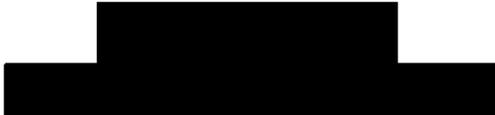


PAUL R. ALMANZA



EDUCATION **BOALT HALL SCHOOL OF LAW**
U.C. BERKELEY
J.D. awarded May 1992
Associate Editor, *Ecology Law Quarterly*

PRINCETON UNIVERSITY
A.B., Politics, awarded June 1988

EMPLOYMENT **ASSOCIATE CHIEF ADMINISTRATIVE LAW JUDGE AND ADMINISTRATIVE LAW JUDGE**
U.S. DEPARTMENT OF LABOR, Washington, D.C.
January 2013 to present (Associate Chief Administrative Law Judge from January 2017)

Manage the Office of Administrative Law Judges' adjudication of claims under the Longshoremen's and Harbor Worker's Compensation Act and of alien labor certification appeals. Adjudicate cases in these areas and in matters involving whistleblower protections, coal miners' entitlement to black lung benefits, and certain civil enforcement actions. Conduct hearings and draft orders and rulings. Supervise four attorneys, a paralegal, and two legal assistants.

ADMINISTRATIVE LAW JUDGE
SOCIAL SECURITY ADMINISTRATION, Falls Church, Virginia
September 2012 to January 2013

Adjudicated disability claims under the Social Security Act.

**NATIONAL COORDINATOR FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION (ON
DETAIL FROM THE CRIMINAL DIVISION)**
OFFICE OF THE DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE, Washington, D.C.
February 2012 to September 2012

Coordinated the work of Department of Justice components fighting child exploitation, such as the Federal Bureau of Investigation, the Criminal Division, and the Office of Justice Programs. Facilitated cooperation between Departmental components and other federal agencies, agencies of other levels of government, and non-governmental organizations such as the National Center for Missing & Exploited Children on effective measures to address child exploitation. Drafted speeches and correspondence for the Attorney General and the Deputy Attorney General and briefed them, White House staff, and Congressional staff on child exploitation matters.

VARIOUS POSITIONS, INCLUDING DEPUTY CHIEF
CHILD EXPLOITATION AND OBSCENITY SECTION, CRIMINAL DIVISION
U.S. DEPARTMENT OF JUSTICE, Washington, D.C.
November 2002 to June 2007; March 2010 to September 2012 (Deputy Chief from 2006)

Developed and analyzed policy initiatives and legislative proposals to improve the investigation and prosecution of child exploitation cases nationwide. Proposed revisions to U.S. Sentencing Guidelines. Made appellate recommendations and trained prosecutors. Drafted budgetary and administrative documents. As a deputy chief, supervised an assistant deputy chief and two trial attorneys, was the second-line supervisor for three support staff, and assisted the chief in the

management of the section. As a trial attorney, prosecuted cases nationwide. Received Special Commendation Award from the Assistant Attorney General of the Criminal Division for work on the Adam Walsh Child Protection and Safety Act of 2006.

CHIEF OF STAFF AND SENIOR COUNSEL; SENIOR COUNSEL
OFFICE OF LEGAL POLICY
U.S. DEPARTMENT OF JUSTICE, Washington, D.C.
June 2007 to March 2010 (Chief of Staff from November 2007)

Assisted in the development, coordination, and presentation of Departmental policies in a variety of areas including child exploitation, civil rights, drug policy, and criminal sentencing. Reviewed and commented on pending legislation and drafted legislative proposals. Briefed senior Departmental officials and Congressional staffers, and assisted in preparing Departmental witnesses for Congressional testimony. Vetted nominees to the federal bench. Managed the day-to-day operations of an office with a \$6.4 million annual budget and supervised fifteen attorneys and six support staff. Received the John Marshall Award from the Attorney General for work on the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009.

ASSOCIATE
MCKENNA & CUNEO; MCKENNA LONG & ALDRIDGE, Washington, D.C.
April 2001 to November 2002

Practice focused on commercial litigation and white-collar criminal defense.

CAPTAIN
U.S. ARMY JUDGE ADVOCATE GENERAL'S CORPS, Germany and Washington, D.C.
June 1996 to April 2001

Served as prosecutor, administrative law attorney, defense counsel, and appellate government counsel. Tried over 40 courts-martial.

ASSOCIATE
PARKER, MILLIKEN, CLARK, O'HARA & SAMUELIAN, Los Angeles, California
October 1992 to June 1996

Practice focused on environmental law, including environmental criminal defense.

VARIOUS RANKS, INCLUDING LIEUTENANT COLONEL
U.S. ARMY RESERVE, California, Arizona, and Virginia
May 1989 to June 1996, April 2001 to August 2016

Served as an intelligence officer and as a judge advocate, and from June 2010 until retirement in August 2016, as a military trial judge and briefly as a military appellate judge. Served as the investigating officer in *United States v. PFC Bradley Manning*, the Wikileaks case.

AFFILIATIONS D.C. Bar (No. [REDACTED]) (active; admitted January 11, 2002)
State Bar of California (No. [REDACTED]) (inactive; admitted March 5, 1993)
Federal Administrative Law Judge's Conference, Second Vice President (previously Secretary)

REFERENCES Available upon request.

Natalie Appetta

WORK EXPERIENCE:

U.S. Department of Labor, Office of Administrative Law Judges

William S. Moorehead Federal Office Building
1000 Liberty Avenue, Suite 1800
Pittsburgh, PA 15222, United States

09/2015-Present

Salary: 161,405.00 USD Per Year

Hours per week: 40

Series: 0935 Pay Plan: AL Grade: 3

Administrative Law Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

Conduct hearings in a wide variety of cases, including for individuals seeking benefits under the Black Lung Benefits Act, the Longshore and Harbor Workers' Compensation Act and the Defense Base Act, which comprises most of the caseload. Also responsible for hearing and deciding cases arising from over 80 other labor-related statutes, Executive Orders, and regulations, including such areas as: whistleblower complaints involving corporate fraud and violations of transportation, environmental and food safety statutes; alien labor certifications; actions involving the working conditions of migrant farm laborers; grants administration relating to preparation of workers and job seekers to attain needed skills and training; prohibition of workplace discrimination by government contractors; minimum wage disputes; child labor violations; mine safety variances; OSHA formal rulemaking proceedings; federal contract disputes; civil fraud in federal programs; certain recordkeeping required by ERISA; and standards of conduct in union elections. Also rule on the admissibility of evidence, objections, motions, fee petitions, conduct pre-hearing conferences, administer oaths and affirmations, govern the conduct of parties at hearings, receive and consider briefs submitted, evaluate the credibility of witnesses, make findings of fact and conclusions of law and write related decisions and orders.

Social Security Administration, Office of Adjudication and Review

1000 Liberty Avenue
Suite 2308
Pittsburgh, PA 15222 United States

09/2012 -09/2015

Salary: 161,405.00 USD Per Year

Hours per week: 40

Series: 0935 Pay Plan: AL Grade: 3

Administrative Law Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

Hold hearings and make and issue decisions on appeals from determinations on claims filed under the Social Security Act (SSA); Investigate facts, obtain and review evidence developing arguments for and against granting benefits and issue timely and legally sufficient decisions based on all evidence presented; Also rule on the admissibility of evidence, objections, motions (i.e. to dismiss, for subpoenas, fee petitions, etc.), conduct pre-hearing conferences, administer oaths and affirmations, govern the conduct of parties at hearings, examine and/or cross-examine witnesses at hearings, receive and consider briefs submitted, evaluate the credibility of witnesses, and make findings of fact and conclusions of law.

Supervisor: Julianne Hostovich

Okay to contact this Supervisor: Contact me first

U.S. Department of Energy, National Energy Technology Laboratory

626 Cochran Mill Road
Pittsburgh, PA 15236-3611 United States

10/2005 - 09/2012

Salary: 142,990.00 USD Per Year

Hours per week: 40

Series: 0905 Pay Plan: GS Grade: 15

Supervisory Attorney (This is a federal job)

Duties, Accomplishments and Related Skills:

Serve as an assistant to the NETL Chief Counsel in all matters. Review solicitations, contracts, grants and cooperative agreements for compliance with law, regulation and sound business judgment. Prepare contractual instruments. Assist in negotiation of awards. Conduct legal research, draft legal opinions and provide factual and legal analysis concerning the application of various federal, state and administrative statutes, regulations and DOE directives and policies. Represent DOE in actions litigated before administrative boards (Civilian Board of Contract Appeals), protests before the General Accountability Office (GAO) and U.S. Court of Federal Claims, labor disputes before the Federal Labor Relations Authority (FLRA), labor grievances before an arbitrator, complaints before the EEO, appeals before the MSPB and in mediations. Provide litigation support to the U.S. Department of Justice, U.S. Attorney's Office in matters involving DOE before federal courts. Provide advice under a broad range of laws including but not limited to, environmental (NEPA, RCRA, CERCLA), Energy (EPACT 2005, Energy Independence and Security Act of 2007 (EISA)), FOIA, Appropriations, Personnel, Privacy, Export and Ethics. Draft, review and negotiate memorandums of understandings, interagency agreements and other instruments. Review proposed federal and state legislation and regulations for impact on NETL programs. Provide legal support to all NETL sites.

Supervisor: Paul Detwiler

Okay to contact this Supervisor: Yes

U.S. Department of Labor, Office of the Solicitor,
Philadelphia, PA United States
05/1998 - 10/2005

Hours per week: 40

Pay Plan: Other

Attorney (This is a federal job)

Duties, Accomplishments and Related Skills:

Represented the Secretary of Labor in litigation and enforcement actions under federal laws pertaining to employee benefits (ERISA), occupational safety and health (OSHA, MSHA, Black Lung Benefits Act, Longshore), employee discrimination (Title VII, ADEA, ADA, whistleblower protection), minimum wage and overtime, (FLSA, child labor) and other labor and employment matters. Prepared and presented cases to federal district courts, administrative courts, the EEOC and MSPB. Conducted legal research, drafted legal opinions and provided factual and legal analysis. Provided compliance and pre-citation investigative assistance and made recommendations to Department of Labor Agencies. Advised and assisted agencies in preparing subpoenas and responding to Freedom of Information Act requests, subpoenas, HIPAA and Privacy Act matters. Acted as back-up Regional Counsel, ERISA. Recruited and supervised law clerks. Served as technology committee representative.

Supervisor: Joan Rolier [REDACTED]

Okay to contact this Supervisor: Yes

Damian & DeLuca

Pittsburgh, PA United States

08/1996 - 05/1998

Hours per week: 40

Associate

Duties, Accomplishments and Related Skills:

Performed research, prepared legal memoranda, pleadings, complaints and briefs, drafted local legislation and contacted witnesses. Conducted and defended depositions. Participated in various court proceedings. Areas of law included general civil practice, municipality law and criminal defense.

Supervisor: August Damian [REDACTED]

Okay to contact this Supervisor: Yes

Roxanne B. Conlin & Associates

P.C. Des Moines, IA United States

09/1994 - 05/1996

Hours per week: 20

Law Clerk

Duties, Accomplishments and Related Skills:

Performed general research, prepared legal memoranda, drafted petitions and wrote briefs submitted to state and federal courts. Conducted interviews. Assisted in depositions, trials and trial preparation. Areas of law include labor and employment law, civil, rights and civil litigation.

Supervisor: Melinda Ellwanger [REDACTED]

Okay to contact this Supervisor: Yes

Warren County Domestic Abuse Project

Indianola, IA United States

05/1995 - 09/1995

Hours per week: 10

Prosecutor/Civil Intern

Duties, Accomplishments and Related Skills:

Assisted victims in the completion and filing of petitions and represented victims in civil proceedings. Worked with County Attorney and prosecuted domestic assault cases.

Supervisor: Artis Reis, [REDACTED]

Okay to contact this Supervisor: Yes

Drake Legal Clinic, Drake

University Des Moines, IA United

States 03/1995 - 05/1995

Hours per week: 20

Student Attorney

Duties, Accomplishments and Related Skills:

Defended alleged criminals in misdemeanor cases. Represented clients in general civil proceedings such as divorces, conservatorships, guardianships, bankruptcies and wills.

Supervisor: Louise Jacobs [REDACTED]

Okay to contact this Supervisor: Yes

Court of Common Pleas, Civil Division

Pittsburgh, PA United States

05/1994 - 08/1994

Hours per week: 20

Judicial Intern

Duties, Accomplishments and Related Skills:

Wrote summations on issues and motions before the court. Observed pre-trial conferences, negotiations, sentencing and trials. Researched various legal issues for decisions and motions.

Supervisor: Robert Gailo [REDACTED]

Okay to contact this Supervisor: Yes

SYSCON Corporation
Washington, DC United States
05/1991 - 08/1993

Hours per week: 40

Benefits Analyst

Duties, Accomplishments and Related Skills:

Oversaw and administered company retirement benefit plans.

Supervisor: Vinod Goyal

Okay to contact this Supervisor: Yes

Office Assistant, University Library

Blacksburg, VA United States

05/1990 - 05/1991

Hours per week: 20

Office Assistant, University Library

Duties, Accomplishments and Related Skills:

Maintained computerized databases, performed data entry and gained experience in variety of PC software.

Supervisor: Gina Spillane

Okay to contact this Supervisor: Yes

U. S. , Department of Energy

Washington, DC United States

05/1989 - 09/1989

Hours per week: 40

Pay Plan: Other

Administrative Intern, (This is a federal job)

Duties, Accomplishments and Related Skills:

Reviewed companies' applications for eligibility of refunds; drafted and granted requests for crude oil overcharges.

Supervisor: Thomas Wieker

Okay to contact this Supervisor: Yes

United States Information Agency, Voice of America/Radio Marti

Washington, DC United States

05/1988 - 09/1988

Hours per week: 40

Pay Plan: GS Grade: 5

Assistant to the Editor (This is a federal job)

Duties, Accomplishments and Related Skills:

Received and interpreted news stories from Latin American wire services; prepared news for broadcasts.

Supervisor: Catherine Coppland

Okay to contact this Supervisor: Yes

EDUCATION:

Drake University Law School, Des Moines, IA United States

Professional 05/1996

Major: Law

Relevant Coursework, Licenses and Certifications:

Honors and Achievements: Dean's List; Who's Who Among American Law Students; ABA Negotiations Team, Member; Moot Court Board, Member; Blackstone Inn of Court, Student Member; Drake Law School Academic Support Program, Teaching Assistant; Constitutional Law I, Tutor; Drake Law Journal, Productions Editor; Drake Legal Research Service, Staff Researcher.

Activities: Drake Law Women, Publicity Chair; Victim Offender Reconciliation Program (V.O.R.P.), Volunteer; Children and Families of Iowa, Volunteer; Polk County Women Attorneys, (P.C.W.A.) Student Member; Polk County Task Force on Domestic Violence, P.C.W.A. Student Representative; Phi Alpha Delta Legal Fraternity, Member, Best Buddies, Associate Member; American Bar Association, Student Division, Member.

Virginia Tech, Blacksburg, VA United States Bachelor's Degree

05/1991

Major: 2 majors - Political Science and Finance

Relevant Coursework, Licenses and Certifications:

B.A. in Political Science; Finance, Second Major, May 1991

Honors and Activities: 1991 Virginia Tech Woman of the Year; Member, Omicron Delta Kappa National Leadership Honor Society; Member, Pi Sigma Alpha National Political Science Honor Fraternity; Student Member, Blacksburg Transit Advisory Committee and Greater Blacksburg Chamber of Commerce Board of Directors.

Baldwin High School Pittsburgh, PA United States

High School or equivalent 06/1987

Job Related Training:

Mediation Training -2016
EPA-NEPA Training - 2009
Procurement/Government Contracts - 2006 and 2008
West-Year in Review (Government Contracts) -2007 and 2010
FDR - Labor and EEO training - 2007
Appropriations Law - 2009

Additional Information:

Received Secretary of Energy Achievement Award for qualifying advanced coal project tax credit program.
Received perfect score in performance reviews each year at NETL; resulted in four (4) Quality Step Increases based on performance.
Received promotion to GS 15 in September, 2009.
Received Special Act Award for work on EEOC case in 2010.
Received NETL "On the Spot" Awards every year at NETL.

William Thomas Barto

Work Experience:

United States Department of Labor
Office of Administrative Law Judges
800 K Street NW, Suite 400N
Washington, DC 20001 United States

05/2016 - Present

Hours per week: 40

Series: 0935 **Pay Plan:** AL **Grade:** 03/F

Administrative Law Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

I preside over formal adversarial hearings concerning a wide variety of labor-related matters, including claims arising under the Black Lung Benefits Act, the Longshore and Harbor Workers' Compensation Act, and dozens of other labor-related statutes and regulations such as whistleblower protection statutes, enforcement actions involving the working conditions of migrant farm laborers, and contract disputes. Capitalizing on my previous experience as an appellate judge, I also serve on the Board of Alien Labor Certification Appeals and am overseeing the drafting and implementation of board rules of procedure and practice. I have received training from the Federal Mediation and Conciliation Service on mediation skills and serve as a settlement judge, as necessary.

Supervisor: Honorable Stephen Henley

Okay to contact this Supervisor: Yes

Social Security Administration

Office of Disability Adjudication and Review
1470 Pantops Mountain Place
Charlottesville, VA 22911 United States

03/2015 - 05/2016

Hours per week: 40

Series: 0935 **Pay Plan:** AL **Grade:** 03/F

Administrative Law Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

I held hundreds of nonadversarial hearings and issued decisions on appeals from determinations on claims filed under titles II, VIII, and XVI of the Social Security Act. I investigated the facts of each claim and develop the arguments both for and against granting benefits. I analyzed evidence, identified issues to be resolved, identified other parties to be joined in the case, and issued subpoenas. I also heard testimony, considered and resolved conflicting evidence, and ruled on all motions, petitions, or exceptions involving questions of law, procedure, and the admissibility of evidence. I made the evidence of record available to the parties and informed them of any evidence or expert testimony required in connection with the hearing, governed the conduct of the parties at the hearing, and in general regulated the course of the hearing. I made findings of fact on each issue based on all the evidence of record and rendered conclusions of law. I issued timely and legally sufficient decisions, and resolve petitions for representative fees and issue orders designating the authorized fee. I successfully managed a hearing docket of dozens of cases monthly and was on track to issue over 500 policy-compliant decisions in my first year in this position.

Department of the Army

Criminal Law Division
Office of the Judge Advocate General
Fort Belvoir, VA 22060 United States

04/2014 - 03/2015

Hours per week: 40

Series: 0905 **Pay Plan:** GS **Grade:** 15

This a time-limited appointment or temporary promotion

Director, Advocacy Training and Programs (This is a federal job)

Duties, Accomplishments and Related Skills:

I oversaw training and support programs for the Army's Special Victim Prosecutors, Paralegals, Special Victim Counsel, and other legal personnel involved in the prosecution and defense of sexual assault, child sex abuse, and serious domestic violence. I served also as an attorney advisor to senior Army officials and legal staff concerning military justice and the judicial process. I anticipated the needs of the Army through strategic planning and the development of policy and regulation to improve the efficiency and effectiveness of the administration of justice. I personally revised and coordinated the approval for a completely new system of identifying essential tasks on which to train litigators and supervisors. I developed a system of advocacy evaluation for use by Army trial judges that provided feedback to legal supervisors about training needs and suggested prioritization of training effort.

United States Court of Federal Claims

717 Madison Place, N.W.
Washington, DC 20005 United States

08/2012 - 10/2013

Hours per week: 40

Series: 0901 **Pay Plan:** JS **Grade:** 16

Chief Deputy Clerk for Administrative Services (This is a federal job)

Duties, Accomplishments and Related Skills:

Under direction of the Clerk of Court, I was responsible for the managing, planning, supervision, and administration of the Clerk's Office, and acted as the Clerk of Court in her absence. Among other duties, I was responsible for effectively managing court support services, including finance and budget, procurement, training, space and facilities, emergency preparedness, security, and human resources. I oversaw the court's directors of finance, facilities, and human resources, analyzed the quality and quantity of their work, recommended corrective actions, and mentored them as appropriate. I consulted with and made recommendations to the Clerk on various management matters. As a manager, I selected or recommended the selection of subordinate supervisors, recommended personnel action concerning subordinate supervisors and other employees, and evaluated their performance. I also assigned and explain work requirements to subordinates for new or changed programs, functions, goals, and processes. I also assisted the Clerk with the development, implementation and refinement of procedures to enhance the productivity and effectiveness of the Clerk's Office. I reviewed and analyzed organizational structure, reporting

relationships and functional assignment, striving to meet current and future organizational needs. As a strategic leader, I established and adjusted long range work schedules, priorities, and deadlines for completion of assignments, and coordinated work among subordinate offices.

I demonstrated my abilities in leading change through the design and implementation of a successful workforce management program that effected a reorganization of the information technology staff and provided incentives for early retirement that allowed the court to finish the fiscal year without extensive layoffs or furloughs.

Through business acumen and careful examination of budget formulas I was also able to identify and correct long-standing accounting errors that had resulted in the court receiving less funding than properly authorized over a period of several fiscal years.

I executed a top-to-bottom review of internal operating procedures, court policies, and procedural guidelines that resulted in enhanced organization, consistent formatting, and improved communication, as well as bringing court procedures into line with the Guide to Judiciary Policy and applicable statutes.

I led an interdisciplinary staff team that developed a court-focused "Handbook for New Judges" that will help smooth a potentially turbulent transition period as a number of senior judges leave recall status, several judges take senior status, and new judges join the court.

Administrative Office of the US Courts

One Columbus Circle
Washington DC, DC 20002 United States

06/2008 - 08/2012

Hours per week: 40

Series: 0905 **Pay Plan:** PB **Grade:** 2F

Attorney Advisor (This is a federal job)

Duties, Accomplishments and Related Skills:

As a senior attorney in the Article III Judges Division, I performed complex legal and policy research and analyses for and provided advice to Article III, territorial district court, and special Federal jurisdiction judges - my specific responsibilities included issues relating to senior judges, selection and appointment of judges, and chambers staffing.

I built staff coalitions and consensus and prepared legal and policy products for the Judicial Conference Judicial Resources Committee and the Statistics Subcommittee and assisted the staffs of other Judicial Conference committees, as needed.

I was the agency project manager for resident and online training programs in administrative, operational, and managerial subjects for chambers staff - my business acumen led to innovative scheduling and enhanced administrative procedures and a 72% increase in employees trained. In the face of budget constraints and advances in technology, I also displayed results-driven thinking by developing the "Chambers Staff Training Room" which made materials from in-person training sessions available online to the entire judiciary.

I prepared and updated manuals and other publications designed to better communicate to Article III, territorial district court, and special Federal jurisdiction judges and their staffs on procedural, technical, and administrative policies and regulations and other matters of interest - my efficient revision and reorganization on the division's cornerstone publication "Getting Started as a Federal Judge" finished five months ahead of schedule, and I revised more chapters in the Guide to Judiciary Policy than any other divisional attorney.

I managed the division's Judicial Nominee Orientation Program, which assists nominees in their transition to the federal judiciary by familiarizing them with the directorates in the Administrative Office that will support them as Article III judges and providing information concerning staffing, facilities, publications, security, ethics, and other topics of interest to new judges.

Military District of Washington

Fort Lesley J. McNair, DC United States

07/2006 - 06/2008

Hours per week: 40

Staff Judge Advocate

Duties, Accomplishments and Related Skills:

Senior legal counsel (Staff Judge Advocate) for a regional military command providing homeland defense, military support to civil authorities, and installation management within the National Capital Region.

I led people and managed the resources of a legal office with 26 attorneys, paralegals, and other support personnel, responsible for legal advice and support to an organization with 60,800 military and civilian employees or supported personnel. Specific areas of responsibility and expertise included general administrative law, government ethics, government information practices (to include Privacy Act and Freedom of Information Act issues), fiscal and appropriations law, labor and employment, intelligence oversight, and the administration of criminal justice and the prosecutorial function within the community.

I oversaw delivery of individual legal services to community of 17,100 military personnel and their families within the National Capital Region, providing services like legal assistance, claims against the government, and criminal defense. I displayed business acumen by discerning shortfalls in the timely provision of legal services and moving customer service attorneys to a new location in the center of our client population.

As senior ethics attorney for the organization, I supervised several ethics counselors and personally advised agency officials on ethical issues including gifts, travel, interaction with non-federal entities, and conflicts of interest. My ethics team and I provided technical assistance to executives completing their financial disclosure statements and provided first-level review of the reports before forwarding to the Department of the Army. My subordinate counselors and I also provided effective and efficient ethics training to all levels of employees within the organization.

I was the primary operational law adviser to regional military executives concerning military assistance to civilian authorities, emergency preparedness, disaster response, and legal issues relating to public health emergencies. I displayed my ability to lead change by reorganizing the staffing, office, training, and facilities to better support the real-world homeland security mission and regional headquarters with on-site attorneys and legal staff.

US Army Court of Criminal Appeals

Arlington, VA United States

07/2002 - 06/2006

Hours per week: 40

Appellate Judge

Duties, Accomplishments and Related Skills:

As part of a three-judge panel on an Article I appellate court, I reviewed thousands of felony-level federal military trials. My ability to build coalitions and consensus in small groups is displayed by the few dissents to opinions on which I was the authoring judge.

My superior communication skills are evident in the more than 60 appellate opinions I personally authored, nine of which have been published as Opinions of the Court in the Military Justice Reporter.

I displayed business acumen and leadership skills as I supervised the management and administration of a three-judge panel, staff attorney, and paralegal as a senior (i.e., supervisory) judge.

I trained hundreds of new and experienced appellate judges and their staff members in judicial fundamentals and adjudication as the manager of the Department of Defense Appellate Judges' Symposium and presenter on appellate decision making.

My discretion and ability to manage sensitive issues enabled me to excel as Senior Legal Adviser to the Department of the Army investigation into detainee abuse in Southwest Asia.

Office of the Judge Advocate General, US Army
Arlington, VA United States

06/2001 - 06/2002

Hours per week: 40

Chief, Criminal Law Division

Duties, Accomplishments and Related Skills:

Principal legal advisor to The Judge Advocate General concerning military justice within the Department of the Army.

I was responsible for Army military justice policy and operations throughout the world, advising attorneys on criminal law and procedure and providing definitive agency interpretations of applicable regulations and policies during the period following 9/11.

I led change by spear-heading law reform within the Department of Defense as a voting member of the Joint Service Committee on Military Justice.

I was a leading member of a team that drafted legislation reforming the regulation and prosecution of sexual offenses under the Uniform Code of Military Justice.

As a division chief, I oversaw agency rule-making on justice matters and coordinated and published an extensive revision of the Army's cornerstone military justice regulation.

I prepared Army leaders for congressional testimony concerning military justice matters and drafted correspondence responding to and for members of Congress and their constituents.

US Army Trial Judiciary
Mannheim, Germany

06/1998 - 06/2001

Hours per week: 40

Military Judge

Duties, Accomplishments and Related Skills:

As an Article I military trial judge, I presided over more than 150 federal military trials in Germany, Holland, England, Italy, Bosnia, and Kosovo.

A highly effective communicator, I presented dynamic and informative continuing legal education classes to supervisors and practitioners on all aspects of criminal law and military justice. As part of a unique military program to mentor young counsel and bridge the gap between bench and bar, I trained dozens of counsel on advocacy and trial procedure and reviewed performance of counsel after each trial.

I served on the editorial board of the Military Judges' Benchbook, which provided up-to-date and understandable pattern jury instructions by use for military judges throughout the world.

I led people by supervising over two dozen part-time magistrates and trained them concerning the law of search and seizure.

The Judge Advocate General's School, US Army
Charlottesville, VA United States

06/1994 - 07/1997

Hours per week: 40

Professor

Duties, Accomplishments and Related Skills:

As a criminal law professor, I taught hundreds of students in substantive criminal law, constitutional criminal procedure, and trial advocacy in an ABA-accredited Master of Laws program.

My leadership and management skills enabled me to manage the team of professors that delivered the Military Judge Course, a three-week resident course required for all military judges throughout the Department of Defense, and I personally trained hundreds of judicial students in a wide variety of topics.

I built a coalition of executive branch and military department stakeholders to develop and deliver the first National Security Crime Symposium, which brought together experts and practitioners from government, academia, and private practice in the fields of military justice, international law, intelligence operations and national security law.

I traveled all over the world to deliver hundreds of hours of continuing legal education instruction to judges, attorneys, and paralegal support personnel.

A prolific author, I published more articles in professional and academic journals than any other faculty member on the staff of the school at the time.

US Army Trial Defense Service
Fort Bragg, NC United States

12/1991 - 07/1993

Hours per week: 40

Senior Defense Counsel

Duties, Accomplishments and Related Skills:

I led people by supervising several defense counsel responsible for providing representation and advice to the citizens of a military community of over 15,000 soldiers, and personally represented dozens of clients before courts-martial and administrative proceedings.

