

Exhibit "A"

SUMMARY

NAME: Robert Edward O'Neill

AGE: 51

EDUCATION: New York Law School (1982)
Fordham University (1979)

ACADEMIC HONORS: J.D. (cum laude)
B.A. (magna cum laude)

ADMITTED TO FLORIDA BAR: Florida (1997)

OTHER STATE BARS: New York (1983)
Washington, D.C. (1993)

COURT ADMISSIONS: Southern District of New York; Middle District of Florida

LEGAL POSITIONS HELD:

United States Attorney's Office for the Middle District of Florida:
Assistant United States Attorney/Interim United States Attorney;

United States Department of Justice:
Deputy Chief in Charge of Litigation, Narcotics and Dangerous Drugs Section;

Office of the Independent Counsel:
Associate Independent Counsel;

Kramer, Dillof, Tessel, Duffy & Moore:
Trial attorney;

United States Attorney's Office for the Southern District of Florida:
Assistant United States Attorney;

Manhattan District Attorney's Office:
Assistant District Attorney.

PERCENTAGE OF APPEARANCES IN COURT:

As detailed in my application, I have engaged in both criminal and civil litigation. As an Assistant United States Attorney, an Associate Independent Counsel, and an Assistant District Attorney, all of my appearances in court have been in criminal proceedings. As a trial attorney in private practice, my court appearances were almost exclusively civil in nature.

FEDERAL:

I have had and continue to have substantial experience in the federal courts as an Assistant United States Attorney in the Middle and Southern Districts of Florida and as an Associate Independent Counsel.

STATE:

I have had substantial experience in the state courts as an Assistant District Attorney and as a trial attorney in private practice. As detailed in my application, I tried in excess of 30 cases to verdict in state court. In addition, I have had limited appellate experience in state court.

LITIGATION:

For most of my career, I have litigated criminal cases on behalf of the United States and the State of New York. For two years, I litigated civil cases in the courts of the State of New York on behalf of private individuals.

NO. OF CASES TRIED:

I have tried approximately 75 cases to verdict.

Jury: 70

Non-jury: 5

PROFESSIONAL AND OTHER ACTIVITIES:

National Association of Assistant United States Attorneys; Hogan-Morgenthau Associates; Gold Shield Foundation.

DECLARED BANKRUPTCY: Yes No

PARTY TO A LAWSUIT: Yes No

DISCIPLINARY MATTERS: Yes No

BELONG TO A CLUB WHICH DISCRIMINATES: Yes No

Application for United States Attorney Position
Middle District of Florida

1. Individual Information

(a) Full name:

Robert Edward O'Neill

(b) Office address:

United States Attorney's Office for the Middle District of Florida
400 North Tampa Street, Suite 3200
Tampa, Florida 33602
(813) 274-6046
robert.o'neill@usdoj.gov

(c) Date and place of birth:

June 24, 1957 in Bronx, New York

3. Military service

N/A

4. Education

Law school:

New York Law School (1979-1982)
J.D. (cum laude)

College:

Fordham University (1975-1979)
B.A. (magna cum laude)

5. Court admissions

Florida (April 17, 1997)

District of Columbia (April 23, 1993)

New York (March 21, 1983)

6. Employers and associations

1993 to present:

Assistant United States Attorney/Interim United States Attorney
United States Attorney's Office for the Middle District of Florida
400 North Tampa Street, Suite 3200
Tampa, Florida 33602

A. Brian Albritton
United States Attorney
United States Attorney's Office for the Middle District of Florida
400 North Tampa Street, Suite 3200
Tampa, Florida 33602
(813) 274-6120

A. Lee Bentley, III
First Assistant United States Attorney
United States Attorney's Office for the Middle District of Florida
400 North Tampa Street, Suite 3200
Tampa, Florida 33602
(813) 274-6364

Paul I. Perez
(former United States Attorney)
Chief Compliance Officer
Fidelity National Finance
601 Riverside Avenue
Jacksonville, Florida 32204
(904) 854-8877

Hon. James R. Klindt
(former Acting United States Attorney)
United States Magistrate Judge
United States Courthouse
311 West Monroe Street
Jacksonville, Florida 32201
(904) 360-1520

Michael Cauley
(former United States Attorney)
Narcotics and Dangerous Drugs Section
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001
(703) 488-4253

Donna Bucella
(former United States Attorney)
Foley & Lardner
3000 K Street, NW
Washington, D.C. 20530-0001
(202) 509-1688

Hon. Charles R. Wilson
(former United States Attorney)
United States Court of Appeals for the Eleventh Circuit
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, Florida 33602
(813) 301-5400

Jack E. Fernandez, Jr.
Zuckerman Spaeder, LLP
101 East Kennedy Boulevard, Suite 1200
Tampa, Florida 33602
(813) 221-1010

1998 to 1999:

Deputy Chief in Charge of Litigation
Narcotics and Dangerous Drugs Section
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Theresa Van Vliet
(former Chief, Narcotics and Dangerous Drugs Section)
Genovese, Joblove & Battista
National City Center
200 East Broward Boulevard, Suite 1110
Fort Lauderdale, Florida 33301
(954) 453-8000

Karen P. Tandy
(former Administrator, Drug Enforcement Administration)
Senior Vice President, Public Affairs & Communications
Motorola, Inc.
1303 East Algonquin Road
Schaumburg, Illinois 60196
(847) 576-5000

1997:

Associate Independent Counsel
Office of the Independent Counsel
103 Oronoco Street, Suite 200
Alexandria, Virginia 22313
(This was a temporary office which is no longer in existence.)

