-\$100,000; N=\$100,001-\$250,000; O=\$250,001-\$500,000; P=\$500,001-\$1,000,000; Q=\$1,000,001-\$5,000,000; R=\$5,000,001-\$25,000,000; S=More than \$25,000,000.  
**3. Value Method Codes:** Q=Appraisal; R=Cos. (real estate only); S=Assessment; T=Cash/Market.  
**4. Value Method Codes:** Q=Appraisal; R=Cos. (real estate only); S=Assessment; T=Cash/Market.

## FINANCIAL DISCLOSURE REPORT

Name of Person Reporting	Date of Report
Richard J. Leon	9/18/01

**VII. Page 3 INVESTMENTS and TRUSTS -- income, value, transactions** (Includes those of spouse and dependent children. See pp. 34-57 of Instructions.)

A. Description of assets (including real assets)	B. Income during reporting period		C. Gross value at end of reporting period		D. Transactions during reporting period				
	(1) Asset Code (A-H)	(2) Type (e.g., dividend, interest, etc.)	(1) Value Code (I-P)	(2) Value Method Code (Q-W)	(1) Type (e.g., buy, sell, merge, redemption)	(2) Date Acquired	(3) Value Code (J-P)	(4) Gain Code (A-H)	(5) Identity of recipient (if private transaction)
<div style="border: 1px solid black; width: 40px; height: 20px; display: inline-block; vertical-align: middle;"></div> <b>NONE</b> (No reportable income, assets, or transactions)									
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1. Income Tax Codes: A-\$1,000 or less; B-\$1,001-\$2,500; C-\$2,501-\$5,000; D-\$5,001-\$15,000; E-\$15,001-\$50,000; F-\$50,001-\$100,000; G-\$100,001-\$1,000,000; H-\$1,000,001-\$5,000,000; I-\$5,000,001-\$10,000,000; J-\$10,000,001-\$50,000,000; K-\$50,000,001-\$100,000,000; L-\$100,000,001-\$500,000,000; M-\$500,000,001-\$1,000,000,000; N-\$1,000,000,001-\$5,000,000,000; O-\$5,000,000,001-\$10,000,000,000; P-\$10,000,000,001-\$50,000,000,000; Q-\$50,000,000,001-\$100,000,000,000; R-\$100,000,000,001-\$500,000,000,000; S-\$500,000,000,001-\$1,000,000,000,000; T-\$1,000,000,000,001-\$5,000,000,000,000; U-\$5,000,000,000,001-\$10,000,000,000,000; V-\$10,000,000,000,001-\$50,000,000,000,000; W-\$50,000,000,000,001-\$100,000,000,000,000; X-\$100,000,000,000,001-\$500,000,000,000,000; Y-\$500,000,000,000,001-\$1,000,000,000,000,000; Z-\$1,000,000,000,000,001-\$5,000,000,000,000,000; AA-\$5,000,000,000,000,001-\$10,000,000,000,000,000; AB-\$10,000,000,000,000,001-\$50,000,000,000,000,000; AC-\$50,000,000,000,000,001-\$100,000,000,000,000,000; AD-\$100,000,000,000,000,001-\$500,000,000,000,000,000; AE-\$500,000,000,000,000,001-\$1,000,000,000,000,000,000; AF-\$1,000,000,000,000,000,001-\$5,000,000,000,000,000,000; AG-\$5,000,000,000,000,000,001-\$10,000,000,000,000,000,000; AH-\$10,000,000,000,000,000,001-\$50,000,000,000,000,000,000; AI-\$50,000,000,000,000,000,001-\$100,000,000,000,000,000,000; AJ-\$100,000,000,000,000,000,001-\$500,000,000,000,000,000,000; AK-\$500,000,000,000,000,000,001-\$1,000,000,000,000,000,000,000; AL-\$1,000,000,000,000,000,000,001-\$5,000,000,000,000,000,000,000; AM-\$5,000,000,000,000,000,000,001-\$10,000,000,000,000,000,000,000; AN-\$10,000,000,000,000,000,000,001-\$50,000,000,000,000,000,000,000; AO-\$50,000,000,000,000,000,000,001-\$100,000,000,000,000,000,000,000; AP-\$100,000,000,000,000,000,000,001-\$500,000,000,000,000,000,000,000; AQ-\$500,000,000,000,000,000,000,001-\$1,000,000,000,000,000,000,000,000; AR-\$1,000,000,000,000,000,000,000,001-\$5,000,000,000,000,000,000,000,000; AS-\$5,000,000,000,000,000,000,000,001-\$10,000,000,000,000,000,000,000,000; AT-\$10,000,000,000,000,000,000,000,001-\$50,000,000,000,000,000,000,000,000; AU-\$50,000,000,000,000,000,000,000,001-\$100,000,000,000,000,000,000,000,000; AV-\$100,000,000,000,000,000,000,000,001-\$500,000,000,000,000,000,000,000,000; AW-\$500,000,000,000,000,000,000,000,001-\$1,000,000,000,000,000,000,000,000,000; AX-\$1,000,000,000,000,000,000,000,000,001-\$5,000,000,000,000,000,000,000,000,000; AY-\$5,000,000,000,000,000,000,000,000,001-\$10,000,000,000,000,000,000,000,000,000; AZ-\$10,000,000,000,000,000,000,000,000,001-\$50,000,000,000,000,000,000,000,000,000; BA-\$50,000,000,000,000,000,000,000,000,001-\$100,000,000,000,000,000,000,000,000,000; BB-\$100,000,000,000,000,000,000,000,000,001-\$500,000,000,000,000,000,000,000,000,000; BC-\$500,000,000,000,000,000,000,000,000,001-\$1,000,000,000,000,000,000,000,000,000,000; BD-\$1,000,000,000,000,000,000,000,000,000,001-\$5,000,000,000,000,000,000,000,000,000,000; BE-\$5,000,000,000,000,000,000,000,000,000,001-\$10,000,000,000,000,000,000,000,000,000,000; BF-\$10,000,000,000,000,000,000,000,000,000,001-\$50,



FINANCIAL DISCLOSURE REPORT	Name of Person Reporting	Date of Report
	Richard J. Leon	9/18/01

**VII. Page 4 INVESTMENTS and TRUSTS -- income, value, transactions** *(Includes those of spouse and dependent children. See pp. 34-37 of Instructions.)*

Description of Asset (including trust assets)  <i>Please check after each asset excludes from prior disclosure.</i>	B Income during reporting period		C Gross value at end of reporting period		D Transaction during reporting period				
	(1)	(2)	(1)	(2)	(1)	If not exempt from disclosure			
	Type (E-S) Code1 (A-H)	Value (rent or int)	Value Code2 (I-P)	Method Code (Q-W)	Type (E-S) buy, sell, merger, redemption	Date Month Day	Value Code2 (I-P)	Gain Code1 (A-H)	Identity of buyer/seller (if private transaction)
<input type="checkbox"/> NONE (No reportable income, assets, or transactions)									
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Investment Firm Name	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions
Investment Firm Name	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions
Investment Firm Name	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions
Investment Firm Name	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions
Investment Firm Name	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions	34-37 of Instructions

# FINANCIAL DISCLOSURE REPORT

Name of Person Reporting	Date of Report
Richard J. Leon	9/18/01

## VIII. ADDITIONAL INFORMATION OR EXPLANATIONS (Indicate part of Report.)

## IX. CERTIFICATION.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C. app., § 501 et. seq., 5 U.S.C. § 7353 and Judicial Conference regulations.

Signature

*Richard J. Leon*

Date

*9/18/01*

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C. App., § 104.)