Office of the Staff Judge Advocate

Fort Lewis, WA United States

08/1990 - 12/1991

Hours per week: 40

Special Assistant US Attorney

Duties, Accomplishments and Related Skills:

I prosecuted hundreds of cases in federal District Court involving civilians accused of committing criminal offenses on the Fort Lewis Military Reservation.

United States Army

3rd Battalion, 4th Air Defense Artillery

82nd Airborne Division

Fort Bragg, NC 28310 United States

02/1986 - 03/1987

Hours per week: 60

Battery Commander

Duties, Accomplishments and Related Skills:

Supervised and managed all aspects of a military organization consisting of 179 employees and dozens of vehicles with a real-world rapid deployment mission. Enhanced training and organizational maintenance procedures to capture the annual "Best Battery" award from our parent headquarters in recognition of superior operational readiness. Reduced rates of indiscipline through common sense personal leadership and increased emphasis on military professionalism. Based on superior performance as leader and manager, selected as one of ten officers Army wide to attend the highly competitive Funded Legal Education Program.

United States Army

3rd Battalion, 4th Air Defense Artillery

82nd Airborne Division

Fort Bragg, NC 28310 United States

06/1985 - 02/1986

Hours per week: 60

Battalion Adjutant

Duties, Accomplishments and Related Skills:

Managed all aspects of personnel and administration for a military organization with over 500 employees. Successfully supervised a personnel administration center with ten staff who provided a wide variety of human resources support including evaluation, awards, discipline, accountability, and general administrative support. Used cross-training and decentralized execution to greatly improve quality of support delivered while deployed in field settings.

United States Army

2nd Battalion, 61st Air Defense Artillery

2nd Infantry Division

Camp Stanton, Gyeonggi-do [Kyeonggi-do] South Korea

09/1983 - 09/1984

Hours per week: 72

Battalion Adjutant

Duties, Accomplishments and Related Skills:

Managed all aspects of personnel and administration for a military organization with over 700 employees based in five remote locations in South Korea. Successfully supervised a personnel administration center with a dozen staff who provided a wide variety of human resources support including evaluation, awards, discipline, accountability, and general administrative support. Provided superlative human resources support while performing real-world defensive missions near the Demilitarized Zone between the two Koreas.

United States Army

1st Battalion, 43rd Air Defense Artillery

Fort Bliss

El Paso, TX 79906 United States

03/1982 - 08/1983

Hours per week: 60

Platoon Leader

Duties, Accomplishments and Related Skills:

Successfully led and managed platoons in a PATRIOT missile firing battery. Oversaw all fire control operations necessary to launch missiles and supervised tactical air defense operations. Managed all maintenance support for launcher and fire control units spread over a large area in field conditions. Evaluated as best of 24 junior officers in entire organization.

Education:

Nashotah House Theological Seminary Nashotah, WI United States
Master's Degree 05/2015
Honors: Cum Laude

Judge Advocate General's School Charlottesville, VA United States
Professional 05/1994

Relevant Coursework, Licenses and Certifications:

Master of Laws degree with specialization in Administrative Law; graduated on the Commandant's List for academic excellence. Course work included instruction on government information practices, ethics and professional responsibility for government attorneys, fiscal law and procurement, criminal law and procedure, international law, and management.

University of North Carolina School of Law Chapel Hill, NC United States
Professional 06/1990

Credits Earned: 90 Semester hours

Relevant Coursework, Licenses and Certifications:

Juris Doctor with Honors. Staff member on North Carolina Law Review.

Johns Hopkins University Baltimore, MD United States
Bachelor's Degree 05/1981

Credits Earned: 120 Semester hours

Major: Political Science

Relevant Coursework, Licenses and Certifications:

Graduated with both General and Departmental Honors. Selected for Omicron Delta Epsilon, the International Economics Honor Society, and Pi Sigma Alpha, the National Political Science Honor Society. Commissioned as Army officer through the Reserve Officer Training Corps with recognition for excellence in military history.

Job Related Training:

New Judge Training for Administrative Law Judges in the Social Security Administration (four week resident course): Washington, DC; May 2015.

Ethics Counselor's Course (one week resident course concerning Standards of Ethical Conduct for Employees of the Executive Branch and the Joint Ethics Regulation): Charlottesville, VA; April 2007.

Domestic Operational Law Course (one week resident course covering legal aspects of emergency preparedness and disaster response): Charlottesville, VA; October 2006.

Staff Judge Advocate Course (one week resident course covering administrative and managerial aspects of law office supervision for legal executives): Charlottesville, VA; May 2006

Military Judge Course (three week resident course covering fundamentals of judicial process, fact-finding, opinion writing, and adjudication): Charlottesville, VA; May 1998

Legislative Drafting Course (sponsored by the Department of Justice): Washington, DC; May 1997

National Institute of Trial Advocacy Teacher Training: Cambridge, MA; November 1995

Affiliations:

The Federalist Society - Member

Professional Publications:

The Scarlet Letter and the Military Justice System, *Army Lawyer*, August 1997, at 3; Annual Review of Developments in Instructions, *Army Lawyer*, May 1997, at 52 (with Lawrence M. Cuculic & Stephen R. Henley); Recent Developments in the Substantive Criminal Law Under the Uniform Code of Military Justice, *Army Lawyer*, April 1997, at 50; Alexander the Great, the Gordian Knot, and the Problem of Multiplicity in the Military Justice System, 152 *Mil. L. Rev.* 1 (1996); Developments in the Substantive Criminal Law Under the Uniform Code of Military Justice, *Army Lawyer*, March 1996, at 5; Sexual Harassment and the Uniform Code of Military Justice, *Army Lawyer*, July 1995, at 3; Judicial Review of Military Administrative Decisions, *Army Lawyer*, September 1994, at 3; Note, *State v. Vandiver: Whither Judicial Discretion Under the North Carolina Fair Sentencing Act?*, 67 *N.C.L. Rev.* 1316 (1989).

Editor-in-Chief, *Winthrop's Military Law and Precedent* (Arlington: The U.S. Army Legal Services Agency 2001) (abridged edition); Co-editor, *Military Crimes and Defenses Deskbook* (Charlottesville: The Judge Advocate General's School, 1994) (with Willis D. Hunter)

Additional Information:

Admitted to the bar of North Carolina. Admitted to practice before the U.S. Supreme Court, U.S. Court of Appeals for the Fourth Circuit, U.S. District Court for the Eastern District of North Carolina, U.S. Court of Appeals for the Armed Forces, and the U.S. Army Court of Criminal Appeals.

I am a citizen of the United States.

Left active military service with a top-secret (SCI) security clearance.

Judge Steven D. Bell
United States Department of Labor
36 E. 7th Street, Suite 2525
Cincinnati, Ohio 45202
(513) 684-3252
[REDACTED]

Current Position:

Administrative Law Judge, U.S. Department of Labor (Cincinnati, Ohio). Pre-hearing management of whistleblower, black lung, immigration, longshore, defense base act and other labor and employment litigation. Conduct formal hearings in those cases and issue written decisions.

Selected Prior Positions:

Administrative Law Judge, Social Security Administration (Akron, Ohio). Conduct hearings and issue decisions in disability claims arising under the Social Security Act.

Steven D. Bell Co., LPA (Cleveland, Ohio). Employment litigation (discrimination claims under federal and state laws, Fair Labor Standards Act collective actions). White-collar criminal defense (health care fraud, bank fraud, environmental crimes, public corruption).

Ulmer Berne, LLP (Cleveland and Columbus, Ohio). Equity partner in 150+ lawyer firm. Class action litigation, white collar criminal defense.

Assistant United States Attorney, Northern District of Ohio (Cleveland, Ohio). Served as Chief of Civil Division and Chief of Appellate Litigation. Representation of United States and its employees in civil litigation. Environmental crimes prosecution.

Chief Trial Attorney, City of Akron, Ohio. Represented City and its employees in federal court litigation (employment discrimination, civil rights and constitutional litigation).

Legal Career Highlights:

Listed in *Best Lawyers in America* (employment litigation). Martindale-Hubbell "A-V" rating for 20 consecutive years. Adjunct faculty, Cleveland-Marshall College of Law; Chairman, Board of Zoning Appeals for Bath Township, Ohio; Chairman, Ohio Supreme Court Commission on Continuing Legal Education.

Bar Admissions:

Ohio, District of Columbia. United States Supreme Court.

Education:

B.A., University of Notre Dame

J.D., University of Akron School of Law

BERGSTROM, ALAN L.

Education: B.S. U.S. Naval Academy, Annapolis, MD. (1970)
J.D. University of Pittsburgh, School of Law, Pittsburgh, PA. (1978)
M.P.A. Golden Gate University, Norfolk, VA campus (1990)
U.S. Armed Forces Staff College (1984)

Admissions: Pennsylvania State Bar (1978 – currently in good standing - judicial)
Virginia State Bar (1993 – currently in good standing - judicial)
Pennsylvania Supreme Court (1978)
U.S. District Court, Western Pennsylvania (1978)
U.S. Court of Military Appeals (1993)
Virginia Supreme Court (1993)
U.S. District Court, Eastern District Virginia (1993)
U.S. Court of Appeals, Fourth Circuit (1994)

Work History:

05/2006 – Present U.S. Administrative Law Judge
Office of Administrative Law Judges, Newport News, VA.
U.S. Department of Labor

10/2004 – 5/2006 U.S. Administrative Law Judge
Office of Disability Adjudication and Review, Richmond, VA.
Social Security Administration

6/1999 – 9/2004 Hearing Office Chief Administrative Law Judge
Office of Disability Adjudication and Review, Savannah, GA.
Social Security Administration

9/1996 – 5/1999 U.S. Administrative Law Judge
Office of Disability Adjudication and Review, Pittsburgh, PA
Social Security Administration

9/1993 – 9/1996 Named/Equity Partner in Law Firm
Rae & Bergstrom, PLC
Virginia Beach, VA.

5/1990 – 8/1993 General Court-Martial Trial Judge
Navy-Marine Corps Trial Judiciary
Tidewater Judicial Circuit, Norfolk, Virginia
Commander, Judge Advocate's General Corps, U.S. Navy

7/1987 – 5/1990 Department Head / Executive Officer
Naval Legal Services Office, Norfolk, VA
Commander, Judge Advocate's General Corps, U.S. Navy

7/1985 – 7/1987 Staff Judge Advocate

Commander U.S. Naval Forces Caribbean, Roosevelt Roads, PR
Commander U.S. Naval Air Forces Caribbean, Roosevelt Roads, PR
Commander U.S. Naval Facilities Caribbean, Roosevelt Roads, PR
Commander, Judge Advocate General's Corps, U.S. Navy

- 6/1984 – 7/1985 Staff Judge Advocate
Naval Station Norfolk; Naval Brig Norfolk; Transient Personnel Unit Norfolk
Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy
- 12/1983 - 6/1984 Officer Student
U.S. Armed Forces Staff College, Norfolk, VA.
Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy
- 7/1981 – 12/1983 Assistant Professor of Military Law
U.S. Naval Academy, Annapolis, MD.
Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy
- 10/1979 – 6/1981 Deputy Staff Judge Advocate
Commander Submarine Forces U.S. Atlantic Fleet, Norfolk, VA
Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy
- 10/1978 – 10/1979 Criminal Trial Attorney (Defense / Prosecution / Senior Prosecutor)
Naval Legal Services Office, Norfolk, VA
Lieutenant, Judge Advocate General's Corps, U.S. Navy
- 8/1978 – 10/1978 Officer Student
Naval Justice School, Newport, RI
Lieutenant, Judge Advocate General's Corps, U.S. Navy
- 8/1975 – 7/1978 Officer Student
University of Pittsburgh, School of Law, Pittsburgh, PA
Lieutenant, U.S. Navy
- 8/1973 – 7/1975 U.S. Navy Recruiting District Buffalo, Buffalo, NY (Department Head)
Lieutenant, U.S. Navy
- 12/1971 – 8/1973 USS Rogers (DD 876) Western Pacific (Division Officer / Deck Officer)
Lieutenant Junior Grade / Lieutenant, U.S. Navy
- 6/1970 – 12/1971 USS Niagara Falls (AFS 3) Western Pacific (Division Officer / Deck Officer)
Ensign / Lieutenant Junior Grade, U.S. Navy
- 6/1966 – 6/1970 Midshipman
U.S. Naval Academy, Annapolis, MD

STEVEN B. BERLIN
90 Seventh Street, Suite 4-800
San Francisco, California 94103
415-625-2200

EXPERIENCE

Administrative Law Judge, U.S. Department of Labor, 2007 to present. San Francisco District Office. Adjudicate and manage cases arising under more than 80 federal statutes; full adversarial hearings; pre- and post-trial motions (summary judgment, discovery, fee awards); frequent judicial mediator; speaker at national bar events; recruiting, hiring, and managing attorney law clerks. Examples of cases include whistleblower claims concerning security and safety in nuclear facilities, at airports and on railroads and highways, pharmaceuticals, safe drinking water, or concerning financial fraud. Some cases involve compensation and medical care for injured or killed longshore workers, coal miners, and government contractor employees working abroad in the national defense. Other cases are Departmental enforcement actions alleging violations of nonimmigrant alien worker programs; and Departmental enforcement actions against government contractors for alleged employment discrimination.

Administrative Law Judge, Social Security Administration, 2004 to 2007. Oakland, California 2005-07 (Chief 2005-06) and Grand Rapids, Michigan 2004-05. As Chief in Oakland, managed office of nine ALJs and 50 staff; doubled productivity of office in one year; and achieved excellent relations with three employee unions (including a union of ALJs). At the same time, adjudicated and managed a high-volume caseload of disability cases.

Attorney/Of Counsel, Employer Advocates Group and Law Offices of Steven B. Berlin, San Francisco, California. Employment litigation and advice; plaintiff and defense, trial and appellate; Individuals with Disabilities Education Act appellate litigation. 2001 to 2004.

Shareholder: Littler, Mendelson, San Francisco, California. Litigation in the nation's largest employment law firm, trial and appellate; advise employers about discrimination, harassment, Americans with Disabilities Act, AIDS issues, and terminations; conduct *pro bono* program of prisoners' rights appeals; represent clients in mediation; conduct seminars and other public speaking on employment law; publications (*see below*). Shareholder (partner): 1987 to 2000; associate: 1984 to 1987.

Special Assistant to the General Counsel, U.S. Equal Employment Opportunity Commission, Washington, D.C. Advise the General Counsel on the design and implementation of the largest increase in law enforcement in the EEOC's history; policy formulation; review and approve from a policy perspective the EEOC's appellate court positions. 1983-84.

Trial Attorney, U.S. Department of Justice, Civil Rights Division. Washington, D.C. Represent the United States in litigation asserting the constitutional rights of persons institutionalized in state mental hospitals, prisons, and jails. 1980-83.

Attorney, Morrison & Foerster, San Francisco, California. Employment discrimination litigation and counseling (trial and appellate); prisoners' rights litigation. 1979-80.

Steven B. Berlin
Resume
Page 2

Attorney, Jenner & Block, Chicago, Illinois. Litigation of antitrust and legal ethics matters, trial and appellate. 1978-79.

EDUCATION

University of Michigan Law School, Ann Arbor, Michigan. J.D. *magna cum laude*, 1977.

University of Michigan Horace Rackham School of Graduate Studies, Ann Arbor, Michigan. M.A. (English Language & Literature), 1974.

University of Michigan, Ann Arbor, Michigan, B.G.S. (interdepartmental program in history, economics and literature), 1972.

PUBLICATIONS

"The Reverse Sex Harassment Case" in CALIFORNIA EMPLOYMENT LAW REPORTER (Matthew Bender), August 1996.

"AIDS in the Healthcare, Business, and Governmental Workplace," C902 ALI-ABA 731 (1994), cited in *Bane v. National Medical Enterprises*, (S. Ct. TN, Case No. 01S01-9603-CV-00049 at n.5 (1997)).

"The Evolving Legal Standards Concerning Sexual Orientation Discrimination" in THE 1993 NATIONAL EMPLOYER.

"The Glass Ceiling" in THE 1992 NATIONAL EMPLOYER.

"Wrongful Discharge Law in California" in THE 1991 EMPLOYER.

TEACHING

San Francisco State University: course in legal principles for psychotherapists (1999).

Guest lectures: San Francisco State University (2000); University of Michigan Law School: lecture in family law (1994), panel on ethics (1993); Public speaking: numerous presentations on discrimination, harassment; AIDS in the workplace; continuing legal education seminars in legal ethics and practice issues.

SELECTED CASES

Wright v. Universal Maritime Service Corp., 525 U.S. 70 (1998) (*amicus* participation in case concerning provisions in collective bargaining agreements requiring arbitration of discrimination claims).

Cotran v. Rollins Hudig Hall, 17 Cal. 4th 93 (1998) (landmark case redefining employers' obligations on good cause terminations).

Weissman v. Quail Lodge, N.D. Cal., Case No. C96-01131 MHP (voluntary resolution of complex Americans with Disabilities Act Title III access claim against luxury resort).

Keenan v. Hall, 83 F.3d 1083 (9th Cir. 1996) (setting new standard on the due process rights of prisoners).

Mallett v. Superior Court, 6 Cal. App. 4th 1853 (1992) (judicial management of court employees).

EEOC v. Local 638, 753 F.2d 1172 (2d Cir. 1985) (delineating affirmative action in race discrimination case).

United States v. Hawaii, 564 F. Supp. 189 (D. Hi. 1983) (first case the United States initiated under the Civil Rights of Institutionalized Persons Act).

United States v. Michigan (1983) (challenge to conditions in Michigan's three largest prisons, including the world's largest walled prison; negotiation of a \$30 million consent decree).

DeVonish v. Garza, 510 F. Supp. 658 (W.D. Tex. 1981) (issues concerning the role of the Justice Department as a litigating *amicus curiae*).

Assn. Against Discrimination in Employment v. City of Bridgeport, 647 F.2d 256 (2d Cir. 1981) (scope of monetary relief in employment discrimination class action against municipality).

People v. Illinois Judiciary Inquiry Board, 72 Ill. 2d 225 (1978) (constitutional protection of judge subjected to formal inquiry).

STATE BAR ADMISSIONS

- Illinois (1978)
- California (1979)

CARRIE BLAND

EMAIL: [REDACTED]

PHONE: [REDACTED]

EMPLOYMENT

DEPARTMENT OF LABOR, OFFICE OF ADMINISTRATIVE LAW JUDGES, WASHINGTON, D.C.

Administrative Law Judge, October 2015 to Present

- Hear and decide cases in high-volume caseload environment involving individuals and businesses seeking benefits, or otherwise seeking administrative relief, arising under more than 80 labor-related statutes
- Ensure the orderly and fair conduct of proceedings by exercising diplomacy, identifying and narrowing issues to be resolved, ruling on motions, developing evidentiary record, and controlling the examination of witnesses
- Supervise two attorneys and one legal assistant

SOCIAL SECURITY ADMINISTRATION, ODAR, BALTIMORE, MARYLAND

Administrative Law Judge, September 2014 to October 2015

- Adjudicated disability claims under the Social Security Act, issuing timely and legally defensible decisions

COURT SERVICES AND OFFENDER SUPERVISION AGENCY, WASHINGTON, D.C.

Assistant General Counsel, ADAEO, January 2013 to September 2014

- Advised Agency officials on all aspects of Agency functions, including, among other areas of law, regulatory and policy review, criminal, civil, employment, ethics, and Privacy Act/FOIA; provided legal sufficiency reviews of policies, memoranda of understanding, and investigative findings of personnel actions
- Performed duties of *Alternate Designated Agency Ethics Official*; provided advice regarding ethics issues, including outside employment, teaching, speaking, and writing, gift giving and acceptance, use of government time and resources, standards of conduct violations, as well as financial disclosure matters
- Represented Agency, defending employment matters brought before MSPB and EEOC; presented evidence at hearings; negotiated settlements; engaged in discovery; evaluated voluminous and complex evidence
- Provided litigation support when necessary to the U.S. Attorney's Office and Department of Justice involving claims against the Agency and/or its employees that were before the federal courts

U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, ARLINGTON, VIRGINIA

Senior Attorney, Diversion and Regulatory Policy/Litigation Sections, May 2007 to January 2013

Acting Associate Chief Counsel, April 2012 to December 2012

- Represented DEA in administrative hearings before Administrative Law Judges, which involved the revocation or denial of registrations to handle controlled substances and listed chemicals
- Supervised 13 trial attorneys and two legal assistants; acted as a senior legal advisor to DEA on complex issues related to the diversion of legally produced controlled substances and listed chemicals into illegitimate channels
- Drafted charging documents, pre-hearing statements, motions, post-hearing briefs, and exceptions to ALJ's recommended decisions; participated in pre-hearing conferences, settlement negotiations and litigated in hearings conducted pursuant to the Administrative Procedure Act, guided by the Federal Rules of Evidence
- Coordinated cases and liaised with civil and criminal AUSAs, DEA Diversion Investigators and Special Agents, officials from state and local law enforcement, and state health oversight agencies

CARRIE BLAND

(PAGE 2)

STATE'S ATTORNEY'S OFFICE FOR BALTIMORE CITY, BALTIMORE, MARYLAND

Assistant State's Attorney, May 2000 to May 2007

- Represented the State of Maryland in jury trials, bench trials and motions hearings, prosecuting felony and misdemeanor victim and property crimes, felony narcotics and handgun violations; negotiated plea agreements
- Developed and managed juvenile charging unit; supervised and trained attorneys, law clerks and support staff
- Collaborated with and coordinated multiple agencies to facilitate efficient booking and prosecution
- Created policies for expediting case processing and coordinated associated protocols among multiple agencies
- Maintained and analyzed statistical data to determine project efficacy; compiled detailed reports
- Reviewed statements of probable cause to evaluate legal sufficiency; advised police officers regarding charges

COHEN, SWANSON & KAUFMAN, P.C., BALTIMORE, MARYLAND

Associate, 1999 to 2000; Law Clerk, 1995 to 1996

- Represented clients in complex litigation and non-litigation matters with emphasis in commercial law, including bankruptcy, collections, contract preparation, and foreclosure proceedings
- Litigated cases pending before state and federal courts, which included preparing pleadings, preparing witnesses for trial, conducting discovery, negotiating settlements and drafting settlement agreements

U.S. DEPARTMENT OF JUSTICE, DEA, ATTORNEY GENERAL'S HONORS PROGRAM, ARLINGTON, VIRGINIA

Law Clerk/Attorney Advisor, Hon. Mary Ellen Bittner, Chief Administrative Law Judge, 1998 to 1999

- Drafted opinions, memoranda, rulings, and orders for administrative cases arising under the Controlled Substances Act; briefed *pro se* parties on relevant procedures under the Administrative Procedure Act
- Served as Chief ALJ's liaison with counsel during all phases of litigation; scheduled pre-hearing conferences and other contacts with counsel; coordinated Chief ALJ's case load; acted as hearing clerk at formal hearings

MARYLAND COURT OF SPECIAL APPEALS, ANNAPOLIS, MARYLAND

Law Clerk, Hon. James P. Salmon, Associate Judge, 1997 to 1998

- Wrote and edited draft opinions for the Court; researched state, federal and administrative law
- Reviewed briefs and court records; prepared questions for and observed oral argument before the Court

PEACE CORPS

Volunteer, Niger, West Africa (agro-forestry and volunteer leader), 1990 to 1994

EDUCATION

UNIVERSITY OF MARYLAND SCHOOL OF LAW, BALTIMORE, MARYLAND

Juris Doctor, with honors, May 1997

CLEMSON UNIVERSITY, CLEMSON, SOUTH CAROLINA

Bachelor of Arts Degree in Political Science, May 1989

MISCELLANEOUS

Maintain Initial Top Secret Clearance – final T5R (reinvestigation) currently pending at OPM/NBIB
Licensed to practice law in Maryland (admitted December 16, 1997)
Federal Administrative Law Judge's Conference, Executive Committee Member

JONATHAN C. CALIANOS- Judge Calianos was appointed as an Administrative Law Judge for the United States Department of Labor (DOL) on May 11, 2008, in Boston. In that capacity, Judge Calianos hears and decides cases arising from over 60 labor-related statutes and regulations. All cases are adversarial in nature and include claims under the Longshore and Harbor Workers' Compensation Act, whistleblower complaints involving alleged corporate fraud; nuclear, environmental, aviation, railway, and commercial trucking safety; and immigration labor cases. While the DOL may be a formal party in some of these cases, the majority involve litigation between individuals, companies, and/or insurance carriers. Additionally, some whistleblower statutes allow for concurrent jurisdiction with U.S. District Court. Judge Calianos also serves as an appellate judge on the Board of Alien Labor Certification Appeals involving employer appeals under the Immigration and Nationality Act. Judge Calianos is a National Judicial College certified mediator and has successfully assisted many parties in resolving their disputes through the Office of Administrative Law Judges Settlement Judge Program. Judge Calianos also served for seven years on the Rules Committee which was responsible for updating and improving the Rules of Practice and Procedure for Administrative Hearings Before the Office of Administrative Law Judges, 29 C.F.R. Part 18, Subpart A.

Prior to his appointment, Judge Calianos was the sole staff attorney working with U.S. Bankruptcy Judge Arthur N. Votolato (deceased) in the District of Rhode Island for nearly sixteen years. Judge Calianos also maintained a select litigation practice involving commercial transactions, real estate, guardianships, and torts, often on a pro bono basis. He is also a licensed real estate broker in Massachusetts. Judge Calianos obtained his law degree from Creighton University in Omaha, Nebraska with the distinction of magna cum laude, and he received his a Bachelor of Arts Degree, Cum Laude from Saint Anselm College in Manchester, New Hampshire. Judge Calianos volunteered for many years on his town's finance committee, school budget sub-committee, and capital budget committee. He also served as a six term president of a homeowners' association in Lincoln, New Hampshire. He lives in [REDACTED] Massachusetts with his wife Catharine and their three children.

RICHARD MANUEL CLARK

Email: [REDACTED]

WORK HISTORY:

Administrative Law Judge

Office of Administrative Law Judges, U.S. Department of Labor

October 2010 to present

- Preside over federal administrative hearings for over 60 federal labor statutes, primarily longshore disability, defense base act, nonimmigrant labor, and federal whistleblower matters.
- Factfinder and issue thorough, well-reasoned, written rulings and decisions in all matters.
- Oversee the pre-trial process, including discovery disputes, law and motion matters, and legal research and analysis.
- Conduct mediation and settlement conferences.

Presiding Administrative Law Judge

Special Education Division

Office of Administrative Hearings, State of California

December 2008 to October 2010

- Managed the Special Education Division and had primary responsibility for implementing the \$11.2 million agreement with the California Department of Education.
- Prepared quarterly reports and monitored the Division budget and spending.
- Supervised three presiding judges who managed the remaining 25 judges in the division. Handled the daily calendaring for 29 judges statewide. Conducted mediation and hearings as needed.
- Administered the Special Education Advisory Committee made up of 18 community stakeholders who provided insight and guidance into the hearing process.
- Regularly attended office management meetings and contributed insights into the policy and direction for the office as a whole.

Administrative Law Judge

Office of Administrative Hearings, State of California

August 2005 to December 2008

- Presided over special education due process hearings and conducted mediation involving disputes between parents and school districts.
- Issued well-reasoned, thorough, written decisions under strict time constraints.
- Assigned daily law and motion matters.
- Completed the National Judicial College Mediation Training for Administrative Law Judges.
- Acting Presiding Judge, Sacramento Special Education Office from July 2008 to December 2008, supervising nine administrative law judges and primary back-up to the Division Presiding Judge.

Deputy Attorney General

State of California, Department of Justice

November 2004 to August 2005 and August 2001 to September 2002

- Assigned to Appeals, Writs and Trials section handling criminal appellate matters and conflict jury trials. Conducted ongoing criminal investigations.
- Prior assignment at Bureau of Medi-Cal Fraud and Elder Abuse handling complex white collar fraud.
- Co-authored *Crime Victims with Disabilities: A Prosecutor's Guide to the California Statutes* and assisted with a POST training video involving crime victims with disabilities.
- Provided training to Special Agents.

Deputy District Attorney

Sacramento County District Attorney's Office

September 2002 to November 2004 and December 1990 to July 2001

- Senior trial attorney handling complex criminal litigation. Conducted over 50 jury trials. Assignments included Adult Sexual Assault Prosecution, where I tried cases using DNA scientific evidence; Elder Abuse Vertical Prosecution; Community Prosecution Unit; Lead Deputy District Attorney; Traffic Center; Drug Court; Special Assaults and Child Abuse Prosecution; Career Criminal Vertical Prosecution Unit; Superior Court Review Team; and "lifer" hearings.
- Instructor, Advanced Officer Training.
- District Attorney representative on community committees involving elder and dependent adult issues.