Donald C. Smaltz
(former Independent Counsel)
Spiegel Liao & Kagay, LLP
388 Market Street, Suite 900
San Francisco, California 94111
(415) 956-5959

Roscoe C. Howard, Jr.
(former United States Attorney-District of Columbia)
Troutman Sanders
401 9th Street NW, Suite 1000
Washington, D.C. 20004-2134
(202) 274-2960

1992 to 1993:

Associate Independent Counsel
Office of the Independent Counsel
444 North Capitol Street, Suite 519
Washington, D.C. 20001
(This was a temporary office which is no longer in existence.)

Arlin M. Adams
(former Independent Counsel)
1600 Market Street
Philadelphia, Pennsylvania 19103
(215) 751-2000

Bruce Swartz
Deputy Assistant Attorney General, Criminal Division
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001
(202) 514-2333

Larry Thompson
(former Deputy Attorney General and former Independent Counsel)
Senior Vice President and General Counsel
Pepsi Co., Inc.
700 Anderson Hill Road
Purchase, New York 10577
(914) 253-2000

1990 to 1992:

Trial Attorney
Kramer, Dillof, Tessel, Duffy & Moore
(now Kramer, Dillof, Livingston & Moore)
217 Broadway, 10th Floor
New York, New York 10007

James R. Duffy
Duffy & Duffy
1370 RXR Plaza
Uniondale, New York 11556
(516) 394-4200

Thomas A. Moore
Kramer, Dillof, Livingston & Moore
217 Broadway, 10th Floor
New York, New York 10007
(212) 267-4177

Thomas Principe
Kramer, Dillof, Livingston & Moore
217 Broadway, 10th Floor
New York, New York 10007
(212) 267-4177

1986 to 1990:

Assistant United States Attorney
United States Attorney's Office for the Southern District of Florida
99 N.E. 4th Street
Miami, Florida 33132

Richard D. Gregorie
Assistant United States Attorney
United States Attorney's Office for the Southern District of Florida
99 N.E. 4th Street
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(305) 961-9148

Hon. John J. O'Sullivan
United States Magistrate Judge
Wilkie D. Ferguson, Jr. United States Courthouse
400 North Miami Avenue, 8th Floor
Miami, Florida 33128
(305) 523-5100

Kathleen M. Williams
Federal Public Defender
150 W. Flagler Street, #1700
Miami, Florida 33130
(305) 536-6900

William F. Jung
Jung & Sisco
100 South Ashley Drive, Suite 1240
Tampa, Florida 33602
(813) 225-1988

1982 to 1986:

Assistant District Attorney
Manhattan District Attorney's Office
1 Hogan Place
New York, New York 10013

Robert M. Morgenthau
District Attorney
Manhattan District Attorney's Office
1 Hogan Place
New York, New York 10013
(212) 335-9000

Cyrus R. Vance, Jr.
Morvillo, Abramowitz, Grand, Iason, Anello & Bohrer, P.C.
565 Fifth Avenue
New York, New York 10017
(212) 880-9490

Robert Holmes
Assistant District Attorney
Manhattan District Attorney's Office
1 Hogan Place
New York, New York 10013
(212) 335-9079

7. Types of Law Practiced

(a) General character of law practice:

I have been practicing law for 27 years. For 21 of those years, I have served as a federal prosecutor in two United States Attorney's Offices, two Offices of Independent Counsel, and the Criminal Division of the Department of Justice. During this time, I personally prosecuted cases involving almost every type of federal offense, including public corruption, fraud, narcotics trafficking, money laundering, arms smuggling, and tax violations. I also have served in numerous management roles as a federal prosecutor, including as Criminal Chief, First Assistant United States Attorney, and Interim United States Attorney for the Middle District of Florida.

Before becoming a federal prosecutor, I served for almost four years as a state prosecutor in the Manhattan District Attorney's Office. Finally, for two years, I worked as a civil litigator in a New York law firm specializing in medical malpractice actions.

A brief summary of my legal experience, in chronological order, is set forth below.