PROFESSIONAL ORGANIZATIONS:

- Admitted, California State Bar # [REDACTED] December 1990
- Admitted, United States Supreme Court Bar, January 2012
- Member, American Bar Association, 2011 to present
- Member, Federal Administrative Law Judges Conference, 2011 to present
- Member, Sacramento County Bar Association, 1990 to 2010

EDUCATION:

Certificate, May 2009

Leadership for the Government Executive, CSU, Sacramento, Sacramento, CA

Juris Doctor, May 1990

McGeorge School of Law, U.O.P., Sacramento, CA

- Recipient, American Jurisprudence Award, Administrative Law
- Note Writer, *The Transnational Lawyer: Chan v. Korean Air Lines, Ltd.: The United States Supreme Court "Shoots Down" Notice Requirements Under the Warsaw Convention*, 3 Transn'l Law. 363 (1990)

Bachelor of Arts, Government, May 1987

California State University, Sacramento, Sacramento, CA

Minor: Philosophy

WILLIAM S. COLWELL

Judge William (Bill) S. Colwell (Colonel, USAF, Ret.) serves as Associate Chief Judge for Black Lung with the U.S. Department of Labor. He was appointed to that position in August 2007.

Prior to his selection as an administrative law judge, he was President of Leadership Accountability, Inc. He served (1) as an arbitrator for the American Arbitration Association, Federal Mediation and Conciliation Service, U.S. Postal Service and three unions; (2) as a Hearing Examiner (part time) presiding over discrimination case hearings for the District of Columbia Commission on Human Rights; and (3) as a mediator and mediator trainer certified by the Virginia Supreme Court. For two years, he was Of Counsel with the firm Taylor, Messick & Tosti, of Fairfax, VA, a firm that focused on business, commercial litigation, and employment issues. Bill was awarded a Martindale Hubbell "AV" rating (top available) and was listed (while an attorney) in their Bar Register of Preeminent Lawyers under Labor and Employment Law and Arbitration.

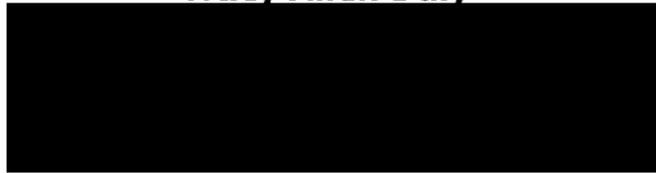
Bill participated in several high profile cases while on active duty. As a Military Judge, Bill presided over the joint pretrial hearing of five officers charged in the "friendly fire" shoot down in Iraq of two Black Hawk helicopters by two Air Force F-15 fighters, killing 26 people. He conducted an unprecedented joint hearing of five defendants -- including 10 defense lawyers and four prosecutors. In 2003, he was featured in The History Channel documentary titled, *The Real JAG*. He was lead legal advisor for the Accident Investigation Board investigating the April 1996 crash in Croatia of the USAF aircraft carrying Secretary of Commerce Ronald Brown and 34 others. President Clinton called the report "brutally honest." He also served as Chief Legal Advisor to the IG/TJAG team investigating the 1996 terrorist bombing of the Khobar Towers housing complex in Saudi Arabia, which killed 19 airmen and injured over 400 airmen and 300 Saudis.

Bill served in numerous positions as a judge advocate including as a staff judge advocate and the lead attorney in creating the new Secretary of the Air Force Inspector General team that investigates allegations against the Air Force's top leadership, both general officers and senior executive level civilians, and other sensitive cases. As managing attorney of a 14-attorney federal trial and appellate litigation office defending employment related cases, and as a trial attorney, Bill won every trial, appellate court argument, and argument on motion in which he participated. Prior to his legal training, Bill served in Air Force fighter operations as an F-4 Phantom aircrew member in Korea and Germany.

Bill has served as the Judge Advocates Association (JAA) (national bar association) President for two years. In 1994, he established the JAA American Inn of Court, serving as President for the first two years. In 2000, Bill was one of the creators of the Judge Advocates Foundation, a non-profit educational foundation created to raise funds to promote military and veterans' law education. He served as President for the first three years of the Foundation, and now is the Executive Director. In 2005, the JAA presented Bill the Robinson Everett Distinguished Life Service Award, JAA's highest honor. Bill has also served as President of the Prettyman-Leventhal American Inn of Court, Wash DC, and as Springfield Toastmasters Club President and as an Area Governor. Bill served on the Board of Governors for the Army and Navy Club.

Bill graduated from the USAF Academy, Troy State Univ. (M.S.), and McGeorge School of Law, University of the Pacific.

Tracy Allen Daly



**Administrative Law Judge, Office of Administrative Law Judges, Department of Labor, Covington, LA
10/2015 - Present**

Preside over formal administrative hearings for claims arising under the Longshore and Harbor Workers' Compensation Act, the Black Lung Benefits Act and numerous other cases arising from whistleblower and immigration statutes falling under DOL jurisdiction.

- Resolve claims for benefits or relief under the various Acts and their implementing regulatory rules.
- Conduct pre-hearing conferences, direct evidentiary discovery production, issue subpoenas, make written rulings on prehearing requests and review case briefs.
- Conduct hearings to receive witness testimony and documentary evidence from all parties with legal interests addressed in the hearing.
- Evaluate witness testimony, documentary evidence and counsel arguments to determine relevancy, materiality and admissibility. Exclude unduly irrelevant or repetitious evidence.
- Prepare and issue written rulings that include extensive findings of fact and conclusions of law on subjects such as program eligibility, subject matter jurisdiction, witness credibility, medical treatment evidence, investigative reports, expert testimony and opinion evidence. The decisions are the product of an extensive legal analysis and thorough evaluation of case evidence and witness testimony.
- Processed more than 390 hearing requests to date with written rulings resolving contested claims or non-contested settlement applications pursuant to the applicable Acts or regulations.

**Administrative Law Judge, Social Security Administration, Augusta, GA
8/2011 - 10/2015**

- Presided over formal administrative hearings for disability benefits applicants under the Social Security Act.
- Determined applicant legal eligibility for disability benefits under the Act and implementing regulatory rules.
- Conducted pre-hearing conferences, directed evidentiary discovery production, issued subpoenas, made written rulings on prehearing requests and reviewed case briefs.
- Conducted hearings to receive witness testimony and documentary evidence from all parties with legal interests addressed in the hearing.
- Evaluated witness testimony, documentary evidence and counsel arguments to determine relevancy, materiality and admissibility. Excluded unduly irrelevant or repetitious evidence.
- Prepared and issued written rulings that include extensive findings of fact and conclusions of law on subjects such as program eligibility, subject matter jurisdiction, witness credibility, medical treatment evidence, investigative reports, expert

testimony and opinion evidence. The decisions were the product of an extensive legal analysis and thorough evaluation of case evidence and witness testimony.

- Adjudicated more than 1,500 hearing requests with written rulings dismissing, approving or denying disability benefits pursuant to the Act.

**Staff Judge Advocate, Marine Corps Air Station, Miramar, CA
6/2007 – 8/2011**

- Principal legal advisor to the Commanding Officer of Marine Corps Air Station, Miramar, CA, and subordinate commands on all criminal law, administrative law, civil law, claims, force protection and service member legal assistance matters.
- Conducted review of trial records and provided written staff judge advocate's recommendation regarding legal sufficiency and authorized action by commanding officers for all courts-martial.
- Provided written legal sufficiency analysis for more than 500 administrative personnel separation processing cases to ensure regulatory compliance.
- Conducted review of station orders and directives on a wide array of subjects and supplied written opinions regarding legal compliance with a myriad of federal statutes, regulations and policy directives.
- Performed day-to-day senior management responsibilities for a Joint Law Center to ensure accurate and timely services were provided to 47 different units.
- Served as direct supervisor and reviewed the daily performance and legal written work product of 14 officer attorneys, 34 enlisted paralegal specialists, 1 civilian attorney and 2 civilian paralegal employees.
- Directed, supervised and edited new standard operating procedure legal manuals for each separate division of the law center to enhance efficiency.
- Issued written legal ethics opinions as senior ethics counselor for Commanding Officer, subordinate commanders and their staffs.
- Researched and issued written legal opinion supporting the creation and legal authority to form community liaison and claims assistance teams in response to an F/A-18 plane crash that caused civilian deaths, multi-million dollar property damage and hundreds of claims. Served as supervisor and primary legal advisor for teams.

**Military Judge, Marine Corps Air Ground Combat Center 29 Palms, CA
6/2004 - 6/2007**

- Conducted general and special courts-martial at the Marine Corps Air Ground Combat Center and four other western Marine Corps installations.
- Presided over more than 200 courts-martial and 40 contested trials in what was then the busiest judicial circuit in the Department of Defense.
- Pretrial duties included: issue written rulings on a wide array of procedural and evidentiary motions, regulate discovery and establish trial schedules.
- Jury Trial duties included: conduct voir dire, make written and oral rulings on evidentiary issues, control and regulate all phases of the trial such as testimony of witnesses and attorney arguments, rule on motions for directed verdicts and write case instructions for jury members on the law to apply in verdict deliberation.
- Bench Trial duties included: conduct all phases of judge alone trials, evaluate evidence as trier of fact, apply relevant law, determine guilt or innocence and impose appropriate sentences. Issue special written factual and legal findings as necessary.
- Post-trial duties included: review and certify accuracy of written records of trial and conduct post-trial sessions of court and make written rulings when necessary.
- Deployed to Iraq in 2004 and 2006 as the theater military judge, handling courts for Marine and Navy commands.

- Complex cases included: murder in a high-profile case with international media interest, a two-week contested general court-martial of an officer charged with international distribution of child pornography, a general court-martial of an officer charged with sexual misconduct, a contested general court-martial involving international drug importation, a contested general court-martial of an NCO charged with rape, a contested court-martial of a SNCO involving drug distribution offenses.
- Served as instructor at various trial advocacy seminars and conferences presented by the Marine Corps, Navy and Air Force. Instructed on topics such as effective motion writing and argument, opening statement and closing argument strategies and successful pretrial case preparation.

**Military Judge, Marine Corps Base Camp Lejeune, NC
6/2000 - 6/2003**

- Served as a general court-martial certified military judge at Camp Lejeune and four other eastern Marine Corps installations.
- Presided over approximately 250 cases.
- Established and monitored the published weekly, monthly and long-range circuit court docket, requiring the supervision of two clerks of court and coordination with senior prosecutors at five separate bases.
- Authored a collection of standardized court orders for use by all military judges in the circuit to ensure written format consistency for rulings on routinely recurring motions and procedural filings.
- Created a computer research filing system that categorized by topic the significant written motion rulings and jury instructions issued by all judges in the circuit.
- Served as contributing author to a rewrite of circuit court rules. Drafted standardized court forms and formats for motions and procedural court filings.
- Coordinated and taught annual continuing legal education seminars on trial advocacy and substantive criminal law topics for Marine Corps trial attorneys.

**Senior Defense Counsel, Marine Corps Base Camp Pendleton, CA
6/1998 - 6/2000**

- Provided criminal defense legal representation to Marine Corps and Navy personnel assigned to bases in the western United States.
- Represented more than 300 clients charged with offenses ranging from murder, kidnapping, and international drug importation to minor military discipline offenses.
- Supervised 25 junior attorneys and 7 clerks in the processing and disposition of over 1,000 cases at the busiest legal center in the Department of Defense.
- Provided administrative separation counseling and legal representation at hearings and boards of inquiry for more than 250 service members.
- Provided legal counseling for various adverse personnel actions including nonjudicial punishment, evaluation report rebuttals, and personnel records correction.
- Ranked by supervisor as the number 1 of 35 Marine Corps trial attorneys practicing at West Coast bases during this period.
- Performed all associated defense counsel trial duties such as case research, witness interviews, testimony preparation, drafting pretrial evidentiary suppression motions, filing written motions to dismiss for failure to properly charge criminal violations or because of lack of personal or subject matter jurisdiction.
- Wrote sworn testimony affidavits, requested jury instructions and filed post-conviction clemency petitions.

**Prosecutor/Investigative Attorney, Marine Corps Base Camp Pendleton, CA
6/1997 - 6/1998**

- Assisted an investigating officer of a wrongful death shooting during military counter-drug operations that implicated a unit of Marines in potential state, military and federal criminal charges and civil rights violations.
- Served as a legal advisor to a nine-officer team that provided a report of more than 10,000 pages to the Secretary of the Navy to use in response to Congressional inquiries.
- Primary author and editor of the fact-finding section of the report.
- Provided short-fused criminal, statutory, and regulatory legal analysis.

Administrative Law Attorney, Headquarters, Marine Corps, Washington, DC

6/1995 - 6/1997

- Responsible for a wide range of legal opinions provided by Judge Advocate Division, Headquarters, USMC, as the primary legal staff for the Commandant of the Marine Corps.
- Provided more than 1,000 written opinions on subjects such as personnel and fiscal law, separations and retirements, special selection boards, Congressional inquiries, Freedom of Information Act, Privacy Act, service of process on the Marine Corps and attorney ethics.
- Served as a subject matter expert for civil law issues impacting major commands.
- Lead attorney for Reserve personnel mobilization, continuation, promotion, retirement, administrative separations due process, and federal retirement sanctuary issues for Headquarters, Marine Corps and other major commands world-wide.
- Researched and issued written legal opinions on proposed legislative, policy, directives, and personnel matters originating with or affecting the Marine Corps.
- Issued written ethical opinions on compliance in the areas of official travel, gifts, financial disclosure by General officers, and professional misconduct of attorneys.
- Conducted reviews of personnel promotion plans for statutory and non-statutory promotion board precepts for the Marine Corps' manpower management department.

Prosecutor/SAUSA, Marine Corps Logistics Base, Albany, GA

6/1993 - 6/1995

- Prosecuted military criminal offenses at general and special courts-martial.
- Successfully tried seven felony jury cases including offenses of rape, aggravated assault, complex financial fraud and theft.
- Assigned as counsel for 37 cases that resulted in disposition through prosecution at courts-martial, nonjudicial punishment, and administrative separation.
- Appointed as Special Assistant U.S. Attorney to represent the United States in U.S. District Court in the prosecution of more than 750 felony and misdemeanor offenses by civilians on a federal installation.
- Represented the United States at Merit Systems Protection Board and Equal Employment Opportunity administrative hearings.
- Performed all associated prosecutor duties such as case research, witness interviews, drafting and filing of criminal charges, testimony preparation, writing pretrial evidentiary admission motions, writing motion responses to defense efforts to seek dismissal for failure to properly charge criminal violations or because of lack of jurisdiction. Wrote sworn testimony affidavits, requested jury instructions and provided legal briefs on defense counsel post-conviction clemency petitions.

**Legal Assistance Attorney, Marine Corps Logistics Base, Albany, GA
6/1992 – 6/1993**

- Researched and resolved legal issues for more than 1,000 clients in areas of family law, estate planning, consumer law, landlord-tenant matters, immigration, tax, and other matters within the scope of the Navy-Marine Corps Legal Assistance Manual.
- Prepared and reviewed pleadings and other court documents for marriage dissolution, paternity, guardianship, adoption, child support, custody and visitation.
- Provided written legal opinions on numerous civil law issues such as permissible uses of government assets, military support to civilian organizations, emergency response authority, and military retirement and disability entitlements.

Professional Licenses and Certifications:

- Civil Mediation Certification, Nation Judicial College (2016)
- Judicial Development General Jurisdiction Trial Skills Certification, National Judicial College (2006)
- Certified Felony Trial Judge, Navy-Marine Corps Trial Judiciary (2000)
- Supreme Court of the United States (1997)
- Court of Appeals for the Armed Forces (1994)
- United States Court of Appeals, Eleventh Circuit (1994)
- United States District Court, District of Nebraska (1991)
- Supreme Court of the State of Nebraska (1991)
- Nebraska State Bar Association - Bar # [REDACTED] (1991)

Education:

- Master of Laws (Criminal Law Emphasis), The Judge Advocate General's School of the Army, Charlottesville, VA (2004)
- Juris Doctor, Creighton University School of Law, Omaha, NE (1991)
- Bachelor of Arts (Journalism), San Diego State University, San Diego, CA (1987)

Past Security Clearances:

- Top Secret, Department of Defense

Honors and Awards:

- Numerous Military awards, including three Meritorious Service Medals
- Award for Leadership Excellence, Association of the United States Army
- Trial Competition Team and Moot Court Board Member, Creighton University School of Law
- Vice President, American Trial Lawyers Association, Creighton University School of Law

References:

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Administrative Law Judge, U.S. Department of Labor
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Cherry Hill, NJ 08002
(856) 486-3800 work; [REDACTED] mobile

Ethan Chase
Administrative Law Judge, Social Security Administration
Office of Disability Adjudication and Review, Columbia SC
1927 Thurmond Mall Blvd, Suite 200
Columbia, SC 29201
[REDACTED] work; [REDACTED] mobile

Michael Richardson
Administrative Law Judge, Social Security Administration
Office of Disability Adjudication and Review, San Diego, CA
525 B. Street
San Diego, CA 92101
[REDACTED] work; [REDACTED] mobile.

Additional references, letters of reference and writing samples available as needed.

Morris D. Davis

EXECUTIVE PROFILE

**Senior Legal Counsel ▪ Executive Level Leader ▪ Global Strategic Communications Professional
LL.M. (x2), J.D., and B.S Degrees ▪ Top Secret / SCI Security Clearance Eligible**

- Experienced legal counsel with comprehensive knowledge and expertise in diverse areas including government procurement and appropriations, national security, human rights and international humanitarian law, strategic planning, the legislative process and administrative law.
- Powerful speaker, author and advocate who has shaped perceptions and persuaded audiences, including national and international media, government officials and special interest groups.
- Dynamic leader who propelled a diverse range of organizations to superior performance.
- National and international recognition for courage, integrity, ethics and professionalism.

PROFESSIONAL EXPERIENCE

Administrative Law Judge, U.S. Department of Labor
Washington, D.C.

May 2015 -- Present

Presides over formal, adversarial hearings concerning many labor-related matters covered by more than sixty statutes and authors written decisions on claims and disputes.

Assistant Professor, Howard University School of Law
Washington, DC

Aug. 2011 – May 2015

Taught legal reasoning, research and writing for first year law students, appellate writing and oral advocacy for second year students, and a national security law course for second and third year students.

- National security and military law commentator for domestic and international television, radio and print news media. (MSNBC, CNN, Fox News, N.Y. Times, L.A. Times, Wall Street Journal)
- Lecturer on international humanitarian law issues at professional and academic conferences.
- Published articles and commentaries on international humanitarian law, indefinite detention, military commissions, targeted killing, torture, military and CIA drone strikes, balancing free speech and national security, selective prosecution of leaks, government secrecy, war crimes prosecutions in international tribunals, the military's sexual assault epidemic, and several high visibility court-martial cases.
- Winner of the 2013 Hugh M. Hefner Foundation First Amendment Award

Executive Director and Counsel, Crimes of War Education Project
Washington, DC

Aug. 2010 – Dec. 2012

Directed a respected non-governmental organization that leveraged the talents of journalists, attorneys and academics to enhance global public awareness of international humanitarian law, highlight violations of the law of war, and mitigate the suffering of innocents caught in the midst of armed conflicts.

- Led a redesign of www.crimesofwar.org and enhanced the utilization of social media to expand the Crimes of War Education Project's audience and influence.

- Commissioned and published original content on key international humanitarian law issues. Cosponsored the first major event in the United States focusing on the war crimes tribunal in Bangladesh.

Asst. Dir. and Sr. Specialist in Nat'l Security, Congressional Research Service Dec. 2008 – Jan. 2010
Library of Congress, Washington, DC

Led the 95-person Foreign Affairs, Defense and Trade Division. Supervised the delivery of non-partisan assistance to Congress on key issues: military strategy in Iraq and Afghanistan; acquisition reform; Defense and State Department appropriations; piracy; relations with China, Russia, and the Middle East; international banking and trade; U.S. role in a global economy; and non-proliferation treaties, among other major issues.

- Developed the research agenda to support the House and Senate armed services, foreign relations, and international trade and finance committees and subcommittees in the 111th Congress.
- Received the Justice Charles E. Whittaker Award for professional courage and integrity from the Lawyers Association of Kansas City in November 2009.
- Senator Lindsey Graham: "I have known Col. Davis for more than twenty years as a man of the highest ability and integrity." (Dec. 15, 2009).

Director of the U.S. Air Force Judiciary Oct. 2007 – Oct. 2008
Bolling Air Force Base, Washington, DC

Oversight responsibility for the Air Force military justice system worldwide. Developed military justice policy and legislation; supervised trial and appellate attorneys; managed Air Force clemency and parole program.

- Supervised 265 attorneys, paralegal, and support personnel at 70 sites around the world.
- Flattened organizational structure to respond effectively to needs of the 21st century Air Force.
- Instituted top-to-bottom review of all military justice processes to identify best practices, address areas in need of improvement, and eliminate redundancies.
- Chaired Judge Advocate General's advisory committee on professional responsibility and ethics.

Chief Prosecutor for Terrorism Trials at Guantanamo Bay, Cuba Sep. 2005 – Oct. 2007
Pentagon, Washington, DC, and Guantanamo Bay, Cuba

Managed a complex, multi-agency task force operating in a highly classified environment to prosecute al Qaeda and Taliban members for war crimes. Advisor to senior executive branch and congressional leaders on detainee issues. Consulted with senior foreign officials to secure cooperation in developing cases for trial.

- Led a task force of more than 100 attorneys, paralegals, intelligence analysts, law enforcement agents, and support personnel from the Department of Defense, Department of Justice, Central Intelligence Agency, Federal Bureau of Investigation, and other federal agencies.
- Secured the first war crimes conviction in a military commission since World War II.
- Appeared in television, radio and print media coverage worldwide as lead communication strategist and spokesman for the prosecution. Speaker at colleges and professional organizations. Authored Yale Law Review Pocket Part article named one of their three most influential articles of 2007.
- Advisor on development of the Military Commissions Act. Testified before the House Armed

Services Committee, advised and assisted key Senate leaders, and drafted language included in the Act.

- Featured in the Citizens for Responsibility and Ethics in Washington report, *Those Who Dared: 30 Officials Who Stood Up For Our Country*.
- N.Y. Times Editorial Board: "(Col. Davis) showed courage and respect for democratic principles when he resigned rather than follow orders to use evidence obtained through torture." (Dec. 17, 2009).

Senior Attorney and Legal Advisor to the Commander

Feb. – Sep. 2005

Headquarters Twentieth Air Force, F. E. Warren Air Force Base, Cheyenne, WY

Senior legal counsel to the commander responsible for the operation, maintenance and security of the nation's Intercontinental Ballistic Missile (ICBM) fleet. Supervised the delivery of a full range of legal services to 9,500 Air Force personnel deployed over a 46,000 square mile area spread across five rural states.

- Enhanced the speed and the quality of justice at the command with the highest disciplinary rates in the Air Force by streamlining the decision-making process and increasing the flow of information.
- Devised alternative strategies to avoid government ethics issues with a high-interest program.
- Averted potential statutory violation by preventing use of appropriated funds for improper purpose.

Director of Legal Information Technology

Jun. 2003 – Feb. 2005

Maxwell Air Force Base, Montgomery, AL

Executive level manager for online legal research services for the Department of Defense. Directed a team of more than 50 attorneys, paralegals, and IT professionals in creating innovative IT programs to enhance delivery of legal services. Managed \$7 million acquisition program to refresh IT in Air Force JAG offices worldwide.

- Delivered 24/7 online legal research capabilities to over 7,000 registered users around the world.
- Created partnership with Army for single Lexis contract to achieve economy of scale. New joint-service contract preserved high quality service and generated multi-million dollar savings.
- Led effort to automate manual legal processes to bolster efficiency and accuracy at reduced costs.
- Innovative programs led to the division earning the 2009 W. Edwards Deming Award.

Assistant Dean of the Air Force Law School

Jul. 2000 – Jun. 2003

Maxwell Air Force Base, Montgomery, AL

Senior leader at the busiest of eight schools in Air University. Educated 15,000 students annually in courses conducted 50 weeks per year on all areas of the law. Delivered post-J.D. level legal training that is accredited for continuing legal education (CLE) credit in every jurisdiction that requires CLE.

- Course director for highest rated electives at the Air War College and the Air Command and Staff College. Earned "Academic Excellence" recognition from Commandant of the Air War College.
- Conducted the Air Force's first professional continuing education course utilizing distance learning technology in 1994. Continued nurturing exploitation of distance learning capabilities, including webcasts and online interactive programs. The pioneer in taking the school house to the students and making education available on-demand from anywhere in the world.

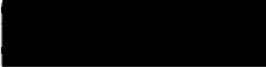
- Led rape and sexual assault investigation at U.S. Air Force Academy. Praised for keeping team motivated and focused despite 80-plus hour workweeks non-stop for more than three months while under intense political pressure and media scrutiny.

EDUCATION

LL.M. (Government Procurement Law)	George Washington Univ., Washington, DC, 1992
LL.M. (Military Law – Gov. Procurement Law)	U.S. Army JAG School, Charlottesville, VA, 1992
J.D.	N.C. Central Univ. School of Law, Durham, NC, 1983
B.S. (Criminal Justice)	Appalachian State University, Boone, NC, 1980

REFERENCES

Jack L. Rives
Executive Director
American Bar Association
321 North Clark Street
Chicago, IL 60654


Charles J. Dunlap, Jr.
Executive Director
Center on Law, Ethics and
National Security
Duke University School of Law
210 Science Drive, Box 90360
Durham, NC 27708


Dr. Louis Fisher
Scholar in Residence
The Constitution Project
520 Ridgewell Way
Silver Spring, MD 20902


JERRY R. DeMAIO

EXPERIENCE

U.S. DEPARTMENT OF LABOR *Administrative Law Judge*

Boston, MA
October 2017-present

- ◆ Preside over cases involving approximately 80 different labor and employment statutes and regulations, including longshore, coal miner, and Defense Base Act worker's compensation claims; a variety of whistleblower complaints; and reviews of applications for permanent and temporary work visas. Decide legal and factual matters before the court. Conduct formal hearings. Draft opinions and orders. Oversee discovery matters. Issue subpoenas. Rule on dispositive, evidentiary and other motions. Hold conferences with parties for the settlement and simplification of issues before the court.

U.S. DEPARTMENT OF HOMELAND SECURITY *Assistant Chief Counsel, U.S. Immigration and Customs Enforcement*

Boston, MA
2007-2017

- ◆ Litigated removal cases in Immigration Court on behalf of the Government. Prepared and examined witnesses; researched, drafted and argued motions before the court. Handled the office's national security matters including those related to the 2013 Boston Marathon bombing. Drafted over 50 briefs to the Board of Immigration Appeals and oversaw administrative appeals and customs issues.

Agency Counsel, Homeland Security Investigations (HSI), SAC Boston (detail)

2015 - 2017

- ◆ Advised HSI leadership and special agents on criminal and administrative law matters. Trained agents and assigned task force officers on legal issues involved in customs and immigration enforcement. Trained agents in legal issues in cybercrime, Fourth and Fifth Amendment issues, asset forfeiture and other legal matters. Supported state and federal litigation in matters where HSI agents are participating.

Special Assistant U.S. Attorney, U.S. Attorney's Office, District of Massachusetts (detail)

2009 - 2011

- ◆ Prosecuted immigration-related criminal cases on behalf of the U.S. government, including re-entry after deportation, firearms, drugs, document fraud, and alien smuggling. Presented cases to the grand jury. Analyzed cases for acceptance by the office. Researched and drafted briefs. Appeared before district and magistrate judges for hearings and trials. Advised other prosecutors on immigration issues.

U.S. DEPARTMENT OF JUSTICE *Trial Attorney, Counterterrorism Section, Criminal Division* *Special Assistant U.S. Attorney, Eastern District of Virginia (multiple details)* *Special Counsel to the Assistant Attorney General, Criminal Division (detail)*

Washington, DC
2002 - 2006
2003, 2005 - 2006
May-Sep 2003

- ◆ Investigated and prosecuted terrorism-related criminal cases. Awarded the 2006 John Marshall Award—DOJ's highest award for attorneys—for the investigation, prosecution and conviction at jury trial of a U.S.-born al-Qaeda conspirator. Coordinated national security litigation in 21 federal districts. Evaluated cases and advised on prosecution strategy. Prepared major terrorism cases for trial with U.S. Attorney's Offices, including Moussaoui, Eric Rudolph and the "Portland 7".
- ◆ Prosecuted federal criminal cases in the Eastern District of Virginia, including firearms, fraud, drugs and theft of government property. Appeared before grand juries. Drafted motions and charging documents. Appeared before federal district and magistrate judges for hearings and trials.
- ◆ Analyzed policy issues related to terrorism. Answered congressional inquiries. Drafted daily terrorism litigation reports to the Attorney General. Provided expert advice to DOJ agencies on use of the Classified Information Procedures Act (CIPA), Foreign Intelligence Surveillance Act (FISA), and Patriot Act. Oversaw DOJ involvement in incident response and high-level, interagency table-top exercises.