1982 to 1986:

From 1982 to 1986, I was an Assistant District Attorney in the Manhattan District Attorney's Office, one of the finest prosecutor's offices in the nation. There, I prosecuted state offenses covering the whole panoply of criminal activity occurring within New York County, which is Manhattan. During the early to mid-1980's, New York City experienced a spike in violent crime with gangs, drug-related crimes, and random criminal activity greatly affecting the quality of life of its citizenry. I had the opportunity to prosecute cases on the front line, mainly in the area of violent crime. The cases that I prosecuted ranged from petty theft to homicide. I was assigned to a trial bureau and tried a number of criminal cases during my tenure in that office.

1986 to 1990:

In 1986, I accepted a position as an Assistant United States Attorney in the Southern District of Florida. Miami was experiencing the lawlessness that had plagued New York City, and serving as an Assistant United States Attorney there seemed like a wonderful opportunity to prosecute significant criminal cases on the federal level. It turned out to be an incredible professional experience for me both as a prosecutor and a trial

attorney. From the outset, I was assigned to cases that were extremely challenging, many of which involved international drug traffickers, arms dealers, and money launderers. By the time that I left the office, I had been promoted to the positions of Deputy Chief of the Major Drug Traffickers Section and Chief of the Financial Litigation Unit.

1990 to 1992:

In 1990, I returned to New York City for family reasons and entered the private practice of law. I joined the law firm of Kramer, Dillof, Tessel, Duffy & Moore in Manhattan. The law firm specialized in obstetrical malpractice cases, but handled other malpractice and personal injury cases as well. I worked as a trial attorney, handling cases that were ready to be tried. The firm was relatively small, but it was then, and I believe still is, considered to be among the very best medical malpractice firms in New York City. Jim Duffy, Tom Moore and Judy Livingston, who were the three primary trial attorneys when I joined the firm, have all forged national reputations in the areas of medical malpractice and personal injury, with two of the three having been elected to the "Inner Circle of Advocates."

During my two years in private practice, I tried 16 civil cases, eight of which went to verdict. The remainder either settled or were disposed of prior to a verdict being rendered by a jury. In addition to the civil trial work that I handled, I also did some legal work for the Congress of Racial Equality, a civil rights organization that the firm represented on a pro bono basis. In particular, I worked closely with members of CORE in order to resurrect the career of a heavyweight boxer, Mitch "Blood" Green, who had seen his career derailed by drugs after losing to Mike Tyson in a championship bout. Unfortunately, despite much effort, legal and otherwise, we were unable to get Mr. Green back in the ring.

1992 to 1993:

While I was at Kramer, Dillof, Tessel, Duffy & Moore, I was offered the opportunity to serve as an Associate Independent Counsel within an Office of Independent Counsel. At the time, the Independent Counsel statute was still in effect and high-level federal public corruption prosecutions were being handled out of these offices. Arlin Adams, a retired judge for the United States Court of Appeals for the Third Circuit, had been appointed as an Independent Counsel to investigate possible criminal acts within the United States Department of Housing and Urban Development ("HUD"). Shortly after joining the office, I was assigned to be the lead prosecutor in the case of United States v. Deborah Gore Dean. It was the showcase trial for the Independent Counsel in that it captured the full extent of the fraud that had been occurring at HUD. The defendant, Deborah Gore Dean, was convicted at trial of all counts.

1993 to 1997:

While employed by the Independent Counsel, I accepted a position as an Assistant United States Attorney in the Middle District of Florida, Tampa Division. I actually started working in the Middle District of Florida prior to the trial of United States v. Deborah Gore Dean. There had been several pre-trial continuances, and I was eager to begin prosecuting cases in Tampa. I returned to Washington, D.C. to try the Dean case after spending several months in Tampa at my new job. Interestingly, I was the first attorney to be detailed from the Department of Justice to an Office of Independent Counsel, although the practice later became more common.

Having had a great deal of experience in Miami prosecuting drug crimes, when I arrived in Tampa, I was assigned to the Organized Crime and Drug Enforcement ("OCDETF") Section. There, I handled all types of drug-related investigations and cases. I spent a few years in the OCDETF Section before transferring to the Economic Crimes Section. In that section, I was responsible primarily for the investigation and prosecution of fraud-related cases.

1997:

In 1997, I was again asked to serve on the staff of an Independent Counsel. Donald Smaltz had been appointed as the Independent Counsel to investigate allegations of criminal activity at the United States Department of Agriculture, which at the time was headed by Secretary Michael Espy. The Office of Independent Counsel secured a conviction of a corporation, Sun Diamond Growers, but the Office needed a trial attorney to prosecute a company executive, Richard Douglas, for providing illegal gratuities to Michael Espy. I was asked to be the lead prosecutor in that case, which already was pending in the United States District Court for the Northern District of California. With the permission of then-United States Attorney Charles R. Wilson, I accepted that assignment.

I temporarily re-located to San Francisco, where I headed the West Coast office of the Independent Counsel. While there, I tried the case of United States v. Richard Douglas. The defendant was convicted at trial, which concluded my involvement in the case. Later, the district court vacated the defendant's conviction. While that ruling was on appeal before the United States Court of Appeals for the Ninth Circuit, the defendant pleaded guilty to one of the original charges.

1998 to 1999:

After my second tour with an Office of Independent Counsel, I returned to the Middle District of Florida and the prosecution of white collar crime. I was prosecuting those types of cases when I was asked to transfer for a year to the Department of Justice and supervise all litigation in the Narcotics and Dangerous Drugs Section. I accepted that assignment, for which I re-located to Washington, D.C. My primary duties were to supervise DOJ attorneys assigned to the Narcotics and Dangerous Drugs Section and to provide guidance to and coordinate with narcotics prosecutors at United States Attorney's Offices throughout the country.

While serving as the Deputy Chief in Charge of Litigation for the Narcotics and Dangerous Drugs Section, I continued to prosecute cases in my individual capacity as well. One such case involved Mario Ruiz Massieu, the former Deputy Attorney General of Mexico. Mr. Massieu, while the Deputy Attorney General, had recruited another attorney from the Mexican Department of Justice to launder approximately \$13 million. The United States Department of Justice strongly advocated in favor of pursuing a prosecution of Mr. Massieu, but the United States Attorney's Office in Houston, where venue lay, was reluctant to do so. I was requested to assume all responsibility for the matter. I ultimately made the determination that Mr. Massieu could be prosecuted, and I went to Houston, where I secured an indictment against Mr. Massieu. I then traveled to Newark, New Jersey, where Mr. Massieu resided after fleeing from Mexico. Mr. Massieu was arraigned on the criminal charges in Newark and directed to appear in Houston to face the charges. Just prior to an anticipated court appearance in Houston, Mr. Massieu committed suicide.

While I was assigned to Washington, D.C., a drug-related case that I previously had indicted in Tampa was set for trial. I was asked by management to return to Tampa to try the case because no one in the Tampa office was able to do so. I returned to Tampa to try United States v. Jose Hubert Palacios, et al., Case No. 8:97-cr-436-T-17EAK. It was a multi-defendant drug conspiracy case that was tried before a visiting district judge. A number of defendants were convicted at trial, two were not, and the lead defendant received a life sentence.

1999 to 2009:

I returned permanently to the Middle District of Florida in the latter part of 1999. Shortly after my return, United States Attorney Donna Bucella selected me to be the Chief of the Special Prosecutions Section. The section was created by Ms. Bucella to be an elite unit that would handle

the most significant cases within the Office, such as those involving allegations of public corruption. In addition to supervising that section, I continued to carry a caseload and prosecute cases in my individual capacity.

Thereafter, I held several supervisory positions within the United States Attorney's Office. In 2001, I became the First Assistant United States Attorney under Acting United States Attorney Mac Cauley. On September 11, 2001, I was the Acting United States Attorney because Mr. Cauley was on vacation and out of the country. As a result of the attacks on our nation and the subsequent actions by law enforcement which essentially closed our borders temporarily, Mr. Cauley was unable to return to the United States for several days. Consequently, I was the Acting United States Attorney during the immediate aftermath of September 11. As an Office, we immediately went to a 24-hour work day to ensure that law enforcement would have access to the United States Attorney's Office at all times. We continued to provide 24-hour coverage for several weeks, which was critically important because several of the hijackers had taken flight lessons in the Middle District of Florida, and law enforcement needed our continued assistance. The United States Attorney's Office responded very well to that crisis.

As a result of the attacks on September 11, the Department of Justice created a new position, the Anti-Terrorism Coordinator, in each of the United States Attorney's Offices. The purpose of creating this position was to have a representative from the United States Attorney's Office interact on a regular basis with federal, state and local law enforcement and attempt to coordinate their efforts on behalf of the national anti-terrorism effort. When that position was created, I was selected as the Anti-Terrorism Coordinator in the Middle District of Florida, a position that I have held ever since.

In 2002, Paul I. Perez became the United States Attorney. Upon assuming office, Mr. Perez selected me as the Chief of the District's Criminal Division. I continued in that capacity until 2007. At that time, James R. Klindt became the Acting United States Attorney, and I became the First Assistant United States Attorney again. Later that year, Mr. Klindt became a United States Magistrate Judge, and I became the Interim United States Attorney. I served as Interim United States Attorney from October 2007 through October 2008. A. Brian Albritton, III was appointed as the United States Attorney in October 2008. When Mr. Albritton began his tenure, he selected me, once again, to be the Chief of the Criminal Division, the position which I now hold.