EXPERIENCE (Cont'd)

SUPREME COURT OF WISCONSIN

Law Clerk to Justice Jon P. Wilcox

Madison, WI

2001-02

- ◆ Advised state Supreme Court justice on cases before Wisconsin's highest appellate court. Researched and analyzed constitutional, criminal, civil and administrative law issues. Drafted memoranda and prepared for oral arguments. Assisted drafting opinions. Supervised law student interns.

U.S. AIR FORCE, SECURITY POLICE (Captain/O-3)

Held a variety of leadership, planning, intelligence and support positions

Various locations worldwide

1992-98

- ◆ Commanded security at deployed airbase in Kuwait. Oversaw ground intelligence at airbase in South Korea. Led law enforcement/security units of up to 90 airmen. Supervised law enforcement/security of nuclear & conventional resources. Managed training, resources & admin programs.

EDUCATION

UNIVERSITY OF WISCONSIN LAW SCHOOL

Juris Doctor

Madison, WI

2001

- ◆ *Magna cum laude*; Order of the Coif
- ◆ Editor-in-Chief, *Wisconsin Law Review*

UNITED STATES AIR FORCE ACADEMY

Bachelor of Science, Physics

Colorado Springs, CO

1992

- ◆ Distinguished Military Graduate
- ◆ Cadet Squadron Commander

SELECTED HONORS AND AWARDS

- ICE Principal Legal Advisor's Outstanding Team Award: 2014
- U.S. Department of Justice, John Marshall Award for Excellence in Litigation: 2006
- U.S. Department of Justice Criminal Division, Assistant Attorney General's Award for National Security: 2004
- U.S. Attorney General Honors Program Attorney, Criminal Division: 2002
- Distinguished Graduate, U.S. Air Force Security Police Academy, Lackland Air Force Base TX: 1993

BAR ADMISSIONS

- Wisconsin, Bar # [REDACTED] (18 Jun 2001)
- Massachusetts, Bar # [REDACTED] (17 Oct 2006)
- Federal Courts: Western Dist. of Wisconsin (18 Jun 2001); Courts of Appeals for the Fourth Circuit (23 Jan 2003); Ninth Circuit (16 Mar 2005); and First Circuit (10 Aug 2010).

consent decrees, reviewed settlements negotiated by other attorneys for adequacy, implemented approved consent decrees. Also spoke at training programs and conferences on the topics of employment discrimination, sexual harassment, and settlement/consent decree procedures.

EDUCATION

University of California – Berkeley (B.A. in Computer Science)	1971
University of California(Boalt Hall School of Law) – Berkeley (J.D.)	1974

VOLUNTEER ACTIVITIES

National Judicial College – Faculty member since 1998
National Judicial College Faculty Council – Secretary since 2014
National Judicial College – class discussion leader for various classes
National Association of Women Judges – Chair of Conference Site Selection Committee; member of Administrative Law Judges Committee, New Judges’ Committee, Nominations Committee; past chair of Administrative Law Judges’ Committee
Japanese American Religious and Cultural Center – Publicity Chair for Annual Festival

PAST SPEAKING ACTIVITIES

I have made presentations at conferences/conventions sponsored by the:

- American Bar Association
- Asian Pacific American Law Students’ Association
- Bar Association of San Francisco
- Yale China Law Center (to Chinese government officials at the invitation of the Chinese government)
- Federal Administrative Law Judges’ Conference
- National Association of Women Judges
- National Association of Administrative Law Judges
- State Bar of California

JUDGE COLLEEN A. GERAGHTY

Judge Geraghty was appointed as an Administrative Law Judge for the United States Department of Labor (DOL) on March 9, 2003 in Boston, MA. In that capacity, Judge Geraghty hears and decides cases arising from over 60 labor-related statutes and regulations. All cases are adversarial in nature and include claims under the Longshore and Harbor Workers' Compensation Act, Black Lung Benefits Act, whistleblower complaints involving alleged corporate fraud; nuclear, environmental, aviation, railway, and commercial trucking safety; and immigration labor cases. While the DOL may be a formal party in some of these cases, the majority involve litigation between individuals, companies, and/or insurance carriers. Additionally, some whistleblower statutes allow for concurrent jurisdiction with U.S. District Court. Judge Geraghty also serves as an appellate judge on the Board of Alien Labor Certification Appeals involving employer appeals under the Immigration and Nationality Act. Judge Geraghty is a National Judicial College certified mediator and has successfully assisted many parties in resolving their disputes through the Office of Administrative Law Judges Settlement Judge Program.

Prior to her appointment as an Administrative Law Judge with the Department of Labor, Judge Geraghty was an Administrative Law Judge for the Social Security Administration for 15 months. Prior to her service as an Administrative Law Judge, Judge Geraghty was appointed to the Senior Executive Service as the Director of Safety and Health at the Department of Labor, responsible for the safety and health of the Department of Labor's 15,000 employees as well as for all Job Corps Centers, and managed the Department's Drug Free Workplace and Employee Assistance Programs. Judge Geraghty also served for many years as an appellate attorney in the Department of Labor's Solicitor Office, Division of Mine Safety and Health appearing in Federal Circuit Courts of Appeals throughout the country. In this capacity, Judge Geraghty defended enforcement actions taken by the Department, including application of health or safety standards and enforcement of whistleblower actions. Judge Geraghty was a trial attorney at the Legal Society in Cincinnati, Ohio for two and one-half years. She represented clients at trial in state and federal court on public benefits, equal protection, family law and housing issues. Judge Geraghty obtained her law degree from the Moritz College of Law at Ohio State University and her undergraduate degree from Ohio University. She has served on the board and the finance committee of the Potomac Appalachian Trail Club. She lives in [REDACTED] MA.

JASON A. GOLDEN

EDUCATION: **Naval War College:** New Orleans, LA, 1996-1997, graduate studies in strategy and policy.

Tulane Law School: New Orleans, LA, 1994, J.D., *cum laude*. Specialization Certificate in Admiralty and Maritime Law; Senior Business Editor, *Tulane Environmental Law Journal*; Judicial Externship with U.S. Magistrate Judge Michelle P. Wynn, U.S. District Court, Eastern District of Louisiana.

Indiana University: Bloomington, IN, 1991, B.S., Finance. Semester abroad studying International Business at the National University of Singapore.

WORK

EXPERIENCE: **Office of Administrative Law Judges, U.S. Department of Labor:** Cincinnati, OH, 10/2017-present. Administrative Law Judge.

Montgomery, Rennie & Jonson: Cincinnati, OH, 10/2004-10/2017. Shareholder (since 01/2008) and trial attorney practicing general civil and commercial litigation. Represent commercial motor carriers and insurance companies in all stages of civil litigation, in state and federal courts throughout the country, involving personal injury and wrongful death. Represent motor vehicle manufacturers/distributors in product liability and warranty lawsuits throughout Ohio and Kentucky, (including complex litigation involving: (1) numerous commercial lawsuits relating to hundreds of vehicles; and (2) several warranty and product liability cases relating to an ongoing Multi District Litigation). Manage and train associate attorneys, paralegals and administrative assistants.

GTC Foodservice, Inc.: Cincinnati, OH, 03/2002-10/2004, Vice President and General Counsel of a business with approximately 50 employees. Manage a commercial artisan bakery; assist in operating the food services for 3 high schools and 1 retreat facility; negotiate and prepare operating agreements, human resource policies and forms, and provide legal advice regarding contractual, administrative regulation, employment, insurance and litigation issues.

Lau, Lane, Pieper, Conley & McCreadie, P.A.: Tampa, FL, 04/1998-10/2001, trial attorney practicing maritime law and general civil and commercial litigation. Represent shipowners, cruise lines, protection and indemnity clubs, insurers, insured and utility companies in all stages of civil litigation in state and federal courts. Co-author *Passenger Claims (Cruise Ships, Gambling Ships and Small Boats)*, Southeastern Admiralty Law Seminar (Savannah, Georgia 1998). 10/1997-04/1998 law clerk.

U.S. Navy, Judge Advocate General's Corps:

Current Rank: Captain

Reserve Duty (All Reserve positions are part-time).

- 12/2016-present, Staff Judge Advocate, Navy Region Southeast Reserve Component Command Jacksonville – providing advice to the Reserve Component Command and its 19 subordinate Navy Operational Support Centers regarding ethics (as a Certified Ethics Counselor) and administrative and fiscal law.
- 12/2014-11/2016, Commanding Officer, Navy Reserve NAMARA Appellate Review - leading, managing, and overseeing the training and administrative requirements of 7 senior officers/attorneys in the quasi-judicial review of courts-martial verdicts;
- 12/2012-11/2014, Commanding Officer, Navy Reserve Defense Service Office Southeast - leading, managing, and overseeing the training and administrative requirements of 7 officers/attorneys responsible for defending Navy Reserve personnel at administrative separation hearings throughout the eastern half of the United States;
- 12/2009-11/2012, staff judge advocate/trial counsel providing advice and representation to the Navy regarding the Status of Forces Agreement with Japan, master labor contract employees, and administrative and military justice matters in Japan and the United States;
- 01/2007-11/2009, general civil litigation attorney adjudicating Freedom of Information Act (FOIA) appeals and providing litigation support to the U.S. Department of Justice in FOIA, administrative and military personnel litigation;
- 10/2003-12/2006, admiralty attorney adjudicating and assisting in the defense of admiralty claims against the Navy, and asserting and negotiating affirmative admiralty claims by the Navy; and
- 10/2002-09/2003, international law attorney advising the Navy regarding the law of the sea and the law of armed conflict.

Active Duty:

- 10/2001-06/2002 and 01/1995-09/1997, attorney providing legal advice and representation regarding administrative, constitutional, criminal, employment, environmental, ethics and tort matters to commanding officers of thousands of military and civilian employees; representing clients at over 50 courts-martial and administrative separation hearings; preparing hundreds of wills, estate planning documents and agreements; and providing advice to hundreds of clients regarding family, consumer, criminal and estate planning law.

U.S. Attorney's Office, Southern District of Mississippi: 1996-1997, Special Assistant U.S. Attorney prosecuting misdemeanor and felony offenses.

**CURRENT
LICENSES:**

New York State Bar, Florida State Bar, Ohio State Bar, Kentucky State Bar

MS. LYSTRA ANINA HARRIS

Availability:

Job Type: Permanent, Detail, Presidential Management Fellows

Work Schedule: Full-Time

Work Experience:

US DEPARTMENT OF LABOR

CHERRY HILL, NJ United States

04/2011 - Present

Hours per week: 40

Series: 0935 Pay Plan: AJ Grade: 3

ADMINISTRATIVE LAW JUDGE (This is a federal job)

Duties, Accomplishments and Related Skills:

I hear and decide cases arising from over 80 labor-related statutes which address diverse subjects such as civil rights, whistleblower complaints, minimum wage disputes, civil fraud in federal programs, standards of conduct in union elections, enforcement actions involving migrant worker conditions, and foreign worker labor certifications. I preside mostly over formal hearings concerning black lung benefits and longshore workers' compensation. I conduct legal research and draft decisions, as well as oversee research and writing completed by attorney-advisors.

Supervisor: ADELE H. ODEGARD

Okay to contact this Supervisor: Contact me first

SOCIAL SECURITY ADMINISTRATION

PHILADELPHIA, PA United States

07/2009 - 04/2011

Hours per week: 40

Series: 0935 Pay Plan: Other

ADMINISTRATIVE LAW JUDGE (This is a federal job)

Duties, Accomplishments and Related Skills:

I conducted impartial de novo hearings and issue decisions to claimants who have appealed previous Social Security determinations in average of over 500 cases annually. I held prehearing conferences with unrepresented claimants to explain their procedural rights and issue subpoenas. I ruled on prehearing requests for on-the-record decisions and develop the hearing record to ensure adequate basis exists for making legally sound decisions. I analyzed medical and other evidence, as well as draft decisional writing instructions and decisions. I electronically reviewed and managed my case docket using a computerized case processing management system.

Supervisor: LINDA BERNSTEIN

Okay to contact this Supervisor: Yes

US MERIT SYSTEMS PROTECTION BOARD

PHILADELPHIA, PA United States

07/2007 - 07/2009

Hours per week: 40

Pay Plan: GS Grade: 15

ADMINISTRATIVE JUDGE (This is a federal job)

Duties, Accomplishments and Related Skills:

I heard and decided appeals from Federal employees, applicants and annuitants concerning any matter over which the MSPB has jurisdiction by statute, regulation or rule, such as, for e.g., demotions, removals, suspensions over 14 days, and whistleblower reprisal claims. I independently adjudicated over 100 appeals yearly, conducting prehearing and status conferences, as well as hearings. I oversaw discovery, facilitated settlement, ruled on motions and ensured hearing record development. I issued initial decisions on which MSPB and court decisions are based.

Supervisor: WILLIAM BOULDEN

Okay to contact this Supervisor: Yes

US MERIT SYSTEMS PROTECTION BOARD

PHILADELPHIA, PA United States

03/2006 - 07/2007

Hours per week: 40

Pay Plan: GS Grade: 14

ADMINISTRATIVE JUDGE (This is a federal job)

Duties, Accomplishments and Related Skills:

I heard and decided appeals filed by federal employees, applicants for employment, and federal annuitants concerning any matter over which the MSPB has jurisdiction by federal statute, regulation or rule, such as, for e.g., demotions, removals, suspensions over 14 days, and whistleblower reprisal claims. I managed an average yearly case load of approximately 100 appeal. I conducted prehearing and status conferences, narrowed issues to be addressed, facilitated settlement negotiations, and issued initial decisions on which MSPB and court decisions may be based.

Supervisor: WILLIAM BOULDEN

Okay to contact this Supervisor: Yes

US EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

PHILADELPHIA, PA United States

01/1996 - 03/2006

Hours per week: 40

Pay Plan: GS Grade: 14

ADMINISTRATIVE JUDGE (This is a federal job)**Duties, Accomplishments and Related Skills:**

Presiding official at the hearing stage of employment discrimination complaints filed by federal employees and applicants for federal employment. Managing an average case load of over 100 cases annually, I conducted prehearing conferences to facilitate settlement, rule on witnesses, document requests and other matters, as well as rule on various motions filed by the parties, such as discovery, summary judgment and sanction motions. I also conducted hearings to develop the existing investigative record, exercising authority to maintain control over the proceedings and to make rulings on the record. The decisions I issued included thorough factual and legal analysis, as well as proper citations to applicable law and regulations. When the Chief Administrative Judge was absent, I served as acting CAJ, responsible for case assignments and responding orally and in writing to stakeholder inquiries.

Supervisor: SUSAN A. FLYNN [REDACTED]

Okay to contact this Supervisor: Yes

US EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

PHILADELPHIA, PA United States

01/1987 - 01/1996

Hours per week: 40

Pay Plan: Other

ADMINISTRATIVE JUDGE (This is a federal job)**Duties, Accomplishments and Related Skills:**

Presiding official at the hearing stage of employment discrimination complaints filed by federal employees and applicants for federal employment. Managing an average case load of over 85 cases annually, I conducted prehearing conferences to facilitate settlement, ruled on witnesses, document requests and other matters, as well as ruled on various motions filed by the parties, such as discovery, summary judgment and sanction motions. I also conducted hearings to develop the existing investigative record, exercising authority to maintain control over the proceedings and make rulings on the record. The decisions I issued in complaints included thorough factual and legal analysis, as well as proper citations to the applicable law and regulations.

Supervisor: SUSAN A. FLYNN [REDACTED]

Okay to contact this Supervisor: Yes

Education:**UNIVERSITY OF PENNSYLVANIA LAW SCHOOL PHILADELPHIA, PA United States**

Professional 05/1985

Credits Earned: 96 Semester hours

Relevant Coursework, Licenses and Certifications:

ADMITTED TO PENNSYLVANIA STATE BAR - NOVEMBER 1985

BROOKLYN COLLEGE, CITY UNIVERSITY OF NY BROOKLYN, NY United States

Bachelor's Degree 05/1982

GPA: 3.67 of a maximum 4.0

Credits Earned: 128 Semester hours

Major: ECONOMICS Honors: Magna Cum Laude

BROOKLYN TECHNICAL HIGH SCHOOL BROOKLYN, NY United States

High School or equivalent 06/1978

Major: GRAPHIC COMMUNICATIONS

Job Related Training:

Mediation for Administrative Law Judges - National Judicial College, Santa Fe, NM - April 2008

Advanced Evidence - National Judicial College, Philadelphia, PA - May 2007

Fair Hearings (Administrative Law) - National Judicial College, Reno, NV - April 2006

Administrative Law (Advanced) - National Judicial College, Widener School of Law, Wilmington, DE - June 2013

Judicial Writing - National Judicial College, Reno, NV - July 2015

Dispute Resolution Skills - National Judicial College, Savannah, GA - June 2016

Affiliations:

Federal Administrative Law Judges Conference - Member

References:

Name	Employer	Title	Phone	Email
William Boulden (*)	US Merit Systems Protection Board	Regional Director	[REDACTED]	[REDACTED]
Linda McGrier		Attorney	[REDACTED]	
Susan A. Flynn (*)	National Labor Relations Board	Administrative Law Judge	[REDACTED]	
Adele H. Odegard (*)	US Department of Labor	District Chief Judge	[REDACTED]	
Francis A. Polito (*)	US Equal Employment Opportunity Commission	Chief Administrative Judge	[REDACTED]	

(*) Indicates professional reference

Additional Information:

- Job-related license
- Active attorney's license - Commonwealth of Pennsylvania (PA attorney ID number [REDACTED])
- Job-related skills
- Computer software proficiency - Microsoft Word
- Westlaw
- Job-related honors/awards
- Special Achievement Award for Outstanding Performance - 2003; 2004
- US EEOC Chair's Organizational Award - 2002
- Federal Executive Board "Excellence in Government" Bronze medalist (Outstanding Public Service) - 2002
- Sustained Performance Award - 2001
- Civic activities
- Elected Board Member - Northern Liberties Neighborhood Association, Philadelphia, PA - 2013/2015

Paul C. Johnson, Jr.

Cell: [REDACTED]

Office: [REDACTED]

Email: [REDACTED]

Experience:

U.S. Department of Labor, Office of Administrative Law Judges (March 2008 – present)

District Chief Judge, Newport News District Office (January 2014 – present)

Lead and manage office consisting of four administrative law judges, four law clerks, one special assistant, and four legal assistants. Establish policies and procedures for case assignments and management, and monitor case progress. Hear and decide a full caseload of cases brought under approximately 80 different federal statutes.

Associate Chief Administrative Law Judge for Longshore, National Office (April 2011 – January 2014)

Conducted general oversight of administrative adjudications brought under the Longshore and Harbor Workers' Compensation Act and its extensions. Ensured compliance with existing regulations and procedures of the Office of Administrative Law Judges (OALJ), and recommended appropriate changes in regulations and procedures. Assisted the Chief Administrative Law Judge in management of OALJ, including budget and personnel matters.

Monitored cases in the National Office and the District Offices to promote efficient utilization of Administrative Law Judges and to expedite proceedings. Assigned Longshore cases to Administrative Law Judges in the OALJ National Office in Washington, DC, and oversaw assignment of cases to OALJ District Offices.

Administrative Law Judge (March 2008 – April 2011)

Presided over hearings under almost 80 statutes within the responsibility of OALJ, applying the Administrative Procedure Act and substantive statutory provisions. Established hearing schedules for individual cases, ruled on motions, presided over hearings, and issued decisions.

Bacalski, Koska & Ottoson LLP (April 2001 – October 2002; March 2003 – February 2008)
San Diego, CA

Senior Litigation Attorney

Represented clients in business litigation, including employment, trade secrets, environmental, securities, and toxic tort matters. Responsible for case investigation, pleadings, motions, trial, and appeal. Substantial trial and appeal experience.

La Bella & McNamara, LLP (October 2002 – March 2003)
San Diego, CA United States

Litigation Attorney

Represent clients in business litigation. Assisted in internal corporate investigations. Served as counsel to court-appointed receivers.

U.S. Navy Office of General Counsel
San Diego, CA (April 2000 – April 2001)

Associate Counsel

Provided legal advice concerning environmental and real-estate matters for over 300 Navy commands in the western United States. Expertise in CERCLA, RCRA, Clean Air Act, Clean Water Act, and NEPA. Additional duties included MSPB and EEO matters and Standards of Conduct for personnel of the command.

Office of the United States Attorney, San Diego, CA (July 1997 – April 2000)

Assistant U.S. Attorney, Southern District of California

Border Crimes section; prosecuted felonies from pre-filing investigation through appeal. Over 20 jury trials to verdict. Briefed 15 cases to U.S. Court of Appeals for the Ninth Circuit and argued six.

Judge Advocate, U.S. Navy (November 1981 – June 1997)

June 1996 - June 1997: Special Assistant U.S. Attorney. Defended the United States in civil litigation including tort, employment, environmental, and Navy administrative law cases.

July 1995 - June 1996: Chief Claims Officer, Naval Legal Service Office Southwest. Supervised five attorneys and 25 support personnel in evaluating claims for and against the Navy under the Federal Tort Claims Act, the Personnel Claims Act, the Medical Care Recovery Act, the Military Claims Act, and other claims statutes.

July 1994 - July 1995: Acting Executive Officer, Naval Legal Service Office Southwest. Second in command of Navy legal office. Supervised 100 attorneys and support personnel, providing services in military justice, claims, and legal assistance.

June 1991 - June 1994: Regional Environmental Counsel, Commander, Naval Base San Diego. Responsible for providing environmental legal advice to almost 300 commands in the southwest United States as the sole uniformed environmental attorney west of the Mississippi. Provided advice and occasional regulatory representation in matters under federal, state, and local laws.

August 1990 - June 1991: Student, LL.M. Program, University of Virginia Law School.

November 1981 - July 1990: At various times, served as prosecutor or defense counsel in courts and boards ashore and at sea, and as reviewing officer for courts-martial convened by military commanders. Served as claims attorney for Medical Care Recovery Act claims and Federal Tort Claims Act claims. Served as principal legal advisor to commanding officers of several Navy commands.

District of Columbia Superior Court (September 1980 – September 1981)

Washington, DC

Judicial Law Clerk

Judicial Law Clerk to Hon. Joseph M. Hannon, associate judge of the Superior Court. Drafted orders and opinions in major civil cases, and managed a docket of 250 felony cases. Conducted research into Fourth and Fifth Amendment issues as assigned and recommended rulings and sentences to supervising judge.

Education:

University of Virginia Charlottesville, VA

LL.M. with concentration in Environmental Law, May 1991

Catholic University of America Washington, DC

J.D., May 1980

University of Virginia Charlottesville, VA

B.A., May 1976

Bar Admissions

California, June 1997 (inactive)

District of Columbia, December 1980 (judicial status)

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the District of Columbia

U.S. District Court for the Southern District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Central District of California

JOSEPH E. KANE
Administrative Law Judge
Office of Administrative Law Judges
United States Department of Labor
Cincinnati, Ohio

Judge Joseph E. Kane has served as an Administrative Law Judge for the Office of Administrative Law Judges, U. S. Department of Labor, Cincinnati, Ohio, for almost 20 years. He was an Administrative Law Judge with the Office of Disability and Review, Social Security Administration, Cincinnati from 1994 until 1998. He worked for the U. S. Department of Justice for twenty years, first as a systems analyst with the Legal Information Support Staff, from 1974 to 1977; and then as an Assistant U. S. Attorney, Southern District of Ohio, in Columbus, from 1977 to 1994, where he prosecuted federal criminal cases and defended various civil cases, including Title VII discrimination, Federal Tort Claims Act, defense of officials, and other cases. He taught Trial Advocacy at the DoJ Trial Advocacy Institute as an AUSA and has practiced law for over 40 years.

Judge Kane received his Bachelor of Science Degree in Engineering from the United States Naval Academy, Annapolis, MD in 1965,¹ and was commissioned as an Ensign in the United States Navy. He served 5 years on active duty as a Surface Warfare Officer, on three ship deployments to South Vietnam, as part of the Market Time Forces, and then 24 years as a Naval Reservist, retiring with the rank of Captain. He completed coursework toward an MBA Degree at George Washington University, Washington, D.C., in 1971 and received his J.D. Degree from the National Law Center, at that University in 1975. He is an alumnus of The National Judicial College, where he has completed the week-long Civil Mediation course certification and various other courses.

¹ Federal service began June 28, 1961, when he was sworn in as a Midshipman 4/c at the Naval Academy. He has had continuous federal service since that date (except for 1 year after leaving active duty in 1970).

JUDGE CLEMENT J. KENNINGTON

1972- J.D., Loyola University, New Orleans, Louisiana

1973- L.L.M. Southern Methodist University, Dallas, Texas

1973 to 1988- Trial Attorney, 15th Region, NLRB, New Orleans, Louisiana

1988 to 1997- Administrative Law Judge, OHA-SSA, New Orleans, Louisiana

1997 to present, Administrative Law Judge, OALJ, U.S. Dept. of Labor, Covington, Louisiana

ADELE M. HIGGINS
(formerly known as Adele Higgins Odegard)

Address: [REDACTED]

PROFESSIONAL EXPERIENCE:

District Chief Administrative Law Judge, April 2009-October 2017
Office of Administrative Law Judges (OALJ),
U.S. Department of Labor, Cherry Hill, NJ

Chief Judge in district office, U.S. Department of Labor. Responsible for office's administration and ensuring full compliance with all Department of Labor and OALJ policies. In addition to handling full caseload of federal administrative proceedings (see item below for more complete description), assigned cases to judges, ensured oversight of all cases (assigned and unassigned), trained new law clerks. Served as "settlement judge" (mediator) on cases assigned to other judges. Relinquished responsibilities as District Chief Judge effective November 1, 2017, in anticipation of retirement; continued to serve as an Administrative Law Judge at the Cherry Hill District Office until retirement in April 2018.

Administrative Law Judge, OALJ, U.S. Department of Labor April 2006-April 2018
Cherry Hill, NJ

Presided over federal administrative proceedings governed by U.S. Department of Labor regulations and Administrative Procedure Act. Issued written Decisions and Orders. During 12 years of service, issued Decisions adjudicating 700+ claims under Black Lung Benefits Act, 400+ claims under Longshore and Harbor Workers' Compensation Act/Defense Base Act, 50+ "whistleblower" cases under various statutes.

Senior Attorney, Office of Chief Counsel March 2003- April 2006
Drug Enforcement Administration, U.S. Department of Justice
Arlington, VA

Prepared and participated in formal administrative hearings before the Equal Employment Opportunity Commission (EEOC) and Merit Systems Protection Board (MSPB). Also represented Agency in federal civil litigation in U.S. District Court (employment discrimination and Freedom of Information Act cases).

Deputy Chief and Chief, Defense Appellate Division July 1998 - January 2003
U.S. Army Legal Services Agency
Arlington, VA

Chief supervisory attorney for appeals of court-martial cases Army-wide. Represented appellants, including those adjudged death sentences, at two levels of military appellate courts plus U.S. Supreme Court. Oversaw the review of all cases and the preparation and filing of all briefs alleging error, and supervised preparations for oral arguments. Drafted briefs, argued cases at appellate courts, and participated in the drafting of seven petitions for certiorari at U.S. Supreme Court.

Deputy Staff Judge Advocate and Staff Judge Advocate July 1995 - July 1998
Military District of Washington (Washington, DC and Ft. Belvoir, VA)

Served as Deputy General Counsel and General Counsel for major military installations in the Washington, D.C. area. Oversaw prosecution of court-martial cases and formal administrative proceedings. Provided legal opinions/advice to commanders and military officials at all levels up to general officers. Supervised legal services programs for soldiers and family members.

Other Military Assignments**January 1979-June 1995**

Prosecutor and defense counsel in military courts-martial, and legal staff officer at military installations in the United States (1979-1984). Supervisory attorney in legal office in Frankfurt, Germany (1985-1988). Law professor to cadets at U.S. Military Academy (West Point) (1988-1992). Career manager and assignments officer for 800 junior-level military attorneys, at the Pentagon (1993-1995). Student at advanced military schools, including Judge Advocate General's School (1984-1985) and Army Command and General Staff College (1992-1993).

EDUCATION:

Princeton University, Princeton NJ	A.B. (English) 1975
Rutgers University School of Law, Camden NJ	J.D. 1978
State University of New York, New Paltz, NY	M.P.S. (Educational Studies) 1988

OTHER:

Licensed to practice and member of the Bars of the Supreme Courts of Pennsylvania (admitted 1978) and Virginia (admitted 1998; transferred to associate membership 2012). Also member of the Bars of the Supreme Court of the United States; Court of Appeals for the Armed Forces; U.S. Army Court of Criminal Appeals.

Adjunct Professor, Rutgers University School of Law, Camden, NJ (2009 and 2010). Developed and presented Military Law seminar to classes of approximately 25 students.

Veteran, U.S. Army. Retired at rank of Full Colonel (O-6), January 2003. Honorable Discharge. Recipient of Legion of Merit (2 awards).

PROFESSIONAL REFERENCES:

Professional References are available upon request.