The positions that I have held in the United States Attorney's Office since 2002 -- Criminal Chief, First Assistant United States Attorney, and Interim United States Attorney -- have involved supervising Assistant United States Attorneys in each of the District's five Divisions: Tampa, Orlando, Jacksonville, Fort Myers, and Ocala. As a consequence, I have become intimately familiar with the personnel and operations of each of these offices and have dealt extensively with federal, state, and local law enforcement agencies operating within their respective geographic areas. During my tenures as First Assistant United States Attorney and Interim United States Attorney, I was responsible for overseeing the work, District-wide, of the Office's Civil Division and Appellate Division.

Throughout the time that I have been a supervisor, I have continued to carry a caseload. Indeed, during the year that I was the Interim United States Attorney, I logged more days in trial than any of the Assistant United States Attorneys assigned to the District's Tampa Division.

(b) Typical Clients:

For 25 years of my legal practice, I have had only two clients, the State of New York (1982-1986) and the United States (1986-1990; 1992-present). During that time, I have vigorously prosecuted crime, but have recognized that my primary responsibility is to see that justice is done.

From 1990 to 1992, while in private practice in New York, almost all of my clients were individuals who had suffered grievous injuries from botched surgeries and medical procedures.

8. Court Appearances

- (a) Throughout my legal career, I have appeared in court regularly. From 1982 through 1986, I appeared in court on an almost daily basis as an Assistant District Attorney in the Manhattan District Attorney's Office. From 1986 to 1990, I appeared in court regularly as an Assistant United States Attorney in the Southern District of Florida, although not on a daily basis. Due to the complex nature of many of the cases that I handled, I often was involved in long-term investigations, which required me to spend significant time in the office, interacting with law enforcement agents, and interviewing witnesses.

During my years in private practice at Kramer, Dillof, Tessel, Duffy & Moore, from 1990 through 1992, my primary responsibility was to handle cases that were ready for trial. Thus, I appeared in court regularly, on an almost daily basis.

During my two stints as an Associate Independent Counsel (1992-1993 and 1997-1998), I did not spend as much time in court. As the lead prosecutor in two cases, I spent a great deal of time in the office getting the cases ready for trial. During the trial of those cases, of course, I was in court on a daily basis.

As for my years as an Assistant United States Attorney in the Middle District of Florida, I have appeared in court regularly, but not on a daily basis. Many of the cases that I have handled required a significant investigation and much time spent outside of court. As I explained previously, even though I have been a supervisor in the United States Attorney's Office, I always have maintained an active caseload and appeared in court on a regular basis.

(b) Breakdown of court appearances:

From 1982 to 1986, as an Assistant District Attorney in the Manhattan District Attorney's Office, my practice was 100 percent criminal in nature in the state court system of New York. At the beginning of my time as an Assistant District Attorney, I practiced in the Criminal Court of New York, which has jurisdiction over misdemeanor offenses. After approximately one year, I began prosecuting felony cases in the Supreme Court of New York County, which is the trial court of general jurisdiction. On several occasions, I handled an appellate matter in the New York Supreme Court Appellate Division (First Department), which is the appellate court for New York County.

From 1986 to 1990, as an Assistant United States Attorney in the Southern District of Florida, my practice was again 100 percent criminal in nature. However, my practice there, of course, was exclusively federal. I appeared regularly in United States District Court for the Southern District of Florida. On a couple of occasions, I appeared in the United States Court of Appeals for the Eleventh Circuit to argue an appeal.

From 1990 to 1992, while I was employed as a trial attorney at Kramer, Dillof, Tessel, Duffy & Moore, my practice was almost exclusively civil and, except for a rare federal appearance, was in state court. I appeared in the Supreme Courts of the State of New York, throughout New York City and in many other counties in New York. As explained previously, I handled a couple of cases on a pro bono basis, at the request of the Congress of Racial Equality, that were criminal in nature.

From 1992 through the present, my practice has been exclusively federal and overwhelmingly criminal in nature. As an Associate Independent Counsel, an Assistant United States Attorney in the Middle District of

Florida, and the Deputy Chief in Charge of Litigation in the Narcotics and Dangerous Drugs Section of the Department of Justice, I have appeared in the United States District Courts. I have made appearances in district court in the District of Columbia, the Middle District of Florida, the Northern District of California, the District of New Jersey, and the Southern District of Texas.

(c) Number of cases tried to verdict:

Although I have never kept a log of the cases I have tried, I believe that I can estimate the number of cases that I tried to verdict with reasonable accuracy. As an Assistant District Attorney in New York, I tried approximately 25 cases to verdict. As an Assistant United States Attorney in the Southern District of Florida, I tried approximately 20 cases to verdict. As a trial attorney in private practice in New York City, I tried eight civil cases to verdict. As an Associate Independent Counsel, I tried two cases to verdict. As an Assistant United States Attorney in the Middle District of Florida, I have tried twenty cases to verdict. Therefore, the total number of cases that I have tried to verdict is approximately 75.

In every case that I have tried, I have been lead counsel, except for my first trial, which was a homicide prosecution.