JOHN CHRISTOPHER LARSEN
California Bar # [REDACTED]
Admitted December 21, 1977

EDUCATION: J.D. with honors, The George Washington University
Washington, D.C. (awarded 1977)

B.A. *cum laude*, Brigham Young University
Provo, Utah (awarded 1974)

EXPERIENCE: **Administrative Law Judge (2014-present)**
United States Department of Labor OALJ
90 Seventh Street, Suite 4-800
San Francisco, California 94103
Supervisor: Jennifer Gee, [REDACTED]

Completed National Judicial College course
"Civil Mediation" June, 2015

Member, Federal Administrative Law Judges
Conference

Administrative Law Judge (2005-2014)
Social Security Administration ODAR
Fresno, CA Hearing Office
Hearing Office Chief ALJ, 2007-2010

Larsen & Crickmore (1993-2005)
Encinitas, CA
Rated *av* by Martindale-Hubbell, 1991

Representative clients:

CitiMorgage, Inc.
Aetna, Inc., Real Estate Investments
Wells Fargo Bank
EuroAmerican Propagators, LLC
Rancho Santa Fe Community Services District
Whispering Palms Community Services District
Ramona Municipal Water District
Barratt American Incorporated

Superior Court Commissioner *Pro Tem*
San Diego County Superior Court, 1985-2005

San Diego Superior Court Mediator, 1985-2005

San Diego Superior Court Arbitrator, 1998-2000

Adjunct Professor, California Western School of Law
Legal Writing (1999)

San Diego County Bar Association
Delegation Member, Conference of Delegates of
California Bar Associations
Delegation Chair, 2003
Chair, Municipal Court Committee, 1985

J. Reuben Clark Law Society, San Diego Chapter
Chapter Chair, 2004-2005
Chair-Elect, 2002-2004
Editor and Publisher, *The Great Writ*

Member, Mayor's Commission on Youth Policy
Encinitas, CA 1996

Frank, Ayers & Larsen (1990-1993)
Del Mar, CA

Real estate and related litigation

Insurance defense of real-estate professionals

Sutherland, Gerber, Larsen & Rood (1984-1990)
San Diego, CA

Bryte v. La Mesa (1989), 207 Cal.App.3d 687, 225
Cal.Rptr. 64

Maurer, Higginbotham & Harris (1982-1984)
San Francisco, CA

Insurance defense of real-estate professionals,
architects, and engineers

Larsen & Larsen (1981-1982)
San Leandro, CA

Civil litigation, juvenile criminal defense, and
family law

Sutherland & Gerber (1977-1981)

Wrongful death, personal injury, and government
liability

Salton Bay Marina v. Imperial Irrigation District (1985)
172 Cal.App.3d 914, 218 Cal.Rptr. 839

ADMITTED TO
PRACTICE:

State of California, 1977
United States District Courts
Northern District of California, 1977
Southern District of California, 1981
Central District of California, 1986
United States Claims Court, 1988
U.S. Court of Appeals, Ninth Circuit, 1987
United States Supreme Court, 1983

MONICA MARKLEY

BAR ADMISSIONS

Oregon Supreme Court	Admitted 1997
United States Supreme Court	Admitted 2006
United States District Court, Northern District of Texas	Admitted 2009
United States Court of Appeals for the Fifth Circuit	Admitted 2013

EDUCATION

College of William & Mary, Marshall-Wythe School of Law

Juris Doctor, 1997 GPA: 3.2

- Moot Court Bar: National Appellate Advocacy Competition Regional semi-finalist
- Moot Court Board
- *Environmental Law and Policy Review*

James Madison University

Bachelor of Arts, 1994 GPA: 3.3

- *cum laude*, with distinction in sociology
- Honors Scholars program graduate
- Dean's List seven of eight semesters

LEGAL EXPERIENCE

United States Department of Labor, Office of Administrative Law Judges

Administrative Law Judge, 2015-Present

- Adjudicate complaints and claims arising under various labor-related federal statutes and regulations. Address and resolve pre-trial disputes, conduct hearings, and issue decisions and orders in cases within the Office's jurisdiction. Manage docket and supervise staff, including attorney advisors, law clerks, legal assistants, and volunteer student externs.

Office of the Federal Public Defender for the Northern District of Texas

Research and Writing Specialist & Assistant Federal Public Defender, 2009-2015

- Litigated appeals in federal criminal cases. Analyzed factual records, identified issues, performed legal research, wrote appellate briefs, prepared and presented oral arguments before the United States Court of Appeals for the Fifth Circuit
- Provided research, writing, and analytical assistance to colleagues in trial division regarding motion practice, trial preparation, and sentencing litigation
- As co-counsel in *Setser v. United States*, 132 S.Ct. 1463 (2012), assisted in developing arguments and drafting the Brief on the Merits and the Reply Brief filed with the United States Supreme Court
- Recruited, assisted in hiring, and supervised legal interns and externs
- Speaker at annual CLE presented by Federal Public Defender for criminal law practitioners
- Provided telephone consultations and advice to CJA panel attorneys with questions related to appellate practice or procedure

Eli D. Stutsman, P.C.

Associate attorney, 2005-2009

- As sole associate in two-attorney appellate firm, provided appellate representation in civil and criminal cases in both state and federal courts
- Wrote appellate briefs for doctors accused of misusing their prescription-writing abilities to commit controlled substances offenses in cases before the United States Courts of Appeals for the Third, Fourth, and Seventh Circuits; see *United States v. Chube*, 538 F.3d 693 (7th Cir. 2008), for a representative case.
- Wrote appellate briefs in family law cases involving child custody, spousal support, and adoption; see *In re Marriage of Morales*, 213 Or. App. 91, 159 P.3d 1183 (Or. App. 2007), for a representative case.
- Wrote appellate briefs, participated in mediation sessions and other case negotiations, drafted and filed motions as needed, and otherwise litigated appeals in cases presenting an array of issues, from contract disputes to criminal cases.
- Analyzed transcripts and records to identify issues and assess merits of case; performed legal research and analyzed legal issues; developed legal arguments; wrote pleadings, motions, and appellate briefs; presented oral arguments before Oregon Court of Appeals
- Advised trial attorneys on substantive legal issues, claim preservation, and case strategy

Oregon Office of Public Defense Services

Deputy Public Defender & Senior Deputy Public Defender, 1999-2005

- Represented indigent defendants in criminal case appeals before the Oregon Court of Appeals and the Oregon Supreme Court
- Litigated more than one hundred cases in the Oregon appellate courts, presenting numerous oral arguments and garnering approximately forty published opinions
- With sole responsibility for assigned cases from inception through completion, performed all steps of state direct appeal, including transcript review, issue identification, legal research, argument development, appellate brief and petition preparation, motion practice, and oral argument
- Provided consultation to trial attorneys on legal issues and questions of preservation
- Managed heavy caseload of sometimes lengthy and complex cases
- Received two promotions, leaving office as one of five Senior Deputy Public Defenders
- Mentored junior attorneys and provided advice and guidance as needed

McKeown & Brindle, P.C.

Associate attorney, 1998

- Represented indigent criminal misdemeanor defendants in trial court litigation, and represented indigent parents in juvenile dependency case proceedings, in law firm with public defense contract
- Prepared and managed all stages of trial litigation, from initial client interview through trial and disposition
- Analyzed facts and law, developed case strategy, interviewed and prepared witnesses and clients, prepared and litigated motions as appropriate, tried cases in bench trials and jury trials, litigated sentencing hearings

Timothy Joseph McGrath

Work Experience:

U.S. Department of Labor

O'Neill Federal Building, Room 411
10 Causeway Street
Boston, MA 02222

09/2011 - Present

Salary: 172,100.00 USD Per Year

Hours per week: 45

Pay Plan: AL **Grade:** 3

Administrative Law Judge

Duties, Accomplishments and Related Skills:

Serves as a United States Administrative Law Judge and hears and decides cases arising from over 60 labor-related statutes and regulations. All cases are adversarial in nature and include claims under the Longshore and Harbor Workers' Compensation Act, whistleblower complaints involving alleged corporate fraud; nuclear, environmental, aviation, railway, and commercial trucking safety; and immigration labor cases. While the U.S. Department of Labor may be a formal party in some of these cases, the majority of cases involve litigation between individuals, companies, and/or insurance carriers. Additionally, some whistleblower statutes allow for concurrent jurisdiction with U.S. District Court. Also serves as an appellate judge on the Board of Alien Labor Certification Appeals involving employer appeals under the Immigration and Nationality Act. I am a National Judicial College certified mediator and have successfully assisted many parties in resolving their disputes through the Office of Administrative Law Judges Settlement Judge Program.

Supervisor: Judge Colleen Geraghty

Okay to contact this Supervisor: Yes

U.S. Department of Veterans Affairs, Office of Inspector General

801 I Street, NW

Washington DC, DC 20001

08/1999 - 09/2011

Hours per week: 45

Series: 0905 Pay Plan: GS Grade: 15

Attorney Advisor

Duties, Accomplishments and Related Skills:

Serve as senior attorney in the Office of Counselor to the Inspector General. Provide independent legal advice to the Presidentially appointed Inspector General and subordinate managers and employees, in all areas of OIG operations including high level, sensitive matters. Serve as lead counsel in defending the OIG in employment litigation in U.S. District Court, the Merit Systems Protection Board and the Equal Employment Opportunity Commission. Undertakes the full range of litigation duties including depositions, pretrial discovery, motions practice and representation at hearings. Provides full litigation support to U.S. Attorneys and the Department of Justice in False Claims Act qui tam cases, other civil fraud matters, Freedom of Information Act and Privacy Act litigation. Provides advice and guidance on substantive casework of OIG operations divisions, including healthcare inspections, audits, criminal investigations, and hotline complaints. Serves as liaison with VA Office of General Counsel, the U.S. Department of Justice, the Office of Special Counsel, and the Office of Government Ethics. Provide legal advice to OIG management on wide range of topics including employment law issues such as conduct and performance cases, release of information pursuant to the Freedom of Information and Privacy Acts, as well as on internal policies and procedures. Draft legislative proposals of interest to the OIG and review and comment on any proposed Departmental regulations or legislation.

Supervisor: Maureen T. Regan [REDACTED]

Okay to contact this Supervisor: Yes

Air Force Legal Services Agency, Tort Litigation Division
Arlington, VA

10/1993 - 07/1999

Salary: 79,999.00 USD Per Year

Hours per week: 45

Pay Plan: Other

Medical Law Attorney

Duties, Accomplishments and Related Skills:

Served as senior attorney in the Medical Law Branch with responsibility for analysis, adjudication and defense of highly complex, multi-million dollar medical malpractice claims and lawsuits filed against the United States. Negotiated appropriate claims settlements that were in the best interest of the United States. Provided full litigation support to the Department of Justice and U.S. Attorney's Offices including preparation of litigation reports, answers, motions and other pleadings. Participated in depositions and trials in U.S. District Court. Provided input and guidance on Air Force policy issues to high level government officials in the Department of Defense, the Department of Justice, the Government Accountability Office, the Office of Management and Budget, and the Air Force Surgeon General.

Air Force Legal Services Agency, General Claims Division
Bolling AFB, DC

07/1986 - 09/1993

Salary: 60,430.00 USD Per Year

Hours per week: 50

Pay Plan: Other

General Attorney

Duties, Accomplishments and Related Skills:

Served as the principal legal advisor on matters of affirmative claims arising out of personal injury, property damage, and contracts. Provided litigation support to the U.S. Department of Justice in prosecuting affirmative claims lawsuits on behalf of the Air Force in U.S. District Court. Represented the Air Force at depositions, trials, and settlement negotiations with claimants, debtors, and their attorneys. As Chief, Government Recovery Section, managed the worldwide Air Force collection program that collected in excess of \$25 Million annually. Represented the Air Force at high-level meetings with other agencies and the private sector. Provided advice and assessment of trial strategy and settlement negotiations to base level legal offices. Furnished legal advice on questions relating to interpretation or application of statutes, judicial opinions, Comptroller General decisions, inter-agency agreements, Air Force regulations and proper implementation of policy.

United States Army
Fort Lewis, WA

01/1983 - 04/1986

Salary: 29,981.00 USD Per Year

Hours per week: 55

Judge Advocate

Duties, Accomplishments and Related Skills:

During this active duty tour I performed all litigation duties as a criminal defense attorney at trial, pre-trial investigations, and administrative hearings. Counseled clients facing court martial, non-judicial punishment and other administrative actions and defended most major felonies in over seventy-five trials. Represented soldiers at approximately 50 administrative hearings. Served as Military Magistrate with responsibility for reviewing any pretrial confinement of defendants. Determined if sufficient basis existed for that confinement and whether prisoner posed a danger to the community or was a flight risk if released. Responsible for issuing search warrants during ongoing criminal investigations. As claims attorney was responsible for review and disposition of actions filed against the Army pursuant to the Federal Tort Claims Act. Also directed and maintained oversight responsibility for the affirmative claims recovery program arising from medical care provided to soldiers and their families at the Madigan Army Medical Center. Directly supervised military personnel and civilian employees.

Education:

Vermont Law School South Royalton, VT
Professional 05/1981

Credits Earned: 90 Semester hours

Major: Law

Relevant Coursework, Licenses and Certifications:

Licensed to practice law in Massachusetts (1982) and the District of Columbia (1987)

University of Vermont Burlington, VT

Bachelor's Degree 05/1977

Credits Earned: 124 Semester hours

Major: Political Science

Larry S. Merck

Work Experience:

Office of Administrative Law Judges, U.S. Department of Labor
800 K St, NW
Suite 400-N
Washington DC, DC 20001 United States

10/2014 - Present

Hours per week: 40

Pay Plan: Other

Federal Administrative Law Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Preside over federal administrative proceedings governed by various federal statutes, in accordance with U.S. Department of Labor regulations and Administrative Procedure Act.
- Issue written Decisions. Types of cases heard include: workers' compensation under the Longshore and Harbor Workers' Compensation Act and the Black Lung Benefits Act; "whistle blower" matters arising under the Sarbanes-Oxley Act, Energy Reorganization Act, Surface Transportation Assistance Act, and environmental protection statutes; and other employment-related matters.
- Received specialized training in alternative dispute resolution and appointed as settlement judge on occasion.
- Supervise two law clerks (recent law school graduates) and one legal assistant (paralegal).

Office of Administrative Law Judges, U.S. Department of Labor

36 E. Seventh St.
Suite 2525
Cincinnati, OH 45202 United States

03/2006 - 10/2014

Hours per week: 40

Series: 0935 Pay Plan: Other

Federal Administrative Law Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Preside over federal administrative proceedings governed by various federal statutes, in accordance with U.S. Department of Labor regulations and Administrative Procedure Act.
- Issue written Decisions. Types of cases heard include: workers' compensation under the Longshore and Harbor Workers' Compensation Act and the Black Lung Benefits Act; "whistle blower" matters arising under the Sarbanes-Oxley Act, Energy Reorganization Act, Surface Transportation Assistance Act, and environmental protection statutes; and other employment-related matters.
- Received specialized training in alternative dispute resolution and appointed as settlement judge on occasion.
- Supervise one law clerk (recent law school graduate) and one legal assistant (paralegal).

ACCOMPLISHMENTS:

- Learned new areas of substantive law.
- Issued over 360 written dispositions as an administrative law judge.
- Served as a settlement judge on several occasions.

U.S. Army Legal Services Agency

Arlington, VA United States

07/1998 - 07/2005

Salary: 120,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Senior Appellate Judge, U.S. Army Court of Criminal Appeals (This is a federal job)

Duties, Accomplishments and Related Skills:

NOTE: I served in two assignments as an Appellate Judge on the Army Court of Criminal Appeals. July 1998 -- November 2002, and July 2003 -- July 2005. I was on retired status November 2002 -- June 2003, when I was recalled to Active Duty. I was appointed as a Senior Judge in June 1999.

DUTIES

- Presided over U. S. Army Court of Criminal Appeals three-judge panel.
- Reviewed courts-martial (trial records) pursuant to the Uniform Code of Military Justice.
- Acted on pleadings, motions, and assignments of error.
- Identified legal and factual issues and performed legal research.
- Heard appellate oral arguments and decided how to apply law to case issues.
- Decided cases and subsequently wrote and promulgates court opinions affirming, modifying, or setting aside courts-martial (trial records) findings and sentences.
- Researched and wrote opinions supporting decisions on appellate issues.
- Supervised two associate judges, law clerk, and other administrative personnel.

ACCOMPLISHMENTS:

- Participated in adjudicating over 1500 cases over 5 years.
- Authored over 100 court opinions and rendered over 400 court decisions for cases ranging from capital murder, child molestation, spouse abuse, to fraud.
- Opinions provide precedent and substantial legal guidance to military law practitioners in a myriad of areas, including ineffective assistance of counsel, unreasonable search and seizure, violation of the right against self incrimination, and jury instructions.
- For example, authored an opinion in a murder case which provided an analytic framework for appellate and trial judges to apply when evaluating whether a conflict of interest exists that would disqualify a psychotherapist from participating as a member of a defendant's sanity board. This was an issue of first impression for the U.S. Army Court of Criminal Appeals.
- Only senior appellate judge selected to serve on the Department of Army Military Justice Review Task Force.
- Participated in extensive drafting of proposed legislation to change the Manual for Courts-Martial, ensuring a fair and unbiased jury, maintaining an independent judiciary, and updating military rules of evidence (which essentially mirror the federal rules of evidence.)

Supervisor: BG David P. Carey [REDACTED]

Okay to contact this Supervisor: Yes

Trial Judiciary, U.S. Army
Arlington, VA United States

07/1996 - 06/1998

Hours per week: 55

Pay Plan: Other

Trial Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

*NOTE: I served two assignments as a trial judge. June 1992 - October 1993- First Judicial Circuit from Virginia to New York and the Republic of Panama; July 1996 - June 1998 - Third Judicial Circuit which included Texas, Louisiana, and Arizona. TOTAL: Over 3 years.

DUTIES:

- Performed criminal trial duties similar to a United States Federal District Court Judge. Served as a criminal trial judge for Army courts-martial. Presided over the full range of charged criminal offenses, including a death penalty case.
- Decided pretrial motions, interpreting and applying the law based on briefs and oral argument.
- Provided judicial oversight for jury trials. Instructed court members (jury) on the law and ensured formal proceedings were conducted in accordance with the Rules for Courts-Martial.
- In judge-alone trials, independently decided motions, heard and weighed evidence, determined guilt or innocence and appropriate punishments.
- Trained prosecutors and defense counsel during in-chambers, post-trial sessions with counsel.
- Assisted, trained, and professionally developed twenty Army Reserve military judges.

ACCOMPLISHMENTS:

- Over 3 years, presided over 225 criminal trials ranging from substance abuse, fraud, death of an infant, rape, to premeditated murder.
- Performed legal research, ruled on motions, reviewed and evaluated appellate briefs, heard oral arguments, and resolved legal and factual issues. For example, in U.S. v. Roukis, a capital murder case, I made decisions in over 60

pretrial motions on issues ranging from illegal pretrial confinement, sanity evaluation requests, admissibility of expert testimony, to the Constitutionality of the military death penalty.

- Significantly reorganized the Military Judges' Course at The Army Judge Advocate General's Legal Center and School—with more emphasis on practical exercises involving instructions and use of the Military Judge's Benchbook.
- Drafted a comprehensive chapter for the Military Judge's Benchbook on "Trial Procedure and Instructions for a Capital Case." This was the first chapter addressing capital cases since the enactment of the Uniform Code of Military Justice in 1950.
- Developed and managed a criminal law training program for twenty Army Reserve judges.

Supervisor: Ferdinand D. Clervi [REDACTED]

Okay to contact this Supervisor: Yes

U.S. Army, Military District of Washington

Washington, DC United States

10/1993 - 07/1996

Salary: 87,000.00 USD Per Year

Hours per week: 60

Pay Plan: Other

Staff Judge Advocate (Chief Counsel) (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Supervised 13 attorneys and 35 administrative staff members.
- Supervised and managed all legal services for over 17,000 soldiers and civilians.
- Provided and administered legal services to commanders and directorates on installation operations including advice on criminal, labor, contract, administrative, regulatory, and environmental law, and ethics, Freedom of Information Act matters, and tort and personal property claims.
- Advised installation personnel on matters involving community relations, political activities, and relations with the media.
- Managed and supervised the Federal Magistrate Court Program for the Military District of Washington.
- Provided legal assistance services to more than 35,000 active duty and retired military personnel and family members.

ACCOMPLISHMENTS:

- Reviewed and made recommendations for numerous dispositions of administrative investigations, ranging from officer discharge cases, ethical misconduct, and mismanagement inquiries.
- Resolved complex criminal investigations, including an extremely sensitive friendly fire (fratricide) incident from Desert Storm.
- Developed and implemented a comprehensive ethics and standards of conduct program for all military and civilian personnel assigned to the Military District of Washington. This program was highlighted as a model at the Army's Judge Advocate General's Legal Center and School.
- Averaged over 25 civil law opinions per month.
- Annually adjudicated over 380 personal damage recovery, tort, and medical malpractice claims and asserted over 293 claims on behalf of the government.
- Led and directed the operation of a comprehensive legal assistance program providing clients information and advice about landlord/tenant law, preparing and executing wills, preparing federal and state tax returns, and consumer protection laws. This program received the Army Chief of Staff Award for Excellence.

Supervisor: Fred A. Gorden [REDACTED]

Okay to contact this Supervisor: Yes

Trial Judiciary, U.S. Army

Arlington, VA United States

06/1992 - 10/1993

Salary: 87,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Trial Judge (This is a federal job)

Duties, Accomplishments and Related Skills:

*NOTE: I served two assignments as a trial judge. June 1992 - October 1993- First Judicial Circuit from Virginia to New York and the Republic of Panama; July 1996 - June 1998 - Third Judicial Circuit which included Texas, Louisiana, and Arizona. TOTAL: Over 3 years.

For duties and accomplishments, see description 1996-1998

Supervisor: Ferdinand D. Clervi [REDACTED]

Okay to contact this Supervisor: Yes

The Judge Advocate General's Legal Center and School

Charlottesville, VA United States

07/1988 - 06/1992

Salary: 81,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Professor of Law, Chairman, Administrative & Civil Law Dept. (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Chairman of the Administrative and Civil Law Department. (This department is part of the Army's Continuing legal education school, which has an American Bar Association accredited post-graduate law program.)
- Supervised the largest teaching department (12 active duty and 10 Reserve instructors).
- Reviewed and supervised the development and administration of law courses for over 3,000 attorney attendees.
- Directed, reviewed, and assisted in preparing numerous academic articles, course curriculums, instructor outlines, and other publications.
- Taught trial tactics and advocacy, ethics, standards of conduct, and administrative due process courses.
- Principal advisor to school's Commandant regarding administrative and civil law matters.

ACCOMPLISHMENTS:

- Supervised the largest and most diverse academic department. Teaching responsibilities ranged from legal assistance and administrative/regulatory and civil law, to leadership and management. Created, developed, and taught comprehensive legal courses in administrative law, trial tactics, ethics, and standards of conduct to experienced and inexperienced attorneys.
- Of particular note, taught comprehensive classes to senior Army commanders (in classes of approximately 50 students) regarding standards of conduct, ethics, and administrative discharge procedures. Ensured commanders were advised of requirements set forth in applicable laws, Department of the Army and Department of Defense regulations and directives, and executive orders.
- Evaluated and supervised academic instruction, texts and materials (and other publications) production, in a multitude of legal areas such as environmental law, military personnel law, ethics, and legal assistance.
- Performed duties of Academic Director/Deputy Commandant in his absence.
- Provided legal advice to the school's Commandant on extremely sensitive issues such as personnel management decisions, ethical issues, and soldier misconduct.

Supervisor: Thomas M. Strassburg [REDACTED]

Okay to contact this Supervisor: Yes

Office of The Judge Advocate General of the Army

Washington, DC United States

07/1985 - 06/1988

Salary: 70,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Chief, General Law Branch, Administrative Law Division (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Supervised seven attorneys and one paralegal.
- Researched, wrote, and reviewed over 30 legal opinions per month for the Office of the Secretary of the Army and the Army Staff. Opinions covered a multitude of diverse topics such as standards of conduct/conflict of interest, freedom of information and privacy issues, ethics, military aid to civil authorities, and general officer misconduct.

ACCOMPLISHMENTS:

- Researched, wrote, and provided the Army's senior leadership with legal analysis in highly sensitive cases involving allegations of general officer and other senior officer misconduct.
- In a very fast-paced environment, routinely called upon to make critical legal decisions for the Army's senior leadership in complex legal areas.
- Produced over 30 legal opinions per month on diverse subject areas such as standards of conduct, conflict of

interest, general ethics rules, officer misconduct, state agency use of military resources, general military assistance to civil authorities, administrative due process, and Freedom of Information and Privacy Act legislation interpretation. Each legal analysis and written opinion required interpreting federal statutes, executive orders, and Army and Department of Defense regulations and directives.

- Reviewed all legal opinions from my branch prior to their release. Ensured that my branch's seven staff attorneys correctly researched, and analyzed applicable statutes, regulations, and case law, and rendered accurate opinions.
- Directed, reviewed, and significantly contributed to revising the Army's standards of conduct regulation. Subsequently, designed and taught comprehensive ethics and standards of conduct courses to Department of the Army civilian and military employees.
- Led a committee in writing the Army's Reference Guide to Prohibited Activities of Military and Former Military Personnel—ensuring that the intent and spirit of current ethics legislation were reflected in this publication.

Supervisor: James O. Smyser [REDACTED]
Okay to contact this Supervisor: Yes

Office of the Staff Judge Advocate
Goepingen, Germany

07/1983 - 06/1985

Salary: 65,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Deputy Staff Judge Advocate (Deputy Chief Counsel) (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Supervised 13 attorneys and 30 administrative staff members at 3 geographical locations.
- Provided extensive legal services to eligible clients including 14,000 soldiers, family members, and civilians.
- Legal services included criminal prosecutions, administrative and regulatory law, government contracts, tort and property claims, international/operational law, and legal assistance.

ACCOMPLISHMENTS:

- Advised and taught trial attorneys effective case preparation, evidence presentation at criminal trials, drafting government responses to motions, trial litigation techniques, and tactics at administrative board hearing-procedures.
- Reviewed and provided substantive comments on all draft legal opinions for various issues, including search and seizure, legal sufficiency of administrative discharge board hearings and applicability of German law under the Status of Forces Agreement.
- Coordinated with foreign officials regarding Status of Forces Agreement enforcement and conflict issues and other sensitive matters including alleged criminal offenses committed by soldiers, property damage reimbursement claims resulting from military operations, and tax law interpretation.
- Produced a quarterly newsletter on topics such as wills and estate planning, applicability of German law to soldiers and family members, and administrative due process.
- Wrote, developed, and presented leadership, management, and continuing legal education training programs for all employees.
- Designed and established management innovations that reduced processing times for administrative law opinions by 33%.
- In the absence of the Staff Judge Advocate, assumed personnel and operational management duties and responsibilities as the senior officer in charge of the legal center.

Supervisor: Anthony L. Wagner [REDACTED]
Okay to contact this Supervisor: Yes

Office of the Staff Judge Advocate
Stuttgart, Germany

07/1981 - 06/1983

Hours per week: 60

Pay Plan: Other

Chief, Criminal Law Division (Chief Prosecutor) (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Responsible for the administration of the criminal justice system for 10 Army installations in Germany.
- Performed duties similar to a District Attorney or U.S. Attorney. Supervised and trained 10 prosecutors.
- Reviewed and assessed pretrial investigation hearings and reports.
- Wrote pretrial advice and post-trial recommendations for the Commanding General to assist him in deciding initial

and final case disposition.

- Reviewed all general (felony) courts-martial records for accuracy and legal sufficiency.
- Evaluated post-trial, criminal appellate issues and clemency matters.
- Reviewed administrative discharge documentation, proceedings, and final reports along with other disciplinary cases.

ACCOMPLISHMENTS:

- Managed the military justice system for the majority of southern Germany.
- Ensured timely administration of justice in a jurisdiction generating over 300 courts-martial cases annually. Cases ranged from use of illegal drugs, fraud, robbery, rape, to murder.
- Reviewed and legally analyzed criminal investigative packets from military police and Criminal Investigation Command. Coordinated with both agencies to ensure thorough and complete investigations and subsequently advised commanders regarding appropriate disposition for each case.
- Standardized case management, reducing courts-martial processing time over 30%.
- Aggressively researched and resolved short-notice, difficult issues that exceeded the skills of junior judge advocates, ensuring criminal trials proceeded efficiently.
- Developed quarterly training seminars for enlisted legal specialists and trial attorneys to share lessons learned/cross-training.
- Drafted a comprehensive guide for commanders and trial attorneys on diverse topics such as pretrial confinement legal requirements, criminal jurisdiction of soldiers under the Status of Forces Agreement with Germany, and charge sheet preparation.

Supervisor: Carroll J. Tichenor [REDACTED]
Okay to contact this Supervisor: Yes

U.S. Army, Office of the Staff Judge Advocate
Fort Knox, KY United States

07/1979 - 06/1981

Salary: 50,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Senior Trial Counsel & Chief, Criminal Law Division (Chief Prosecutor) (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Supervised 6 attorneys and administrative staff members.
- Reviewed investigative files and advised military police and Criminal Investigation Command regarding case processing. Advised commanders regarding case disposition and prepared charge sheets when appropriate.
- Formulated case strategy in felony criminal trials. Prosecuted felony cases.
- Represented the government in administrative discharge board proceedings.
- Instructor for basic and advanced course students at the U.S. Army Armor School on the law of war, military law, and administrative due process in misconduct eliminations.

ACCOMPLISHMENTS:

- Chief prosecuting attorney in over 100 felony trials—including cases involving drug use and distribution, fraud, rape, and murder.
- Represented the government in numerous administrative discharge proceedings.
- Provided daily legal advice to the military police and Criminal Investigation Command.
- Authored a practical "counseling and discipline" military justice handbook outlining a commander's administrative, non-judicial, and judicial options.
- Implemented quarterly training for attorneys and paralegals. Training topics included conducting a review of an investigative file, developing a case strategy, and preparing charges.
- Taught 40 hours of law classes per month at the U.S. Armor School at Fort Knox. These classes included basic law of war, magistrate court system on a military installation, and due process in administrative discharge board proceedings.
- Following each criminal investigation, informed commanders at all levels of their legal responsibilities and made recommendations for disposition of the case, such as further investigation, processing the soldier for administrative discharge, or initiating court-martial charges.
- Briefed the Staff Judge Advocate on ongoing investigations, pending discharge and court-martial cases, state release of jurisdiction over offenses, post-trial, and other criminal law matters.
- Responded to daily press inquiries about high profile/significant cases.
- Authorized the initiation and closing of criminal cases for the military investigation divisions.
- Thoroughly reviewed post-trial matters prior to forwarding records of trial for appellate review.

Supervisor: Kenneth A. Raby [REDACTED]
Okay to contact this Supervisor: Yes

U.S. Army Legal Services Agency
Arlington, VA United States

07/1978 - 06/1979

Salary: 45,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Senior Defense Counsel (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Managed an independent trial defense field office at Fort Knox, Kentucky serving a client base of approximately 10,000 soldiers.
- Supervised 4 defense counsel and administrative staff members.
- Counseled and provided legal representation to numerous soldiers undergoing judicial, non-judicial, and administrative board actions.

ACCOMPLISHMENTS:

- Zealously represented over 100 soldiers charged with serious felony offenses such as drug abuse, aggravated assault, fraud, robbery, rape, and murder and numerous clients before administrative discharge boards.
- Supervised the processing and litigation of 200 cases involving soldiers undergoing judicial proceedings and administrative discharge board actions.
- Appointed by Chief of the Army Trial Defense Service to be in charge of the largest field office. Organized all personnel staffing, logistical matters, and management issues for newly established Trial Defense Service field office. Recognized for setting up and supervising the best managed and organized office in the Trial Defense Service.
- Developed a standard operating procedure (SOP) to insure orderly and timely provision of trial defense services. The Army's Trial Defense Service recognized this SOP as the model by which to process and litigate cases.
- Provided advice on processing cases for non-judicial punishment, trial advocacy at administrative board hearings, motion writing and litigation strategy, and trial techniques to other attorneys on my defense team.
- Provided legal and ethical quarterly training to attorneys, enlisted soldiers, and civilians I supervised.
- Conducted pretrial investigations, filed motions, researched complex litigation and other legal issues arising during case preparation, processing, and trial.
- To prepare for trial litigation, analyzed the government's evidence, its impact, and, if necessary, adjusted my trial strategy. Many of these cases involved understanding scientific, forensic, technical, and medical evidentiary issues such as blood splatter evidence, handwriting analysis, insanity defense, and cause of injury or death.

Supervisor: Malcolm H. Squires, Jr. [REDACTED]

Okay to contact this Supervisor: Yes

U.S. Army Training Center & Fort Jackson
Fort Jackson, SC United States

10/1975 - 07/1977

Hours per week: 55

Pay Plan: Other

Senior Prosecutor (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Supervised 3 prosecutors and a paralegal.
- Responsible for all aspects of pretrial, trial, and post-trial processing of criminal cases.
- Advised military police, criminal investigators, and commanders on all aspects of case investigation.
- Chief prosecuting attorney in numerous felony cases to include drug distribution, child and spouse abuse, fraud, rape, and murder.

ACCOMPLISHMENTS:

- Supervised and trained 3 less-experienced, junior prosecutors in trial advocacy.
- During this 2 year period, prosecuted over 100 felony cases ranging from drug use and distribution, fraud, robbery, rape, to murder.
- Made numerous decisions before trial, evaluating evidence and determining appropriate charges for each case. Supervised prosecutorial decision-making in over 250 difficult, well-litigated, serious felony cases.
- Made countless independent decisions during trial based on the judge's rulings and the evidence. Conducted

effective direct and cross examination of witnesses and presented oral argument to assist the fact finder. Negotiated with opposing counsel and persuaded them to my viewpoint, resulting in the settling and developing pretrial agreements for numerous cases.

- Provided accurate and timely legal advice to law enforcement personnel and commanders who frequently called me for immediate legal guidance during in-progress searches or suspect interviews.
- Taught classes on all facets of the criminal court process to commanders, military police, and criminal investigators in areas such as evidence collection, search and seizure, self incrimination issues arising during interviews, and crimes and defenses.
- Provided quarterly training to the prosecutors I supervised, teaching classes on administrative board procedures, case preparation, pretrial investigation, discovery issues, trial procedure, evidentiary rules, and litigation tactics.
- Served as government representative for numerous soldier administrative discharge board proceedings that substantially proceeded in accordance with the Administrative Procedure Act.
- Commended by the installation staff judge advocate for the expeditious processing of cases and efficient management of installation trial resources.

Supervisor: Wayne Elliott ([REDACTED])

Okay to contact this Supervisor: Yes

U.S. Army Training Center & Fort Jackson

Fort Jackson, SC United States

06/1974 - 09/1975

Salary: 38,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

Defense Counsel (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Represented soldiers at courts-martial and administrative discharge proceedings for the full range of serious criminal offenses.
- Counseled and provided legal representation to numerous soldiers undergoing judicial and non-judicial punishment.

ACCOMPLISHMENTS:

- Personally provided a zealous defense to over 100 soldier-clients charged with a multitude of serious criminal offenses and undergoing judicial proceedings or administrative discharge board actions. These cases included drug use and distribution, fraud, robbery, aggravated assault, and murder.
- Met with clients, reviewed and discussed the evidence regarding their cases, decided the strength and weaknesses of the evidence against them, and assisted them in determining the best course of action for their future.
- Advocated for each client from investigation through post trial, meeting with commanders and investigators throughout case processing. Advocating for my client's best interest, briefed commanders regarding my client's military record and personal extenuating and mitigating circumstances related to the case.
- Persuasively litigated cases at trials, defending soldiers before jury and judge-alone courts-martial or administrative discharge proceedings.
- Thoroughly developed all pretrial issues, discovery requests, motions, defenses, and character evidence. To do so, learned new technical areas to understand scientific, forensic, technical, and medical evidentiary issues such as blood splatter evidence, handwriting analysis, insanity defense, and cause of injury or death. Analyzed the government's evidence, its impact, and, if necessary, adjusted my trial strategy.
- When appropriate, vigorously negotiated pretrial agreements to "cap" the maximum sentence for my client.

Supervisor: Malcolm H. Squires, Jr. ([REDACTED])

Okay to contact this Supervisor: Yes

U.S. Army Military Police School

Fort Gordon, GA United States

01/1973 - 06/1974

Salary: 38,000.00 USD Per Year

Hours per week: 55

Pay Plan: Other

[Job Title] (This is a federal job)

Duties, Accomplishments and Related Skills:

DUTIES:

- Researched, wrote, and presented lesson plans, training materials, and legal instruction to military police, commanders, and criminal investigators on a variety of criminal law subjects.

- Researched and wrote academic articles and other publications for resident and nonresident instruction.

ACCOMPLISHMENTS:

- Designed and taught comprehensive courses to experienced and inexperienced commanders, military police, and criminal investigators in areas such as crimes and defenses, search and seizure, and ethics.
- Provided thorough and professional criminal law instruction to commanders, military police, and investigators.
- Developed lesson plans appropriate for each class, including more difficult/issue-specific information depending on type of student. Met with and assisted students regarding specific legal topics as needed.
- Developed and used innovative training materials and discussed current, highly-publicized cases as examples in my instruction to enhance student interest in class instruction.
- Researched, wrote, and distributed criminal law instructional materials and articles for students.
- Continually researched newly-developed applicable regulatory, statutory, and criminal and Constitutional case law. Remained current in my area of expertise - criminal law, to ensure students received accurate instruction.
- Reviewed, evaluated, and supervised preparation of academic publications in such areas as criminal interrogations, search and seizure, and crimes and defenses. Assisted authors by providing detailed comments and guidance to ensure accuracy of published information.

Supervisor: Kermit Watson (unable to locate)

Okay to contact this Supervisor: Yes

Education:

U.S. Army Judge Advocate General's Legal Center & School Charlottesville, VA United States
Professional 05/1978

Credits Earned: 105

Major: Graduate-Level Legal Studies (LL.M. equivalent)

University of South Carolina, School of Law Columbia, SC United States
Professional 06/1972

Credits Earned: 90 Semester hours

Major: Law

Clemson University Clemson, SC United States
Bachelor's Degree 05/1969

Credits Earned: 136 Semester hours

Major: Economics & Political Science

Job Related Training:

U.S. Army Judge Advocate General's Legal Center & School (Charlottesville, VA) Trial Judge Course in criminal law, procedure, evidence, and judicial ethics (5/1992 - 6/1992)

Additional Information:

1969 - Honor Graduate, Clemson University

1971 - Herbert W. Hoefler Scholarship, University of South Carolina Law School

1988 - 1992 - Decker Chair of Administrative and Civil Law, U.S. Army Judge Advocate General's Legal Center & School

1996 - 1998 - Asst. editor of the Army's Military Judges' Benchbook - a comprehensive collection of model jury instructions on substantive law and evidence. Authored a chapter to resolve the procedural and instructional issues involved in capital cases.

RESUME
HONORABLE RICHARD A. MORGAN
ADMINISTRATIVE LAW JUDGE
Moorhead Federal Building, Suite 1800
1000 Liberty Avenue, Pittsburgh, PA 15220

Bar Admissions: Virginia; U.S. Supreme Court; Fourth Circuit; US Court of Military Appeals; and, formerly Washington State.

District Chief Administrative Law Judge, US Department of Labor, Office of Administrative Law Judges, Pittsburgh, Pennsylvania, July 2013-present. Supervises an office composed of ALJs, attorney advisors, and legal technicians. Handled the full panoply of DOL cases.
-February 1997- July 2013 *Administrative Law Judge (ALJ)*, US Department of Labor, Office of Administrative Law Judges, Pittsburgh, Pennsylvania.

I have conducted formal hearings on the record in a broad variety of labor-related cases, including black lung benefits, longshore and harbor workers' compensation, immigration-related actions, nuclear, transportation, financial and environmental whistleblower cases, Fair Labor Standards Act and Service Contract Act enforcement actions, and OFCCP civil rights actions. Successfully mediated over a dozen cases as a settlement judge.

Military Service: United States Air Force ("USAF") and Defense Department: Felony trial judge; appellate advocate; prosecuting attorney; public defender; government contract law; international telecommunications, treaties and space law; medical credential appeal boards legal advisor; medical malpractice claims lawyer; hearing officer for flying evaluation boards; and, a legal advisor Committee On Foreign Investments In the U.S. (CFIUS).

Teaching History: Adjunct (law & business) Professor at: the University of Maryland; Western Oklahoma State College; Webster College; and, Park College (Constitutional law).

Education: Masters of Law ("LLM")(with distinction), International & Comparative Law, Georgetown University Law Center, Washington, D.C.; Juris Doctor, Northwestern School of Law, Lewis & Clark College, Portland, Oregon; Bachelor of Arts, University of Puget Sound, Tacoma, Washington; Graduate Squadron Officers' School, Maxwell AFB, Ala.; Graduate Air Command & Staff College, Montgomery, AL; Graduate National Judicial College, Reno, NV, courses including: General Jurisdiction; Evidence; Mediation, and Administrative Law.

Leadership/Management Experience: Managed offices and supervised staff as: Chief Prosecuting Attorney, Air Force District of Washington, Wash. D.C.; Circuit Trial Judge, US Air Force Trial Judiciary, Madrid, Spain; Acting Prosecuting (City) Attorney, Altus AFB, Oklahoma; Public Defender and Deputy Staff Judge Advocate, Zweibrucken AFB, Germany.

Leadership Training: Graduate Squadron Officers' School, Maxwell AFB, Ala.; Graduate Air Command & Staff College, Montgomery, AL. Twenty years service as an officer, USAF.

Publications: "Military Use of Commercial Communication Satellites: A New Look at the Outer Space Treaty," 60 Journal of Air Law & Commerce 237, SMU Law School, Fall 1994.

SCOTT RICHARD MORRIS

SUMMARY OF QUALIFICATIONS:

- Over six years experience as a U.S. administrative law judge. Conducted over 1,100 administrative hearings with the Department of Labor and Social Security Administration.
- Seventeen years litigation experience (6 trial, 1 appellate, 10 admin: 14 prosecution, 3 defense). Served as counsel in over 200 administrative hearings and over 150 felony cases, including capital murder and wholesale drug distribution prosecutions.
- Extensive knowledge and hearing experience applying the Federal Aviation Regulations, NTSB case law, Department of Transportation aviation and hazardous material case law, and aviation whistleblower case law.
- Current pilot (ASEL and AMEL w/ inst privileges) and aircraft owner. Total time: 850+ hours.
- Expertise, and well published, in international law (former Professor of Law).
- Maintained a Top Secret/SCI clearance.
- Well traveled and willing to travel and relocate.

EXPERIENCE:

- 1/14 - present **Administrative Law Judge**, U.S. Department of Labor, Cherry Hill, NJ
- Subject matter resource for DOL OALJ for aviation whistleblower cases (AIR21). Assigned most of the AIR21 cases referred to OALJ for hearing.
 - Conduct hearings consistent with the Department of Labor's implementing regulations concerning the general areas of Black Lung Benefits, Longshoreman Workers' Compensation, Immigration and Whistleblower Acts.
 - Issue written decisions and orders applying federal case law and board precedent (Administrative Review Board & Benefits Review Board) consistent with facts presented and evidence produced prior to and during hearings.
 - Apply the rules in 29 C.F.R. Part 18 to proceedings; rules modeled after the Federal Rules of Civil Procedure, when processing and conducting hearings.
 - Rule on motions, requests for subpoenas, and serve as a Settlement Judge.
- 8/11-1/14 **Administrative Law Judge**, Social Security Administration, Tacoma, WA
- Conducted hearings consistent with the Social Security Administration regulations concerning applications for Title 2 and Title 16 benefits.
 - Issued over 930 written decisions applying the Social Security Regulation's 5-step sequential process consistent with facts presented and evidence produced.
 - Conducted examination of lay witnesses, vocational experts, and medical experts.
 - Ruled on motions and requests for subpoenas.
- 6/00 - 8/11 **Enforcement Attorney**, FAA Northwest Mountain Region, Seattle, WA
- Represented the Federal Aviation Administration in administrative hearings before the National Transportation Safety Board and Department of Transportation for matters occurring in Colorado, Wyoming, and Utah.
 - Enforced DOT's aviation related provisions of the Hazardous Material Regulations throughout the Northwest United States.
 - Gave numerous presentations to Aviation Safety Inspectors, and at A&P/IA seminars about the FARs, the FAA enforcement process, and applicable NTSB case law. Presented at two chief counsel conferences: how to conduct effective discovery and motion practice, and issues relating to ESI.
 - Reviewed for enforceability proposed airworthiness regulations applicable to commercial aircraft.

- *10/07 – 03/08 **Deputy, U.S. Army Defense Counsel Assistance Program (DCAP)**, Wash, D.C.
 - Requested by name to be recalled to active duty.
 - Helped create a new office designed to assist and advise all Army defense counsel.
 - Authored 11 DCAP Sends publications distributed to all Army defense counsel.
 - Created a primer on how to successfully prepare and cross-examine federal criminal investigators and lectured on this topic in Kuwait, Washington State, and Texas.
 - Assembled key research and resource materials placing them on the DCAP website.

- *10/03 – 8/04 **Deputy Legal Advisor, Chairman Joint Chiefs of Staff**, Wash, D.C.
 - Requested by name to be recalled to active duty.
 - Represented and defended military equities in the inter-agency forum across all governmental agencies involved in the military operations in Iraq – NSC, State, Justice, and the Coalition Provisional Authority to name just a few.
 - Provided legal advice to the J-5 Interagency Political-Military Cell.
 - Drafted legal summaries of issues of national interest for CJCS and VCJCS.
 - Represented Chairman's Legal Office in daily meetings with DoD General Counsel, daily classified video-teleconferences, and weekly meetings with the Undersecretary of Defense for Policy.

- 7/99 - 6/00 **Deputy, Defense Appellate Division**, Wash, D.C.
 - Managed a staff of 15 attorneys and 6 civilian employees.
 - Supervising appellate attorney for all appeals by Army soldiers before the Army Court of Criminal Appeals, the Court of Appeals for the Armed Forces, and the U.S. Supreme Court. Office filed approximately 650 briefs annually.
 - Served as appellate counsel for two capital litigation cases.

- 6/98 - 6/99 **Senior Defense Counsel**, Fort Bragg, NC
 - Managed two offices, seven defense counsel and two clerks. Responsible for the busiest defense office in the Army. (Over 150 felony trials annually).
 - Personally assumed the most difficult and sensitive cases (Tried 13 cases).
 - Sole defense point of contact for all classified investigations and trials.

- 5/95 - 6/98 **Professor of Law**, Charlottesville, VA
 - Instructed and acted as department's coordinator for an A.B.A. accredited law school LL.M. program to graduate law students, senior executive service Department of Defense attorneys, other federal agency attorneys, and foreign government attorneys, in the laws applicable during various military operations.
 - Areas of expertise were: international agreements; collection of intelligence on U.S. persons; fiscal law in military operations, nation building, and the laws of war.
 - Editor and an author of the premier treatise on the legal issues of domestic and international military operations: OPERATIONAL LAW HANDBOOK.

- 10/93 - 6/94 **Chief, Legal Assistance Division**, Fort Lewis, WA
 - Supervised five attorneys and four paralegals in representing civil matters.
 - Areas of emphasis were tax law, spousal maintenance and child support, creditor's rights, landlord/tenant law, and adverse administrative matters.

- 12/91 - 9/93 **Senior Prosecutor**, Fort Lewis, WA
 - Senior trial attorney for one of the largest Army bases in the country.
 - Tried over 55 felony cases, including capital and non-capital murder cases widely publicized in Washington State. Served as a Special Assistant U.S. Attorney.
 - Represented the Government in over 50 adverse administrative actions.

- 3/90 - 11/91 **Chief, International/Operational Law Division**, Fort Lewis, WA
- Legal Advisor and routine briefer to general officers and their staffs on the integration of host nation, U.S., and international laws - particularly regarding Pacific Rim and Central American countries.
 - Deployed to Korea, Honduras, Thailand twice, and the National Training Center.
 - Appointed as a magistrate. Conducted pretrial confinement reviews, issued warrants, and presided over misdemeanor trials.
- 1/88 - 3/90 **Chief, Criminal Justice Division**, Occupied West Berlin, Germany
- Last U.S. prosecutor in Occupied West Berlin. Present when the wall came down.
 - Represented the Government in 60+ criminal cases and 50+ administrative hearings.
- 4/86 - 12/87 **Prosecutor and Legal Assistance Officer**, Baumholder, Federal Republic of Germany
- Government counsel in 33 trials (one life sentence) and 15 administrative hearings.
 - Provided civil legal advice to a community of 20,000 U.S. citizens.

EDUCATION:

LL.M., May 1995, *The Judge Advocate General's School of the Army* (38 credit hours).

M.B.A. in Finance, Jan. 1986, *Temple University* (36 credit hours).

J.D., May 1985, *Temple University School of Law* (88 credit hours). Moot Court Board member.

B.S., *cum laude*, in Finance, Economics, May 1982, *Indiana Univ. of Pennsylvania* (151 credit hours).

BAR ADMISSIONS: United States Supreme Court, 1994; U.S. Court of Veterans Appeals, 1993; Supreme Court of Washington, 1992; Court of Appeals for the Armed Forces, 1986; Army Court of Criminal Appeals, 1986; Supreme Court of Pennsylvania, 1985.

PARTIAL LIST OF PROFESSIONAL PUBLICATIONS:

- THE JUDGE ADVOCATE GENERAL'S SCHOOL OF THE ARMY, OPERATIONAL LAW HANDBOOK chaps. 3, 15, 23, 24, and 27 (1996 - 1998) (editor 1st rev. ed. 1997 and editor 1998).
- *Killing Egyptian Prisoners of War: Does the Phrase "Lest We Forget" Apply to Israeli War Criminals*, 29 VAND. J. TRANS. L. 903 (1996).
- *The Laws of War: Rules by Warriors for Warriors*, ARMY LAW., Dec. 1997, at 4.
- *America's Most Recent Prisoner of War: The Warrant Officer Bobby Hall Incident*, ARMY LAW, Sep. 1996, at 3.
- *Prisoners of War and the Code of Conduct*, in LAW OF WAR WORKSHOP DESKBOOK (1995 - 1998).

Miscellaneous: U.S. Citizen. Attended Warren Area High School, Warren, PA, 1978
Married 35 years. Two children: one currently in medical school in Philadelphia and the other is with a public relations department for a large corporation in Houston.

Evan H. Nordby

EXPERIENCE

Office of Administrative Law Judges, United States Department of Labor

Administrative Law Judge, San Francisco, CA, November 2017 – Present

-Serves as independent impartial trier of fact. Reviews evidence, conducts hearings, and issues written decisions on the record.

Office of Hearings Operations, Social Security Administration

Administrative Law Judge, Wichita, KS, July 2016 – November 2017

-Served as independent impartial trier of fact in disability benefits proceedings under Title II and Title XVI of the Social Security Act and accompanying regulations. Reviewed evidence, conducted hearings, and issued written decisions on the record.

U.S. Army Reserve, Judge Advocate General's Corps

Judge Advocate, September 2016 – Present

-Assigned to 22nd Legal Operations Detachment (Trial Defense Service), San Antonio, TX

-Honor Graduate, 202d Judge Advocate Officer Basic Course, 2017

Office of the Solicitor, United States Department of Labor

Senior Trial Attorney (GS-15), Seattle, WA, June 2015 – July 2016

Trial Attorney (GS-13, GS-14), Seattle, WA, September 2006 – May 2015

-Conducted complex civil enforcement litigation before U.S. District Courts, U.S. Bankruptcy Courts, and federal Administrative Law Judges under the Fair Labor Standards Act (FLSA), ERISA, the Occupational Safety and Health Act, the Mine Act, the Bankruptcy Code, and other statutes.

-Independently performed legal analysis; composing pleadings, briefs and other court documents involving unique and difficult legal issues in DOL civil litigation.

-Directed the work of junior attorneys, investigators, paralegals, support staff and interns in support of litigation.

-Advised DOL agency investigations, including advice on enforcement policy, under federal statutes including USERRA.

-Conducted eleven trials, ten as first chair.

-Participant in inaugural DOL Office of the Solicitor Leadership Development Program, 2014-15.

-Graduate of DOL Employee Benefits Security Administration's training course on ERISA's fiduciary provisions governing retirement and health/welfare plans, June 2011.

-Graduate of DOL / National Institute for Trial Advocacy trial practice training, Sept. 2008.

-Received Secretary's Awards for wage and hour enforcement in restaurants (2009) and agriculture (2013, 2014); and for ERISA whistleblower retaliation case (2016).

Achievements:

-Negotiated structured ERISA settlement that will recover \$8+ million to employee-participants in retirement plan sponsored by mid-sized Oregon grocery chain. (D. Ore.)

-Won trial judgment removing ERISA plan fiduciary and plan counsel for whistleblower retaliation and obtaining \$61,480 in fee disgorgement to plan from plan counsel; settlement with co-defendants resulted in \$700,000+ paid to three fired whistleblowers. (C.D. Cal.)

-Won trial judgment for \$360,000+ in FLSA back wages for misclassified drivers. (D. Ore.)

-Negotiated ERISA settlement to recover \$550,000+ to employee-participants in 401(k) plan of California electrical construction company. (E.D. Cal.)

-Participated in negotiation of \$660,000 payment of FLSA back wages to low-wage restaurant

employees. (W.D. Wash.)

- Won punitive damages judgment of \$100,000 in OSHA whistleblower retaliation case. (D. Idaho)
- Negotiated \$200,000 payment of FLSA back wages to low-wage restaurant employees.
- Negotiated Service Contract Act and FLSA settlements to recover \$503,000 to employees of Oregon trucking company. (DOL OALJ; D. Ore.)
- Negotiated \$300,000 payment of FLSA back wages to misclassified construction workers. (D. Ore.)
- Negotiated payment of \$63,000+ in wages by major defense industry contractor, to workers formerly employed by defunct subcontractor, through use of FLSA's "hot goods" provision.
- Established applicability of FLSA to tribal casino employees. (E.D. Wash.)
- Developed legal theory and evidence to support ruling on appeal in favor of FLSA overtime eligibility for State of Washington social workers. (W.D. Wash.; 9th Cir.)
- Won first preliminary injunction against employer interference with a DOL investigation in 30-year history of Migrant and Seasonal Agricultural Worker Protection Act. (E.D. Wash.)
- Through DOL *pro bono* program, established unconstitutionality of Hawaii family court rule allowing *ex parte* orders removing children from custodial parents without hearings.

Attorney, Solicitor's Honors Program (GS-11, GS-12), Washington, DC, September 2004 – August 2006

- Represented DOL agencies in trial and appellate litigation before U.S. Courts of Appeals, U.S. District Courts, and administrative bodies; provided advice to DOL agencies.
- Before the U.S. Court of Appeals for the Fourth Circuit, successfully defended approximately \$600,000 trial judgment in favor of ERISA plan participants against former plan sponsor.
- Before the U.S. Court of Appeals for the Third Circuit, successfully defended trial judgment in favor of OSHA, enforcing citations arising from nursing home needle-stick incident.
- Advised investigation into deaths of five miners in Kentucky Darby coal mine explosion, May 2006; received Secretary's Award for participation in the successful investigation.
- Received Secretary's Award for participation in ERISA litigation in United Airlines' bankruptcy.

City of Seattle Office of Labor Standards

Special Advisor for Labor Standards, Seattle, WA, March 2015 – May 2015

- On assignment from USDOL, trained investigators in wage and hour law and investigation practice; drafted amendments to Minimum Wage Ordinance and Administrative Wage Theft Ordinance to strengthen remedies; participated in hiring new lead labor standards investigator, community liaison, and field investigators; drafted guidance; and assisted with compliance assistance and press inquiries.

Seattle University School of Law

Adjunct Professor of Law, Seattle, WA, January 2009 – May 2011

- Taught "Advanced Constitutional Law: Fourteenth Amendment Seminar," in which students decided and drafted opinions in a series of mock Supreme Court cases. Starting from the text and legislative history of the Fourteenth Amendment, students addressed foundational constitutional law questions, including due process, equal protection, and incorporation of the Bill of Rights.
- Presented at Supreme Court Preview CLE, 2009 and 2011
- Presented at Age and Wage: Employment Law for the General Practitioner CLE, 2015

Bingham McCutchen LLP

Summer Associate Attorney, San Francisco, CA, May 2003 – August 2003

Office of the Attorney General of Washington, Division of Labor and Industries

Law Clerk, Seattle, WA, July 2002 – August 2002

Keating, Bucklin & McCormack, Inc., PS

Law Clerk, Seattle, WA, July 2002 – August 2002

EDUCATION

Georgetown University Law Center, Washington, DC

J.D. *cum laude*, 2004

Honors Dean's List, 2001-02, 2002-03, 2003-04

Journal The Georgetown Law Journal, Articles Editor, 2003-04

Clinic Domestic Violence Clinic, Fall 2003; Represented victims in D.C. Superior Court

Activities President, Georgetown Gilbert and Sullivan Society, 2002-03

Stanford University, Stanford, CA

B.A. *with highest honors*, American Studies and History, 2000

ADELE HIGGINS ODEGARD

PROFESSIONAL EXPERIENCE:

District Chief Administrative Law Judge, **April 2009–October 2017**
Office of Administrative Law Judges (OALJ), U.S. Department of Labor
Cherry Hill, NJ

Chief Judge in district office staffed with four judges, three legal technicians (paralegals), one staff attorney, four law clerks (recent law school graduates), and special assistant (office manager). Responsible for office's administration and ensuring full compliance with all Department of Labor and OALJ policies. In addition to handling full caseload of federal administrative proceedings (see item below for more complete description), assigns cases to judges, ensures oversight of all cases (assigned and unassigned), trains new law clerks. Serves as "settlement judge" (mediator) on cases assigned to other judges. Supervises special assistant, staff attorney, one law clerk, and one legal technician. At request of Chief Administrative Law Judge, served as member (2008-2010) and chair (2010-2013) of committee responsible for drafting new Rules of Practice and Procedure for OALJ, which became effective in June 2015. *See* 80 FED. REG. 28,767 (May 19, 2015). Relinquished responsibilities as District Chief Judge effective November 1, 2017, in anticipation of my retirement, and continues to serve as an Administrative Law Judge at the Cherry Hill District Office.