In all but five cases that I have tried, I was sole counsel. As stated above, I served as second-chair in the first case that I tried. While at the Offices of Independent Counsel, I had another counsel assigned to assist me in each of the two cases that I tried. As an Assistant United States Attorney, I tried a money laundering case with another attorney. Finally, in my last trial, United States v. Wesley Snipes, et al., Case No. 5:06-cr-22-OC-10GRJ, I joined the trial team late in the proceedings. Consequently, although I was lead counsel, other counsel were assigned to the case and assisted at trial.

(d) Percentage of trials jury/non-jury:

The percentage of these trials that were tried to a jury, as opposed to a judge, is about 95 percent or slightly higher.

9. Litigated Matters

- (a) United States v. Ernesto Botifoll, Case No. 87-895-Cr- RYSKAMP (S.D.Fla.): This case involved the prosecution of two former political prisoners from Cuba who had attempted to procure TOW missiles and LAW rockets in order to destroy the Cuban embassy in Nicaragua. An informant who had been approached by the defendants reported their activities to law enforcement and they were arrested before they could carry through with their plans. Both defendants were charged with violating the Arms Export Control Act, which makes it illegal to export weaponry and high-tech items without a license from the United States Department of State.

I was the sole prosecutor for the United States. I tried the case in the United States District Court in the Southern District of Florida, Miami Division, before the Honorable Kenneth Ryskamp. One of the two defendants, Elio Leal, pleaded guilty, while the other was convicted by a jury after trial. The trial commenced on April 11, 1988. At this time, I am not able to state how long the trial lasted. The defense counsel was David M. Garvin. His address is 200 South Biscayne Boulevard, Suite 3150, Miami, Florida 33131, and his telephone number is (305) 371-8101.

This was a significant prosecution in that the defendants had very sympathetic backgrounds, each having served approximately 20 years in Cuban prisons. The defendants maintained that they had been pursuing a just cause against the unjust Castro regime. In other words, they sought to portray themselves as "freedom fighters," rather than as "terrorists." Many thought that such a defense would resonate with the Cuban-American population in Miami. Law enforcement argued that the indictment should be presented in Alabama, where venue also was proper, and the defendants would be less likely to find a sympathetic petit jury. Ultimately, of course, the charges were brought in Miami, and the jury returned a guilty verdict.

- (b) United States v. Dennis Howard Marks, et al.: This case involved the prosecution of 22 defendants who were part of an international drug trafficking organization. The organization, known as the Dennis Howard Marks Organization, had been smuggling marihuana and hashish throughout the world for approximately 20 years. The head of the organization, Dennis Howard Marks, Welsh by birth, had been educated at Oxford and recruited thereafter by MI 5, the British intelligence agency. At one point, Marks had been prosecuted in England for his smuggling activities. At trial, he contended that he was working on behalf of the Queen and British security forces when he had been smuggling illegal drugs. He was acquitted. Thereafter, he wrote a book in which he

maintained that law enforcement is too parochial in its approach, and consequently ineffective in its pursuit of international criminals. With that in mind, law enforcement adopted a truly global approach in the investigation and prosecution of this case.

I was assigned this case as the lead and only prosecutor. I worked closely with law enforcement from all over the world: the United States, England, Spain, Canada, the Netherlands, Germany, the Philippines, Australia and Thailand. Law enforcement had amassed a great deal of evidence against the organization, and my role was to take that evidence and develop a case that could be presented in court to a jury. Ultimately, a 22-defendant indictment was returned by a federal grand jury in Miami. Since these defendants were located all over the world, and they had access to large amounts of money, there was a serious risk that they would flee if they learned of the impending charges. Thus, the investigation was conducted as covertly as possible. When the time came to arrest the charged defendants, law enforcement from all over the world participated, and 21 of the 22 defendants were arrested contemporaneously. Starting with the arrest of Marks in Palma de Majorca, Spain, arrests were made in England, New York, California, Canada, the Philippines, Thailand, and Pakistan.

Due in large part to his acquittal in the earlier trial, Marks had become a sort of cult figure in Europe. Thus, when the arrests were made, the case generated a huge amount of publicity all over the world. Because most of the defendants, including Marks, had been arrested outside the United States, I had to seek the extradition of numerous individuals. I worked closely with the Office of International Affairs of the United States Department of Justice on the extradition requests, as well as on Letters Rogatory and Requests for Mutual Legal Assistance.

While the extraditions of a number of defendants were pending, several defendants arrested in the United States demanded a speedy trial. As a result, I tried several of these defendants in United States v. Ernest Franz Combs, et al., Case No. 88-0469-PAINÉ (S.D. Fla.), before the Honorable James Paine in the United States District Court for the Southern District of Florida, West Palm Beach Division. The trial commenced in 1989 and lasted for approximately one month. While several defendants had pleaded guilty, four defendants opted to proceed to trial. A number of the other defendants, awaiting extradition, were intently following the trial. Their decision as to whether to fight extradition or not appeared to hinge, in large part, on the ability of the government to present a strong case against the defendants at the initial trial.