Administrative Law Judge, OALJ, U.S. Department of Labor **April 2006–April 2009,**
Cherry Hill, NJ **November 2017--present**

Preside over federal administrative proceedings governed by U.S. Department of Labor regulations and Administrative Procedure Act, and issue written Decisions and Orders. Types of cases heard include Sarbanes-Oxley and other "whistleblower" matters; longshore workers' compensation; "black lung" benefits; and other employment-related issues, as prescribed by specific federal statutes. Also serve as "settlement judge." Supervise one law clerk and one legal technician.

Senior Attorney, Office of Chief Counsel **March 2003– April 2006**
Drug Enforcement Administration, U.S. Department of Justice
Arlington, VA

Federal Agency attorney responsible for preparing and participating in formal administrative hearings before the Equal Employment Opportunity Commission (EEOC) and Merit Systems Protection Board (MSPB). Also represented Agency in federal civil litigation in U.S. District Court (employment discrimination and Freedom of Information Act cases).

Deputy Chief and Chief, Defense Appellate Division **July 1998 – January 2003**
U.S. Army Legal Services Agency
Arlington, VA

Chief supervisory attorney for appeals of court-martial cases Army-wide. Represented appellants, including those adjudged death sentences, at two levels of military appellate courts plus U.S. Supreme Court. Supervised 13-15 subordinate attorneys and a support staff of six. Oversaw the review of all cases and the preparation and filing of all briefs alleging error, and supervised preparations for oral arguments. Drafted briefs, argued cases at appellate courts, and participated in the drafting of seven petitions for certiorari at U.S. Supreme Court. Drafted and implemented first strategic plan for the organization.

**Deputy Staff Judge Advocate and Staff Judge Advocate
Military District of Washington
Washington, DC and Ft. Belvoir, VA**

July 1995 - July 1998

Deputy General Counsel and General Counsel for major military installations in the Washington, D.C. area. Supervised staffs of varying sizes: 8-10 attorneys and 10-15 support staff. Oversaw prosecution of court-martial cases and formal administrative proceedings. Provided legal opinions/ advice to commanders and military officials at all levels up to general officers. Supervised legal services program for soldiers and family members. Ran annual income tax preparation and advice center, and supervised high-volume claims program. Provided flawless site support for court-martial (criminal trial) with national publicity and daily media presence.

**Instructor, Assistant and Associate Professor
Department of Law, U.S. Military Academy
West Point, NY**

July 1988 -- July 1992

Law professor to cadets (undergraduates); also supervised electives program consisting of eight elective courses. Personally taught more than 600 students, in seminar settings, four different courses: basic constitutional and military law; business law; legal methods; and legal problems for commanders. Supervised five subordinate instructors. Oversaw course and curriculum development for all departmental elective courses, and developed "methods of instruction" seminar for incoming instructors.

Other Military Assignments

January 1979-June 1995

Prosecutor and defense counsel in military courts-martial, and legal staff officer at military installations in the United States (1979-1984). Supervisory attorney in legal office in Frankfurt, Germany (1985-1988). Career manager and assignments officer for 800 junior-level military attorneys, at the Pentagon (1993-1995). Student at advanced military schools, including Judge Advocate General's School (1984-1985) and Army Command and General Staff College (1992-1993).

EDUCATION:

Princeton University, Princeton NJ	A.B. (English) 1975
Rutgers University School of Law, Camden NJ	J.D. 1978
State University of New York, New Paltz, NY	M.P.S. (Educational Studies) 1988

OTHER:

Licensed to practice and member of the Bars of the Supreme Courts of Pennsylvania (admitted 1978) and Virginia (admitted 1998; transferred to associate membership 2012). Also member of the Bars of the Supreme Court of the United States; Court of Appeals for the Armed Forces; U.S. Army Court of Criminal Appeals.

Adjunct Professor, Rutgers University School of Law (2009 and 2010). Taught 2-credit Military Law seminar to classes of approximately 25 students.

Veteran, U.S. Army. Retired at rank of Full Colonel (O-6), January 2003. Honorable Discharge. Service-connected disability rating of 30%.

OPTIONAL APPLICATION FOR FEDERAL EMPLOYMENT - OF 612

You may apply for most jobs with a resume, this form, or other written format. If your resume or application does not provide all the information requested on this form and in the job vacancy announcement, you may lose consideration for a job.

1 Job title in announcement		2 Grade(s) applying for	3 Announcement number
4 Last name Price	First and middle names Larry Wayne		5 Social Security Number [REDACTED]
6 Mailing address [REDACTED]			7 Phone numbers (include area code) Daytime [REDACTED] Evening [REDACTED]
City [REDACTED]	State [REDACTED]	ZIP Code [REDACTED]	

8 WORK EXPERIENCE

Describe your paid and nonpaid work experience related to the job for which you are applying. Do not attach job descriptions.

1) Job title (if Federal, include series and grade) Legal Advisor, Office of General Counsel, LtCol			
From (MM/YY) 07/93	To (MM/YY) 08/96	Salary \$ 71,000	per year
Employer's name and address National Security Agency, 9800 Savage Road, Ft. Meade, MD 20755-6000		Hours per week 45	
		Supervisor's name and phone number Vito Potenza [REDACTED]	

Describe your duties and accomplishments

Senior military attorney in the Litigation Practice Group. Represents the Agency before the EEOC and MSPB. Acts as agency counsel in litigation involving the False Claims Act, Freedom of Information Act and Privacy Act. Provides ethics counseling. Coordinates and interacts with DOD General Counsel, key attorneys and other officials in the military departments, Department of Justice, Central Intelligence Agency and other Executive Branch departments. Oversees world-wide NSA legal assistance program. Serves in DOD designated Critical Sensitive Position.

Approximately 50 percent of my workload involved EEO litigation. I have served as Agency counsel on approximately 30 cases before the EEOC, the Office of Federal Operations and in district court. I also provided advice and counsel to EEO investigators

2) Job title (if Federal, include series and grade) Military Judge, LtCol			
From (MM/YY) 06/89	To (MM/YY) 07/93	Salary \$ 70,000	per year
Employer's name and address USAF Trial Judiciary, 172 Luke Ave. Bolling AFB, DC 20332-5113		Hours per week 50	
		Supervisor's name and phone number James E. Heupel [REDACTED]	

Describe your duties and accomplishments

Served as a trial judge on general and special courts-martial, legal advisor on officer discharge boards, as investigating officer on judicial investigations under Article 32, UCMJ, and as hearing officer in those matters which require absolute impartiality. As an independent trial judge, I made decisions which impacted on discipline, morale and mission effectiveness of Air Force units. Assisted the Chief Trial Judge in administering the worldwide USAF Trial Judiciary, including approximately 30 trial judges, 15 paralegals, and 5 civilians assigned worldwide. Acted as the program manager for the USAF Trial Judiciary computer case management system.

During this assignment, I wrote and edited *The Dicta*, a newsletter that was distributed to the trial judges of all the military services. I was the presiding judge in approximately 100 criminal trials. Speaker at several workshops devoted to training trial advocates. Along with the Chief Trial Judge, I put on four annual Interservice Military Judges Seminars, week-long judicial education programs attended by over 50 senior judges from all the Services.

9 May we contact your current supervisor?

YES [X] NO [] ▶ If we need to contact your current supervisor before making an offer, we will contact you first.

EDUCATION

10 Mark highest level completed. Some HS [] HS/GED [] Associate [] Bachelor [] Master [] Doctoral [X]

11 Last high school (HS) or GED school. Give the school's name, city, State, ZIP Code (if known), and year diploma or GED received. Lincolnview High School, Van Wert, Ohio 1968

12 Colleges and universities attended. Do not attach a copy of your transcript unless requested.

Table with 4 columns: Name, City, State, ZIP Code, Total Credits Earned (Semester, Quarter), Major(s), Degree - Year (if any) Received. Rows include Georgetown Law School (LLM in Tax, 1996), Stetson Law School (Law, 1978), and Ohio State University (Business/Finance, 1975).

OTHER QUALIFICATIONS

13 Job-related training courses (give title and year). Job-related skills (other languages, computer software/hardware, tools, machinery, typing speed, etc.). Job-related certificates and licenses (current only). Job-related honors, awards, and special accomplishments (publications, memberships in professional/honor societies, leadership activities, public speaking, and performance awards). Give dates, but do not send documents unless requested.

I have attended numerous CLE courses put on by the various service JAG schools and by the Department of Justice. In June 1995 I attended the Negotiations Workshop at Harvard. In 1990 I attended the General Jurisdiction I and II courses at the National Judicial College. In 1989 I attended the Military Judges Course at the Naval Justice School. From 1990 to 1993 I assisted the Chief Trial Judge in conducting the Interservice Military Judges Seminar, a one week intermediate level course attended by 50 Military Judges of all services. I also wrote and edited The Dicta, a newsletter for military judges. While on the bench, I was a member of the American Judges Association. I have been a member of the Florida Bar since 1978.

GENERAL

14 Are you a U.S. citizen? YES [X] NO [] ▶ Give the country of your citizenship.

15 Do you claim veterans' preference? NO [X] YES [] ▶ Mark your claim of 5 or 10 points below. 5 points [] ▶ Attach your DD 214 or other proof. 10 points [] ▶ Attach an Application for 10-Point Veterans' Preference (SF 15) and proof required.

16 Were you ever a Federal civilian employee? NO [X] YES [] ▶ For highest civilian grade give: Series, Grade, From (MM/YY), To (MM/YY)

17 Are you eligible for reinstatement based on career or career-conditional Federal status? NO [X] YES [] ▶ If requested, attach SF 50 proof.

APPLICANT CERTIFICATION

18 I certify that, to the best of my knowledge and belief, all of the information on and attached to this application is true, correct, complete and made in good faith. I understand that false or fraudulent information on or attached to this application may be grounds for not hiring me or for firing me after I begin work, and may be punishable by fine or imprisonment. I understand that any information I give may be investigated.

SIGNATURE

DATE SIGNED

OPTIONAL APPLICATION FOR FEDERAL EMPLOYMENT – OF 612

Form Approved
OMB No. 3206-0219

Section A – Applicant Information

* Use Standard State Postal Codes (abbreviations). If outside the United States of America, and you do not have a military address, type or print "OV" in the State field (Block 6c) and fill in the Country field (Block 6e) below, leaving the Zip Code field (Block 6d) blank.

1. Job title in announcement Administrative Law Judge		2. Grade(s) applying for AL-0935-03	3. Announcement number FS-594676-IK12
4a. Last name Price	4b. First and middle names Larry Wayne		5. Social Security Number [REDACTED]
6a. Mailing address *			7. Phone numbers (include area code if within the United States of America)
[REDACTED]			7a. [REDACTED]
6b. City [REDACTED]	6c. State [REDACTED]	6d. Zip Code [REDACTED]	7b. Evening [REDACTED]
6e. Country (if not within the United States of America)			
8. Email address (if available) [REDACTED]			

Section B – Work Experience

Describe your paid and nonpaid work experience related to this job for which you are applying. Do not attach job description.

1. Job title (if Federal, include series and grade) Administrative Law Judge AL-0935-03			
2. From (mm/yyyy) 03/1998	3. To (mm/yyyy) 03/2012	4. Salary per \$ 164,048.00 Year	5. Hours per week 40.00
6. Employer's name and address Office of Administrative Law Judges 5100 Village Walk, Suite 200 Covington, LA 70433		7. Supervisor's name and phone number	
		7a. Name Lee Romero	
		7b. Phone [REDACTED]	
8. May we contact your current supervisor? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> if we need to contact your current supervisor before making an offer, we will contact you first.			
9. Describe your duties and accomplishments Conduct trials and render decisions on cases administered by the US Department of Labor. Carry out the full range of duties of an administrative law judge in accordance with the procedural requirements of the Administrative Procedure Act.			

Section C – Additional Work Experience

1. Job title (if Federal, include series and grade) Military Officer			
2. From (mm/yyyy) 01/1979	3. To (mm/yyyy) 09/1996	4. Salary per \$ 60,000.00 Year	5. Hours per week 40.00
6. Employer's name and address US Air Force		7. Supervisor's name and phone number	
		7a. Name	
		7b. Phone	
8. Describe your duties and accomplishments Military Judge 1989 - 1993			

Section D – Education

1. Last High School (HS)/GED school. Give the school's name, city, state, ZIP Code (if known), and year diploma or GED received:
 Lincolnview High School, Van Wert, OH 1968

2. Mark highest level completed: Some HS HS/GED Associate Bachelor Master Doctoral

3. Colleges and universities attended. Do not attach a copy of your transcript unless requested.			Total Credits Earned		Major(s)	Degree (if any), Year Received
			Semester	Quarter		
3a. Name Georgetown Law School					Tax	Tax LLM 1996
City Washington	State DC	Zip Code 20001				
3b. Name Stetson Law School					Law	JD 1978
City St. Petersburg	State FL	Zip Code 33707				
3c. Name Ohio State University					Business/Finance	BS 1975
City Columbus	State OH	Zip Code 43210				

Section E – Other Qualifications

Job-related training courses (give title and year). Job-related skills (other languages, computer software/hardware, tools, machinery, typing speed, etc.). Job-related certificates and licenses (current only). Job-related honors, awards, and special accomplishments (publications, memberships in professional/honor societies, leadership activities, public speaking, and performance awards). Give dates, but do not send documents unless requested.

Section F – General

1a. Are you a U.S. citizen? Yes No → 1b. If no, give the Country of your citizenship

2a. Do you claim veterans' preference? No Yes → If yes, mark your claim of 5 or 10 points below.

2b. 5 points → Attach your *Report of Separation from Active Duty* (DD 214) or other proof.

2c. 10 points → Attach an *Application for 10-Point Veterans' Preference* (SF 15) and proof required.

3. Were you ever a Federal civilian employee? No Yes → If yes, list highest civilian grade for the following:

3a. Series ALJ	3b. Grade 0306	3c. From (mm/yyyy) 03/1998	3d. To (mm/yyyy) 03/2012
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4. Are you eligible for reinstatement based on career or career-conditional Federal status? No Yes
 If requested in the vacancy announcement, attach *Notification of Personnel Action* (SF 50), as proof.

Section G – Applicant Certification

I certify that, to the best of my knowledge and belief, all of the information on and attached to this application is true, correct, complete, and made in good faith. I understand that false or fraudulent information on or attached to this application may be grounds for not hiring me or for firing me after I begin work, and may be punishable by fine or imprisonment. I understand that any information I give may be investigated.

1a. Signature	1b. Date (mm/dd/yyyy)
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Judge Lee J. Romero

The Honorable Lee J. Romero, Jr. is an administrative law judge with the United States Department of Labor. He received a J.D. from Loyola University School of Law in New Orleans, Louisiana in 1968. He served as a trial specialist and supervisory attorney with the National Labor Relations Board for 16 years. Judge Romero began as an administrative law judge with the Social Security Administration on June 5, 1988, and served as Hearing Office Chief Administrative Law Judge in New Orleans, Louisiana until July 29, 1991, when he transferred to the U. S. Department of Labor, Office of Administrative Law Judges (OALJ). He has served as the District Chief Judge of the Covington, Louisiana OALJ office since January 2007. He is a member of the Louisiana Bar Association, American Bar Association, the Judicial Division-National Conference of Administrative Law Judges and Labor and Employment Law Sections of the ABA. He is an Honorary Member of the Federal Bar Association and serves as a member of the Board of Directors of its New Orleans Chapter. He serves as a member of the Advisory Board for the Annual Longshore Conference at Loyola College of Law.

Dana A. Rosen



WORK EXPERIENCE:

- 2013 to present: Administrative Law Judge
United States Department of Labor
Office of Administrative Law Judges
Newport News, Virginia
- 2011 – 2013 Hearing Office Chief Administrative Law Judge
Social Security Administration
Office of Disability Adjudication and Review
Greensboro, North Carolina
- 2010 – 2011 Administrative Law Judge
Social Security Administration
Office of Disability Adjudication and Review
Greensboro, North Carolina
- 1996 - 2010 Attorney-Partner
Clarke, Dolph, Rapaport, Hardy and Hull
Norfolk, VA

Employer's attorney litigating administrative law cases under Federal Statutes including Longshore Act, Non Appropriated Funds Act, and District of Columbia Workers' Compensation Act. Extensive litigation experience before the U.S. Department of Labor for employers, shipyards, stevedore companies, military exchanges on bases, and insurance companies before United States Department of Labor, Office of Administrative Law Judges, Benefits Review Board, all appellate courts including United States District Court for the District of Columbia, United States Court of Appeals for the Fourth Circuit and U.S. Court of Appeals for the District of Columbia Circuit.

- 1986 - 1995 Attorney, Rutter and Montagna.
Norfolk, VA

Claimant's attorney litigating administrative law claims under the Longshore Act before the U.S. Department of Labor, Office of Administrative Law Judges, Benefits Review Board and Fourth Circuit Court of Appeals. Prepared preliminary discovery, interrogatories, request for production of documents before the ALJ proceeding. Participated in depositions of expert witnesses and factual witnesses. Prepared subpoenas and preliminary motions to the Administrative Law Judge. Prepared exhibits submitted as evidence at hearing before ALJ. Participated in hearings before the Administrative Law Judge. Researched current case law and prepared post hearing legal briefs to the ALJ analyzing, summarizing, explaining and applying legal issues to the facts at hand. Prepared stipulations of fact and settlement documents, prepared and submitted proposed orders on behalf of the parties to the ALJ. Prepared appeals and filed petitions for review and appeal briefs to the U.S. Department of Labor, Benefits Review Board, and Fourth Circuit Court of Appeals.

1984 - 1986	Attorney-Advisor, United States Department of Labor Office of Administrative Law Judges Newport News, VA
1983 - 1984	Staff Attorney, AT&T
1982 – 1983	Assistant Editor, Waste, Fraud and Abuse Project, U.S. Department of Education
EDUCATION:	JD, American University, Washington College of Law (1982); BS, University of Maryland (1979)
AFFILIATIONS	Member, Virginia State Bar

Patrick M. Rosenow has served in Covington Louisiana as an administrative law judge for the United States Department of Labor since 2004 and adjudicated thousands of cases arising under that agency's jurisdiction.

The son of a career Air Force officer, Judge Rosenow attended high school in Spain and graduated from the Air Force Academy with dual majors in Operations Research and Economics. After an initial assignment as a KC-135 Stratotanker navigator, he was selected to participate in the Air Force's Funded Legal Education Program and graduated with High Honors from Duke University Law School. He is admitted to practice in the state of North Carolina and before the United States Court of Military Appeals.

After an initial assignment to Andersen AFB, Guam, he joined the faculty of the Judge Advocate General School at Maxwell AFB, Alabama, where he became the Chief of the Civil Law Division and was named the Air Force's Outstanding Young Judge Advocate. After an assignment as the senior judge advocate at March AFB, California, he was appointed as a military trial judge at Bolling AFB, District of Columbia. His docket included homicide, rape, and drug trafficking bench and jury trials and he managed the administration and support of more than twenty-five circuit judges. He then moved to Langley Air Force Base to lead a staff of more than 50 attorneys, paralegals, and support personnel and was selected as Air Combat Command's Outstanding Senior Judge Advocate.

Judge Rosenow returned to the bench at Randolph AFB, TX as the Chief Judge of the Air Force's largest and busiest circuit. He presided over many high visibility cases, including the hearing of F-16 pilots charged with manslaughter after dropping a bomb on Canadian troops near Kandahar, Afghanistan. He was selected as the Air Force Legal Service Agency's Outstanding Senior Judge Advocate. After more than 27 years of service, Judge Rosenow retired from the Air Force. His military decorations include the Legion of Merit, Meritorious Service Medal, Air Force Commendation and Achievement Medals, Humanitarian Service Medal, Combat Readiness Medal, and Air Force Recognition Medal.

Judge Rosenow has extensive experience as a basketball referee, officiating on national television and traveling to France, Croatia, Korea, Italy, Lithuania and Belgium for international tournaments. He is an observer for the American Athletic Conference and has written for national and international publications and spoken on sports officiating, ethics and management.

His wife, Ann, has a degree in Molecular Biology from Auburn University and works as a court appointed special advocate (CASA). They have four children. Nancy is a graduate of the USAF Academy, C-130 Hercules transport instructor pilot and commands the 714th Training Squadron. Mark is a graduate of the USAF Academy, the JFK School of Government at Harvard University, and the University of Texas School of Law. He served as the senior special victim cases prosecutor for the Air Force and is now a military judge. Graduates of LSU, Karen has a BS/RN and Ellen a BS in Biochemistry.

JOHN PAUL SELLERS, III

Telephone: [REDACTED]

Summary of Qualifications: U.S. Administrative Law Judge, US DOL, Office of Administrative Law Judges; U.S. Administrative Law Judge, Office of Medicare Hearings and Appeals; immigration associate attorney with 270-member Cincinnati law firm, serving as lead attorney on employment-based immigration matters for major multinational IT corporations; law clerk/staff attorney to state appellate judges; over 75 published state appellate decisions; former adjunct Professor of Law in Legal Research and Writing; trial experience as state public defender, law-student volunteer at Southern Poverty Law Center (Montgomery, Alabama); J.D. (Order of the Coif), 1982 University of Cincinnati College of Law; LL.M. (International Legal Studies) 1987 New York University School of Law; licensure in Ohio (1982-active) and California (2005-inactive); proficiency with Microsoft Word 2007 and Office, LEXIS, WESTLAW, Immigration Tracker.

PROFESSIONAL EXPERIENCE

03/2010-Present **U.S. Department of Labor**
Office of Administrative Law Judges
U.S. Administrative Law Judge

Preside over hearings and adjudicate claims brought under over eighty federal labor-related statutes and regulations, including those brought under the Black Lung Benefits Act, Longshore and Harbor Workers' Compensation Act, Defense Base Act, Davis-Bacon Act, Service Contract Act, Immigration and Nationality Act, and various Whistleblower statutes (including, e.g., Nuclear & Environmental, Sarbanes-Oxley Act, Surface Transportation Assistance Act, Federal Railroad Safety Act). Responsible for conducting and overseeing all pre- and post-hearing procedures, from docketing, discovery, to award of attorney fees, as well as acting as settlement judge under OALJ Settlement Judge Program when assigned by Chief Administrative Law Judge. Manage case load of approximately 60-80 cases with limited assistance of shared legal technician and office attorney advisors; draft own decisions and orders, including decisions on the merits, approval of settlement agreements, and dispositive motions.

Appointed Acting District Chief Judge for Cincinnati Regional Office 12/5/2014 to present. Assumed supervisory role over office consisting of six administrative law judges, six attorney advisors, five legal assistants, and one special assistant. Responsible for ensuring that office meets or exceeds its fiscal-year goals in all program areas as set by Chief Judge, while also performing all duties outlined above. Liaise with Chief Judge, Associate Chief Judges, and other District Chief Judges to devise and implement policies and practices established by national headquarters. Attend to administrative, personnel, union, and other matters as they

arise.

11/2006-3/2010 **U.S. Department of Health and Human Services**
Office of Medicare Hearings and Appeals
U.S. Administrative Law Judge

Presided over hearings and adjudicated coverage and Medicare Secondary Payer (MSP) claims brought under the Medicare Act (including Medicare Part A, B, C, and D); as well as entitlement and IRMA disputes. Claims involved a complex variety of reimbursement issues, including medical necessity, emerging medical technologies, coding, and contract interpretation (Part C). Conducted administrative hearings either in person, by telephone, or via video teleconference, and issued timely decisions within 90-day statutory deadline. Directly supervised a team consisting of a legal assistant, paralegal, and attorney advisor.

2005—2006 **Dinsmore & Shohl, LLP**
Associate Attorney/Immigration Group

Provided counsel to major multinational corporations on employment-based immigration matters, primarily with respect to labor-certification applications filed under the U.S. Department of Labor (PERM), but also including temporary non-immigrant visa matters. Consulted directly with foreign nationals and front-line managers as well as corporate HR personnel. Advised on US DOL regulations and procedures. Established internal platform for processing large volume of labor-certification applications with unique time sensitivity, employing latest version of Immigration Tracker software. Supervised directly a staff of paralegals.

1990—2005 **Ohio First District Court of Appeals**
Cincinnati, Ohio
Staff Attorney/ Law Clerk

Reviewed trial records, researched and analyzed legal issues, drafted proposed opinions and developed consensus among three-judge panel. Responsible for over 75 decisions published in national reporter based upon exceptional merit and importance.

1990—1993 **Board of Alien Labor Certification Appeals**
U.S. Department of Labor, OALJ
Washington, D.C.
Contract Writer

Drafted decisions for the Board in matters involving certification of alien labor for employment in the U.S. Analyzed evidence, researched and applied statutes, regulations, and case law to resolve issues on judicial administrative appeal.

1988—1992 **Northern Kentucky University, Salmon P. Chase College of Law**
Highland Heights, Kentucky
Adjunct Professor

Professor of legal research and writing and appellate advocacy to first and second-year law students. Provided instruction in research skills, preparation of legal memoranda and appellate briefs, oral argument, and elements of appellate practice and procedure.

1984—1986 **U.S. Department of Labor, Office of Administrative Law Judges
Cincinnati, Ohio
Attorney Advisor**

Provided advice, analysis, and written decisions for Administrative Law Judge in actions brought under federal labor statutes and regulations for workers' compensation and occupational disease, wage-and-hour compliance, handicap discrimination, and government procurement and audit.

1982—1983 **Department of Public Advocacy
Morehead, Kentucky
State Public Defender**

Criminal trial attorney for indigent defendants charged with juvenile, misdemeanor and felony offenses. Work included investigation, pre-trial motion practice, plea negotiation, trial defense, filing of appeal, and pursuit of post-conviction remedies.

Summer 1981 **Southern Poverty Law Center,
Montgomery, Alabama
Summer Volunteer**

Conducted post-trial juror interviews in a capital murder case, helped prepare a brown-lung class action suit, completed a regional study on remedies for prosecutorial inaction for Klan Watch.

EDUCATION

New York University School of Law, New York, New York
LL.M. in International Legal Studies, 1987
GPA: 3.63

Paper: *Bulgaria's Treatment of Its Ethnic Turks: Comparing the Human Rights Violations*

University of Cincinnati College of Law, Cincinnati, Ohio
J.D., 1982
GPA: 3.44

- Order of the Coif (graduation in top 10%)
- Dean's List, all semesters
- International Academy of Trial Lawyer's Certificate of Excellence in Trial Practice
- Earned Book Awards for Evidence, Agency and Partnership

Auburn University, Auburn, Alabama
B.A., with highest honors, 1978, in English Literature
Minors: History and Political Science

- Phi Beta Kappa Certificate of Honor
- Phi Kappa Phi Honor Society
- James Kirkley Scholarship in English Literature
- Dean's List, all semesters

ADMITTED TO PRACTICE

Ohio, November 1982 (Active)
California, February 2005 (Presently Inactive)

LAW REVIEW PUBLICATIONS

John P. Sellers, III. *Between A Writ and a Hard Place: Does Ohio Revised Code Section 2505.02 Adequately Safeguard a Person's Right Not to Be Tried?*, 28 Ohio Northern Univ. L. Rev. 3 (2002)

John P. Sellers, III, *Sealed with an Acquittal: When Not Guilty Means Never Having to Say You Were Tried*, 32 Cap. U. L. Rev. 1 (2003).

PETER B. SILVAIN, JR.



Education:

Legal: Washington and Lee University School of Law
Lexington, Virginia

Juris Doctor: May, 1993

Admitted to the Maryland Bar: December, 1993 (Also admitted to practice before the U.S. Courts of Appeal for the Second, Fourth, Fifth and Ninth Circuits)

Graduate: Johns Hopkins University

School of Public Health

Baltimore, Maryland

Graduate Study in Public Health for one year (1989)

Undergraduate: Mount Saint Mary's University

Emmitsburg, Maryland

B.A. Degree *Cum Laude*: May, 1988

Employment:

U.S. Department of Labor, Office of Administrative Law Judges (July 2011 - Present)

Cincinnati, Ohio

Administrative Law Judge

Over the past six years I have adjudicated Labor and Employment adversarial cases pursuant to the Administrative Procedure Act and numerous statutes in diverse areas. Cases assigned to me have included litigation involving: the Longshore and Harbor Workers' Compensation Act (LHWCA); Black Lung Benefits Act (BLBA); Defense Base Act (DBA); Service Contract Act (SCA); Aviation Investment and Reform Act (AIR21); Clean Air Act (CAA); CERCLA (CER); Consumer Financial Protection Act (CFP); Energy Reorganization Act (ERA); FDA Food Safety Modernization Act (FDA); Federal Rail Safety Act (FRS); Federal Water Pollution Control Act (WPC); National Transit Systems Security Act (NTS); Safe Drinking Water Act (SDW); Sarbanes-Oxley Act (SOX); Solid Waste Disposal Act (SWD); Surface Transportation Assistance Act (STA); Toxic Substances Control Act (TSC); and the Affordable Care Act (ACA). Additionally, my dockets have included numerous labor related immigration cases with statutes involving temporary alien employment; temporary labor certification; labor condition applications; migrant and seasonal agricultural workers; and prevailing wage determinations. I have presided over hundreds of adversarial hearings with both represented and unrepresented parties. Hearings were conducted in accordance with the administrative regulations of the Office of Administrative Law Judges and the Federal Rules of Civil Procedure where applicable. I have acted as settlement judge pursuant to 29 C.F.R. § 18.13 in a significant number of cases, including complex discrimination and

retaliation claims. In the course of the litigation process, I have ruled on numerous discovery and evidentiary related motions. I have drafted, edited and issued hundreds of decisions and orders.

U.S. Social Security Administration (June 2009 – July 2011)

Office of Disability Adjudication and Review

Dayton, Ohio

Administrative Law Judge

Adjudicated social security disability claims pursuant to the Administrative Procedure Act and Articles II and XVI of the Social Security Act. Presided over hundreds of hearings with both represented and unrepresented claimants. Drafted and edited over 600 decisions and orders.

U.S. Department of Labor, Office of the Solicitor (July 2001 - June 2009)

Black Lung and Longshore Legal Services Division

Washington, D.C.

Trial and Appellate Attorney

Prepared and argued Administrative and Appellate proceedings before Federal Administrative Law Judges, Administrative Review Boards, Federal District Courts and the U.S. Courts of Appeal for the Second, Fourth, Fifth and Ninth Circuits in matters pertaining to the administration of multiple Department of Labor statutes. These statutes include the Longshore and Harbor Workers' Compensation Act, Defense Base Act, Nonappropriated Fund Instrumentalities Act, Black Lung Benefits Act and the Federal Mine Safety and Health Act.

Columbia Union College (January 1998 – June 2009)

School of Graduate and Professional Studies

Takoma Park, Maryland

Adjunct Professor

Over ten years teaching graduate and professional students an advanced course on the legal issues and public policy considerations involved in health care administration. Weekly class lectures on diverse topics ranging from basic legal doctrines such as torts, contracts and corporate issues to complex health care matters such as HIPAA compliance and principles of patient informed consent.

Samek, McMillan & Metro (July 2000 - July 2001)

Rockville, Maryland

Senior Litigation Associate

Trial attorney responsible for the handling of complex commercial, corporate, professional malpractice and real estate litigation at the Maryland District and Circuit Court levels. Responsible for a substantial caseload, including numerous trials in venues throughout Maryland. Conducted extensive discovery and motions practice. Researched and drafted legal pleadings and briefs.

Office of the County Attorney for Montgomery County, Maryland

(January 1998 - July 2000)

Rockville, Maryland

Assistant County Attorney

Coordinator and lead attorney representing the Montgomery County Self-Insurance Fund in Workers' Compensation matters before the Maryland Workers' Compensation Commission and Circuit Courts throughout the State. Designed and implemented a case information and management system for tracking and handling thousands of pending claims. Responsible for handling an extensive litigation caseload including trying numerous hearings and trials throughout Maryland.

Semmes, Bowen & Semmes (August 1994 - January 1998)

Baltimore, Maryland

Litigation Attorney

Trial attorney responsible for the handling of employers' liability, products liability, workers' compensation, general tort, medical malpractice and contracts litigation at the State Commission, District and Circuit Court levels. Responsible for a large caseload including numerous Circuit Court trials. Researched and drafted legal pleadings, motions and appellate briefs. Also acted as the liaison between firm attorneys and information systems personnel for the implementation of new software and information services.

The Honorable William M. Cave (August 1993 - August 1994)

Rockville, Maryland

Chief Judge, Sixth Circuit of Maryland (Now Retired)

Judicial Clerk

Performed legal research on civil and criminal motions. Interacted with attorneys and litigants regarding pending motions and litigation. Researched and drafted District Court appeals, bench memoranda and judicial opinions. Served as jury bailiff.

Name: Daniel F. Solomon

Employer: United States Department of Labor

Mailing address: DOL/OALJ
800 K St. NW,
Washington, DC 20001-8002

Telephone: 

Current duties: Administrative law judge with 28 years of service:
Hears cases involving over 80 statutes ranging from workers' compensation type statutes such as black lung and longshore acts with extensions, such as Defense Base Act (Iraq, Afghanistan, etc.), War Hazards Act, and Non-appropriated Funds Act, to such diverse subjects as:

- whistleblower complaints under 22 statutes involving matters like environmental (E.G. Clean Air Act, Safe Drinking Water Act, etc.) pipeline safety, aviation, commercial trucking statutes, pharmaceuticals, corporate fraud (E.G. Sarbanes-Oxley Act), and the nuclear industry.
- civil rights .
- minimum wage disputes.
- immigration visas and enforcement actions involving the working conditions of migrant farm laborers.
- disputes involving child labor violations hearings on mine safety variances.
- grants administration relating to training of the unskilled and economically disadvantaged.
- OSHA formal rulemaking proceedings.
- contract disputes.
- civil fraud in federal programs.
- employee polygraph tests .
- certain recordkeeping required by ERISA.
- standards of conduct in union elections.

ABA Positions: National Conference of the Administrative Judiciary, "NCALJ"
Delegate to the ABA House of Delegates, 2004-2011.
Past Chair of the Conference, and a Conference Fellow
Past Chair, Judiciary Committee, Senior Lawyers' Division

Other positions: Past president, Federal Administrative Law Judge Conference (FALJC).
Former liaison member, Administrative Conference of the United States (ACUS).

Former Adjunct Professor, International Judicial Academy in Washington, D.C.

Advisory Board, Journal of the National Association of Law Judges, Pepperdine University School of Law.

Awards: Administrative Justice Award, Association of Administrative Law Judges, 2000.
Appreciation Award, NCALJ, 2012.

Author: *Breaking Up With Cuba*, McFarland & Co., 2011.

Others
“Save the Social Security Disability Trust Fund and Reduce SSI Exposure to the General Fund,” 36 *Journal of the National Association of Administrative Law Judiciary* 142 (2016)
“Fundamental Fairness, Judicial Efficiency and Uniformity: Revisiting the Administrative Procedure Act,” 33 *Journal of the National Association of Administrative Law Judiciary* 1 (2013)
“Survey of Administrative Law Judge Duties,” 31 *Journal of the National Association of Administrative Law Judiciary*, No. 2, 476-528 (Fall, 2011).
“Social Security: Maybe Charity Should Begin at Home?” 22 *Voice of Experience* No. 4, pp. 6-7 (ABA, 2011).
Several unpublished papers presented at seminars and conferences (such as “Not Three Hats,” a discussion of ethics and logistics in “non-adversarial” hearings at the Social Security Administration, given several times and available on request) and several reports and recommendations, now ABA policy, especially concerning the Administrative Procedure Act.
“Crafting ‘Substantial’ ALJ Decisions,” 43 *Judges’ J.* 23 (*ABA Judges’ Journal*, 2004).
“To Judges, the ‘Security’ in SSA Does Not Include Them,” 41 *Judges’ J.* 21 (*ABA Judges’ Journal*, 2002).
“Vocational Testimony in Social Security Hearings,” 18 *Journal of the National Association of Administrative Law Judges*, 197-271(1998).
“Expert Medical Testimony in Administrative Hearings”, 17 *Journal of the National Association of Administrative Law Judges*, 285-308 (1997).

Education: A.B. University of Cincinnati
J.D. University of Louisville

Department of Health and Human Services 1989-2000, mostly in Miami, but also in other locations; Performed continuing judicial education for SSA and at National Judicial College, Administrative

Law course. Author, "Social Security Tutor" and several computer program algorithms for processing cases.

Private practice in Miami, Florida, and New Castle, Pennsylvania, 1974 -2000. Solicitor for several townships and a borough in Pennsylvania. Hearing officer. Master in divorce. More than 25 jury trials as first chair, equally as many as second chair. Hundreds of administrative hearings, from Social Security and NLRB to local school board and zoning hearings. In some cases advisor to boards; in others prosecuted and defended against board action. Former assistant school board solicitor. State bar committees. Performed continuing legal education, mostly involving school law and was adjunct professor to colleges in Pennsylvania.

Taught undergraduate courses while in law school.

Military Assistance Command, Vietnam, 1966-1967.

Active Member: Pennsylvania Bar Association.
The Florida Bar.

Drew A. Swank

EXPERIENCE SUMMARY

- United States Administrative Law Judge since 2006
- Litigated over 8,200 criminal and civil cases in federal and state courts
- Published 23 law review articles and notes since 1997
- Graduated in top 5% of class at the College of William and Mary School of Law
- Master of Arts degree in International Relations from Boston University
- Taught legal research and writing at an ABA-accredited law school
- Member of the Virginia Bar since 1997

EMPLOYMENT HISTORY

**United States Administrative Law Judge, Department of Labor
September 2012 - Present**

Adjudicate in adversarial hearings over 80 types of complaints and claims involving a variety of labor-related topics, including Black Lung Benefits Act and the Longshore and Harbor Workers' Compensation Act cases. Serve as Settlement Judge on assigned cases. Write legally-sufficient decisions which apply applicable law in a timely fashion. Serve as the Acting District Chief Judge in his absence.

**United States Administrative Law Judge, Social Security Administration
May 2006 – September 2012**

Adjudicate over 600 Social Security disability, retirement, termination, overpayment, and paternity cases per year. Review cases prior to docketing to determine if further evidentiary development is necessary. Determine if expert witness testimony is needed and in what form. Conduct hearings, examine witnesses, rule on objections, and develop the administrative record. Apply applicable law and write decisions. Review statutory and regulatory changes to stay current with the changes in administrative law.

**Family Law Attorney
August 2005–April 2006**

Provided legal representation to clients with family law issues for a medium-sized general practice firm in Charlottesville, Virginia. Litigated matters of divorce, separation, annulment, spousal support, child support, and child visitation and custody in Juvenile and Domestic Relations District Courts, Circuit Courts, and the Court of Appeals of Virginia. Prepared pre- and post-nuptial agreements, separation agreements, child support guidelines, custody and visitation schedules, equitable distribution of property agreements, discovery requests and responses, petitions, motions, and orders. Supervised designated support staff.

**Staff Attorney/Project Director, Supreme Court of Virginia
January 2004–February 2006**

Instructed judges, clerks, and attorneys on how to improve case management and *pro se* litigant services in Juvenile and Domestic Relations Courts as part of a statewide court improvement project. Developed ways to improve the efficiency of court services and provide information to the public. Supervised twelve-member advisory committee of judges and attorneys. Oversaw project administration and budget. Created court publications and forms for statewide use. Served as a subject matter expert for the courts of the Commonwealth of Virginia on family law matters.

**Special Assistant United States Attorney, Western District of Virginia
March 2004–April 2006**

Served as a volunteer litigating federal criminal child support cases for the Department of Justice. Provided research assistance and subject matter expertise on all facets of child support cases. Wrote litigation reports and provided legal assistance for criminal investigations.

**Special Counsel/Assistant Attorney General, Office of the Attorney General,
Commonwealth of Virginia
November 2000–January 2004**

Represented the Commonwealth in all child support establishment, modification, and enforcement litigation in eighteen courts in central Virginia, managing a caseload of over 12,000 active child support cases. Litigated cases dealing with issues of child and spousal support, visitation, custody, divorce, adoption, and termination of parental rights in Juvenile and Domestic Relations Courts, Circuit Courts, and the Court of Appeals of Virginia. Also served as the legal adviser to the Charlottesville Division of Child Support Enforcement District Office, providing legal review of administrative actions, policy determinations, bankruptcy claims, and other issues. Represented the Commonwealth in tort claims filed against the Division of Child Support Enforcement. Served as a member of the training, legislation and policy, and appeals committees. Designed and produced an electronic child support case law summary for statewide use. Supervised litigation support staff.

**Faculty Member, U.S. Army Judge Advocate General's School
July 1999–November 2000**

Taught military and civilian attorneys effective legal research and writing skills in a classroom setting. Designed courses and mentored students. Served as the senior editor of the *Military Law Review* and the *Army Lawyer*. Supervised the editorial staff, solicited articles, coordinated with authors, and extensively edited submissions.

**United States Army Labor/Employment Law Attorney
January 1998–July 1999**

Litigated federal cases involving discrimination, employment, and union issues for an installation of over 1,600 civilian employees. Litigated before the Equal Employment Opportunity Commission, Merit Systems Protection Board, Office of Complaints Investigation, Federal Labor Relations Authority, and Federal Services Impasse Panel.

Drafted pleadings, answers, discovery requests and responses. Conducted motion practice, witness preparation, and courtroom litigation. Represented the installation in mediation hearings and binding arbitrations. Additionally worked two days a week in the El Paso Division of the United States Attorney's Office of the Western District of Texas assisting in Title VII defensive litigation. Drafted legal briefs, litigation reports, discovery requests and responses, and a variety of motions for cases in federal courts. Served as a post magistrate judge. Supervised seven attorneys and support staff.

**Funded Legal Education Program Officer
August 1994–December 1997**

One of ten United States Army officers in 1994 selected to attend law school while on active duty. During summer breaks served as a legal intern in different Staff Judge Advocate Offices functioning as Legal Assistance Attorney, Claims Attorney handling medical malpractice claims, Administrative Law Attorney, and as a Special Assistant United States Attorney prosecuting criminal misdemeanor offenses.

**United States Army Military Intelligence Officer
May 1989–August 1994**

Served in a variety of assignments within the United States and abroad dealing with the collection, analysis, and dissemination of intelligence information. Combat veteran of the Persian Gulf War. Served as Chief, Intelligence Division, U.S. Army Criminal Investigation Command. Supervised and managed a total of over 600 soldiers and civilian employees in a variety of challenging environments including during combat.

EDUCATION

**The College of William & Mary School of Law-Juris Doctor (3.5 G.P.A.)
May 1997**

Ranked in the top 5% of class. Argued as an *amicus* in the case *United States v. Salazar*, 44 M.J. 464 (1996), before the United States Court of Appeals for the Armed Forces. Served as the Trial Advocacy program teaching assistant for two years.

**Boston University-Master of Arts in International Relations (3.8 G.P.A.)
Specialization in National Security Studies
May 1993**

**Georgetown University-Bachelor of Science in Foreign Service (3.4 G.P.A.)
Certificate in Russian Area Studies
May 1989**

PROFESSIONAL AFFILIATIONS

- Senior Litigation Fellow, Courtroom 21 Project, College of William & Mary
- Member, Veterans of Foreign Wars
- Member, Disabled American Veterans

CONGRESSIONAL TESTIMONY

Oversight of Rising Social Security Disability Claims and the Role of Administrative Law Judges Before the Subcommittee on Energy Policy, Health Care and Entitlements of the House Committee on Oversight and Government Reform, 113th Congress (June 27, 2013).

PUBLICATIONS

"The Affordable Care Act's New Whistle Blower Protection Provision," JOURNAL OF CIVIL LITIGATION (2013)

"Money for Nothing - Five Small Steps to Begin the Long Journey of Restoring Integrity to the Social Security Administration's Disability Programs," HOFSTRA LAW REVIEW (2012)

"An Argument against Administrative Acquiescence," NORTH DAKOTA LAW REVIEW (2012)

"Body Armor and the Law: A Survey of Current Federal and State Statutes," THOMAS M. COOLEY LAW REVIEW (2012)

"The Social Security Administration's Condoning of and Colluding with Attorney Misconduct," THE ADMINISTRATIVE LAW REVIEW (2012)

"Non-Attorney Social Security Representatives and the Unauthorized Practice of Law," SOUTHERN ILLINOIS UNIVERSITY LAW JOURNAL (2012)

"Welfare, Income Detection, and the Shadow Economy," RUTGERS UNIVERSITY JOURNAL OF LAW AND PUBLIC POLICY (2011)

"In Defense of Rules and Roles: The Need to Curb Extreme Forms of Pro Se Assistance and Accommodation in Litigation," AMERICAN UNIVERSITY LAW REVIEW (2005)

"The Pro Se Phenomenon," BRIGHAM YOUNG UNIVERSITY JOURNAL OF PUBLIC LAW (2004)

"Enforcing the Unenforceable: Child Support Obligations of the Incarcerated," reprinted in MINNESOTA FAMILY LAW JOURNAL (2004)

"The National Child Non-Support Epidemic," MICHIGAN STATE UNIVERSITY-DETROIT COLLEGE OF LAW'S LAW REVIEW (2003)

"Enforcing the Unenforceable: Child Support Obligations of the Incarcerated," UNIVERSITY OF CALIFORNIA AT DAVIS JOURNAL OF JUVENILE LAW & POLICY (2003)

“Child Support, Private Enforcement Companies, and the Law,” THE ARMY LAWYER (2002)

“Das Boot! A National Survey of Booting Programs’ Impact on Child Support Compliance,” UNIVERSITY OF UTAH JOURNAL OF LAW AND FAMILY STUDIES (2002)

“No Pay, No Drive: The Virginia Driver’s License Suspension Program’s Impact on Child Support Compliance,” CHILD SUPPORT QUARTERLY (2002)

“The Constitutionality of Limitations on a Felon’s Right to Procreate and the Need to Support Children,” INTERNATIONAL FAMILY LAW (2002)

“Cold Fusion Confusion, The Equal Employment Opportunity Commission’s Incredible Interpretation of Religion in LaViolette v. Daley,” THE ARMY LAWYER (2002)

“Incarceration’s Impact on Child Support Compliance,” INTERNATIONAL FAMILY LAW (2001)

“Gulf War Syndrome Sub Judice,” THE ARMY LAWYER (2001)

“Grounding the Frequent Filer: Successfully Dismissing Equal Employment Opportunity Complaints,” THE ARMY LAWYER (2000)

“How to Stop Surreptitious Recording of Conversations in the Federal Workplace,” THE ARMY LAWYER (2000)

“Mediation and the Equal Employment Opportunity Complaint Process,” THE ARMY LAWYER (1998)

“Searches, Seizures, and Deception,” THE ARMY LAWYER (1997)

“The New Threat,” MILITARY INTELLIGENCE MAGAZINE (1989)

“The Bear Trap-The Soviet Invasion of Afghanistan,” MILITARY INTELLIGENCE MAGAZINE (1988)

CONFERENCE PRESENTATIONS

2005 – Judicial Conference of Virginia for District Court Judges – presented “Best Practices for Child Support Litigation” in Virginia Beach, Virginia.

2005 – Division of Child Support Statewide Conference – presented “Best Practices for Child Support Litigation” in Richmond, Virginia.

2004 – Supreme Court of Virginia Pilot Court Training Session – created and presented a training session for eighty participants from eight courts on improving child support case

processing and working with self-represented litigants in Richmond, Virginia.

2002 – Annual meeting of the Virginia Supreme Court and Virginia Court of Appeals – presented “Video Teleconferencing and Appellate Litigation” on behalf of the Courtroom 21 Project in Williamsburg, Virginia.

2002 – Seventh Annual State Solicitors and Appellate Chiefs Conference, National Association of Attorneys General – presented “High Technology Litigation” on behalf of the Courtroom 21 Project in Farmington, Pennsylvania.

2001 – Division of Child Support Attorney Conference – presented “Evidence in Child Support” in Richmond, Virginia.

2001 – Division of Child Support Attorney Conference – presented “Incarceration’s Impact on Child Support Compliance” in Roanoke, Virginia.

2001 – Division of Child Support Attorney Conference – presented “High Technology Litigation” on behalf of the Courtroom 21 Project in Roanoke, Virginia.

2001 – Virginia Young Lawyer’s Conference – presented “High Technology Litigation” on behalf of the Courtroom 21 Project in Charlottesville, Virginia.

2001 – Annual meeting of the National Association of Appellate Judges – presented “High Technology Appellate Litigation” on behalf of the Courtroom 21 Project in Seattle, Washington.

2001 – Meeting of the International Trade Commission Trial Lawyer Association – presented “High Technology Litigation” on behalf of the Courtroom 21 Project, in Washington, D.C.

2000 – United States Army Court Reporters Conference – presented “Technology and the Court Record” on behalf of the Courtroom 21 Project in Charlottesville, Virginia.

1998 – Virginia State Bar 60th annual meeting - served as a panelist on the Military Law Section’s “Use of Polygraph Information” Continuing Legal Education Seminar.

REFERENCES

Professor Fredric I. Lederer, Esquire
Chancellor Professor of Law and Director, Courtroom 21 Project
Marshall-Wythe School of Law
The College of William and Mary
P.O. Box 8795
Williamsburg, VA 23187



The Honorable William H. Hauser
United States Administrative Law Judge
Richmond Office of Disability Adjudication and Review
801 East Main Street
Richmond, VA 23219-2977



Kurt A. Didier, Esquire
Assistant United States Attorney



Larry A. Temin



Legal Education: University of Cincinnati College of Law
J.D., June 1980

Honors: Order of the Coif; Editor-in-Chief, University of Cincinnati Law Review, 1979-80; 1980 Corpus Juris Secundum Student Scholarship Award; William Worthington Prize, 1979; Certificate of Merit, University of Cincinnati Law Review, for publication appearing in 48 U.C.L. Rev. 167; 1978 West Publishing Company Award for highest scholastic average in first year class; co-winner, Henry A. Morrill Prize for highest grade in Constitutional Law; co-winner, Chicago Title Insurance Company Prize and Henry Otterman Real Property Prize for highest average grade in Property I and II; American Jurisprudence Prize for academic achievement in Property I; Dean's List.

Undergraduate Education: University of Cincinnati College of Arts and Sciences
B.A. June, 1973
Major: English

Employment: Strauss & Troy, A Legal Professional Association, Cincinnati, Ohio, as an associate from September 1980 to January 1987 and as a partner from February 1987 to February 1997. My practice was in civil litigation, with emphasis on business and corporate litigation including product liability.

Administrative Law Judge (ALJ), Social Security Administration, Office of Disability Adjudication and Review (ODAR) from March 1997 to June 13, 2015 (in Grand Rapids, Michigan March 1997 to January 2001 and in Cincinnati, Ohio from February 2001 to June 13, 2015). I served as Hearing Office Chief Administrative Law Judge (HOCALJ) from March 2007 to November 2009 and as Acting HOCALJ from November 2009 to September 2010. I was detailed to the Decision Review Board from October 1, 2010 to June 12, 2011, working with Administrative Appeals Judges to review Administrative Law Judge decisions from Region 1 of ODAR. I also mentored new ALJs.

U.S. Department of Labor, Office of Administrative Law Judges (in Cincinnati, Ohio) from June 14, 2015 to the present.

References available upon request.

THERESA C. TIMLIN

PROFESSIONAL EXPERIENCE

U.S. DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES
Cherry Hill, NJ

Administrative Law Judge

July 2009 - present

Conduct impartial hearings and make decisions on appeals filed under a variety of labor and employment statutes, including the Black Lung Benefits Act, Longshore and Harbor Workers Compensation Act, Immigration and Nationality Act and various whistleblower regulations. Review files, issue subpoenas for development of evidence, schedule hearings. Preside over hearings, admit evidence into the record, question witnesses, weigh evidence, evaluate credibility, and make decisions. Draft Decision and Orders. Supervise and mentor law clerks.

SOCIAL SECURITY ADMINISTRATION
New York, NY

June 2008 - July 2009

Office of Disability Adjudication and Review
Administrative Law Judge

Conduct impartial hearings and make decisions on appeals filed by claimants, their representatives, providers-of-service institutions and others under the Social Security Act. Review files, issue subpoenas for development of evidence, schedule hearings. Preside over hearings, admit evidence into the record, question claimants, and witnesses, weigh evidence, evaluate credibility, and make decisions on eligibility for disability under the social security law. Provide written instructions to decision writers and review/edit draft decisions. Draft dismissals and some fully favorable decisions. At least once a month, preside over hearings held via video teleconferencing. Currently exceeding expected numerical goals for new administrative law judges with no prior Social Security experience.

U.S. DEPARTMENT OF LABOR
Philadelphia, PA
Office of Federal Contract Compliance Programs:

July 1991 - June 2008

December 2005 - June 2008

January 2008 - June 2008

Director of Regional Operations:

Monitored district offices for compliance with case development time lines and strategized solutions to ensure that region met its fiscal year performance goals (Region met fiscal year 2007-2008 goals by June 2008). Led settlement negotiations on behalf of the agency with contractors and their representatives. Served as liaison between OFCCP and Solicitor's Office for all cases referred to enforcement. Reviewed all cases submitted to Regional Office for enforcement (issuance of Notice of Violations, Notice to Show Cause, and referrals for litigation). Supervised regional liaisons (senior case investigators) responsible for working directly with district office staff on case investigations.

Director of Planning and Support

December 2005 - December 2007

Managed several support programs across the Region, including intake and investigation of complaints and FOIA responses and appeals. Developed proposal for elimination of complaint backlog in region and oversaw the investigation, resolution, and closure of all aged complaints within a one month period. Brought FOIA program into compliance with national timeframes. Provided training to compliance officers on interviewing techniques, case development and write-up.

Office of the Regional Solicitor, Region III
Attorney (GS-905-14/05):

July 1991 - December 2005

Litigated cases on behalf of Department of Labor agencies (Occupational Safety and Health Administration, Mine Safety and Health Administration, Employment Standards Administration and federal Black Lung Benefits claims for the Office of Workers Compensation Programs). Tried cases in federal district court and before administrative law judges, negotiated settlements, wrote briefs and memoranda, researched, reviewed and analyzed litigation files. As needed, acted as supervisory counsel for various program areas during supervisors' absences.

U.S. COURT OF APPEALS, THIRD CIRCUIT
Philadelphia, PA
Staff Attorney's Office

September 1989 - July 1991

Staff Attorney: Two-year judicial clerkship serving the court at large concentrating in appellate jurisdiction, constitutional law, civil and criminal procedure, habeas corpus and civil rights law. Actively managed own caseload, screened pro se appeals for appellate jurisdiction and possible expedited review, prepared memoranda with recommended dispositions in pro se appeals, and answered correspondence, telephone and in person inquiries from pro se litigants. Also drafted bench memoranda and opinions on assignment for individual judges.

Hon. A. Leon Higginbotham, Jr., Chief Judge

Temporary Assignment as Law Clerk: Researched and prepared bench memoranda, supervised student interns and worked closely with Chief Judge to prepare cases being orally argued. (July - September 1990)

COURT OF COMMON PLEAS, BUCKS COUNTY PENNSYLVANIA

Doylestown, PA

September 1988 - September 1989

Hon. Edward G. Biester, Jr.

Law Clerk: Drafted opinions on post-trial and pre-trial motions, researched criminal and civil state law issues, attended settlement conferences, trials, motions sessions and oral arguments.

EDUCATION:

NORTHEASTERN UNIVERSITY SCHOOL OF LAW

J.D. May 1988

Teaching Assistant: Taught first year law students legal research, writing and oral advocacy.

Clinical Coursework: Prisoners' Assistance Project, Criminal Trial Practice
Legal Internships

U.S. Court of Appeals, Third Circuit; Hon. Dolores K. Sloviter December 1987 - March 1988

U.S. Attorney's Office, Eastern District of Pennsylvania June - August 1987

Massachusetts Teachers' Association, Boston, MA December 1986 - March 1987

North Shore Children's Law Project; Lynn, MA June - November 1986

UNIVERSITY OF PENNSYLVANIA, GRADUATE SCHOOL OF EDUCATION M.S.Ed., May 1990

BRYN MAWR COLLEGE A.B. Sociology/Anthropology, May 1981

ADMITTED TO PRACTICE

U.S. Court of Appeals for the Third Circuit, U.S. District Court, Eastern District of Pennsylvania, Supreme Court of Pennsylvania, Bar Admission # [REDACTED]

AWARDS

Secretary of Labor's Exceptional Volunteer Service Award: 1998

Assistant Secretary for OSHA's Team Impact Award for the litigation of Secretary of Labor v. E. Smalis Painting Company: 1996

South Philadelphia Habitat for Humanity Golden Hammer Award: 2000

Habitat for Humanity Philadelphia Leadership Award: 2004