The four defendants who proceeded to trial were Ernest Franz Combs, Patricia Hayes, Rick Brown and Teresita Caballero. Both Mr. Combs and Ms. Hayes were convicted, Mr. Brown was acquitted, and the case against Ms. Caballero was dismissed by the court prior to being submitted to the jury. As a result of the convictions and the evidence presented at trial, the remaining defendants, when extradited, pleaded guilty. Interestingly, this case became the subject of a book, "Hunting Marco Polo," which was written by Paul Eddy and Sara Walden. The case was also the subject of a PBS documentary on "Frontline."

Mr. Combs was represented by Bruce Kelton. He is the Director of the Fraud/ Forensic Accounting/ Investigative Services Group for Deloitte & Touche, LLP. His address is 350 South Grand Avenue, Los Angeles, California 90071, and his telephone number is (213) 688-4135. Ms. Hayes was represented by Michael Artan. His address is 1 Wilshire Boulevard, 624 South Grand Avenue, Suite 2200, Los Angeles, California 90071, and his telephone number is (213) 688-0370. Mr. Brown was represented by Donald Re. His address is Law Offices of Donald Re, PC, 624 South Grand Avenue, 22nd Floor, Los Angeles, California 90017, and his telephone number is (213) 623-4234. Ms. Caballero was represented by Kevin Emas, who is now the Honorable Kevin Emas, a Circuit Court Judge in Miami-Dade County. His address is 73 West Flagler Street, #416, Miami, Florida 33130, and his telephone number is (305) 349-7157.

- (c) United States v. Deborah Gore Dean, Case No. 92-CR-00181 (D.D.C.): I tried this case on behalf of the Office of Independent Counsel. I was the lead attorney for the United States. I was assisted at trial by a co-counsel, Paula Sweeney, who is now in the General Counsel's Office of the Central Intelligence Agency. Her address is Central Intelligence Agency, Washington, D.C. 20505, and her telephone number is (703) 482-1100. The defense attorney was Steve Wehner. His address is Wehner & York, PC, 11860 Sunrise Valley Drive, Suite 100, Reston, Virginia 20191, and his telephone number is (703) 476-8000.

The Office of Independent Counsel, headed by Arlin Adams, had been established to investigate allegations of fraud, waste, and abuse at the United States Department of Housing and Urban Development ("HUD") under then-Secretary Samuel Pierce. Many of the allegations were based upon claims that the ability to obtain government contracts with HUD was dependent upon political connections to prominent individuals with close ties to the Administration. The case against Deborah Gore Dean revealed her involvement in awarding these contracts to influential individuals with ties to her, including a former Attorney General of the United States, a former governor of a southern state, and the national head of a political party, among others.

The trial commenced in the fall of 1993, and it lasted for approximately three to four weeks. The trial was presided over by the Honorable Thomas Hogan in the United States District Court for the District of Columbia. At the conclusion of the trial, the jury found the defendant guilty of all charges. On appeal, the United States Court of Appeals for the D.C. Circuit affirmed Ms. Gore's convictions on the most serious charges, but reversed the convictions on several counts on the basis of an intervening Supreme Court decision holding that making false statements to Congress could not form the basis of a conviction under 18 U.S.C. § 1001. United States v. Dean, 55 F.3d 640 (D.C. Cir. 1995), cert. denied, 516 U.S. 1184 (1996).

- (d) United States v. Richard Douglas, Case No. CR-96-0348-THE (N.D. Cal.): I tried this case on behalf of the Office of Independent Counsel, headed by Donald Smaltz, which was established to investigate allegations of criminal activity at the United States Department of Agriculture under then-Secretary Michael Espy. I was the lead prosecutor for the United States in this case. I was assisted for part of the trial by co-counsel, Eduardo Roy. His address is Squire Sanders & Dempsey, LLP, 1 Maritime Plz #300, San Francisco, California 94111, and his telephone number is (415) 954-0200. The defense attorneys were John Kecker and Elliott Peters. They are both at the same address, Kecker & Van Nest, LLP, 710 Sansome Street, San Francisco, California 94111, and their telephone number is (415) 391-5400.

Mr. Douglas was a corporate executive for Sun Diamond Growers, which was a consortium of farmers in California. He was also a long-time, personal friend of Michael Espy. The investigation revealed that Mr. Douglas had provided Mr. Espy and his girlfriend with gifts and other things of value. As a result, Mr. Douglas was indicted for providing gratuities to Mr. Espy. The case was tried in 1997 in the United States District Court for the Northern District of California, San Francisco Division, before the Honorable Thelton Henderson. I believe that the trial lasted approximately three weeks. At the conclusion of the case, the jury found the defendant guilty as charged. As explained above, following trial, the district court vacated Mr. Douglas's convictions on venue grounds, but while that decision was on appeal, he entered a plea of guilty to one of the charges. Ultimately, Mr. Douglas received a pardon from President Clinton.

- (e) United States v. Audley Evans, et al., Case No. 8:00-CR-75-T: I tried this case, as the lead and only counsel for the United States, in the United States District Court for the Middle District of Florida, Tampa Division. The presiding judge was the Honorable James S. Moody, Jr. The trial took place in February 2001, and it lasted for about three weeks. There

were three defendants: Audley Evans, C. Hayward Chapman, and Patrick Watson. Mr. Evans was represented by Arnold Levine. Mr Levine's address is Levine Hirsch Segall Mackenzie, 100 S. Ashley Drive, Suite 1770, Tampa, Florida 33602, and his telephone number is (813) 229-6585. Mr. Chapman was represented by D. Frank Winkles. His address is 707 North Franklin Street, 2nd Floor, Tampa, Florida 33602, and his telephone number is (813) 226-3090. Mr. Watson was represented by David Maney. His address is Maney Damsker Jones & Kuhlman, PA, Post Office Box 172009, Tampa, Florida 33672, and his telephone number is (813) 228-7371.

Audley Evans was the Executive Director of the Housing Authority of the City of Tampa. As such, he was responsible for ensuring that federal funds earmarked for persons in need of housing were properly allocated. Instead, the investigation revealed that Mr. Evans enriched himself and, in the process, defrauded the United States. Mr. Evans was found guilty of several counts of the indictment, as was Mr. Chapman. The charges against Mr. Watson were dismissed by the court prior to the case being submitted to the jury. The case was appealed to the United States Court of Appeals for the Eleventh Circuit. There, the gratuity convictions of Evans and Chapman were reversed on the ground that Evans was not a "public official," within the meaning of 18 U.S.C. § 201. However, the bulk of Evans's convictions were affirmed by the Eleventh Circuit. United States v. Evans, et al., 347 F.3d 1131 (11th Cir. 2003).

- (f) United States v. Jose Rodriguez Sosa, Case No. 8:03-CR-432-T: I tried this case, as the lead and only counsel for the United States, before the Honorable Elizabeth A. Kovachevich in the United States District Court for the Middle District of Florida, Tampa Division. The trial commenced in July 2004, and it lasted approximately one week. Mr. Rodriguez Sosa was represented by Daniel Hernandez. His address is 902 North Armenia Avenue, Tampa, Florida 33609, and his telephone number is (813) 875-9694.

Carlos Martin-Gonzalez was a resident of Pinellas County, Florida who worked as an MRI technician in Puerto Rico. Embroiled in a dispute with his employer over wages, Mr. Martin-Gonzalez kept money arguably belonging to the employer. The employer contacted his cousin, Jose Rodriguez Sosa, who was a police officer in Puerto Rico. Mr. Rodriguez Sosa offered to assist his cousin in getting the money back. Mr. Rodriguez Sosa flew from Puerto Rico to Tampa, Florida, where he met some intermediaries. Together, they drove to Pinellas County, where they utilized a ruse to gain entry to Mr. Martin-Gonzalez's residence.

Mr. Rodriguez Sosa shot and killed Mr. Martin-Gonzalez in an execution-style slaying. He then turned the gun on the deceased's girlfriend, who was holding their youngest child. Mr. Rodriguez Sosa shot her in the face and chest, with one of the bullets striking and then becoming imbedded in the infant's leg. Mr. Rodriguez Sosa was able to flee the crime scene and return to Puerto Rico.

I was contacted by the State Attorney for Pinellas County. He requested that I come to his office, where I was briefed on the case. Local law enforcement had arrested one of the confederates for the murder, but the subject would not cooperate and the existing evidence against him was weak. As a result, the State Attorney's Office was going to have to let the individual go or provide him with immunity and compel his cooperation. Neither option was palatable.

Working with the State Attorney's Office, I was able to charge the confederate federally and then, with his cooperation, continue the investigation. As a result, I was able to charge other individuals, including Mr. Rodriguez Sosa, who was the shooter and the most culpable of the defendants. Since he was facing life imprisonment if convicted of the charges, Mr. Rodriguez Sosa opted to go to trial. He was convicted as charged and sentenced to life imprisonment. His conviction was affirmed on appeal by the United States Court of Appeals for the Eleventh Circuit. United States v. Rodriguez Sosa, 208 Fed. Appx. 752, 2006 WL 3457195 (11th Cir. 2006)(unpublished).

The import of the case is the cooperation that was exhibited between the United States Attorney's Office and the State Attorney's Office, as well as between federal and local law enforcement agencies. Federal, state, and local prosecutors and law enforcement agents are all public servants working to achieve essentially the same goals. This was a rare case in which the State Attorney's Office was unable to prosecute a murder within its jurisdiction. Because of our healthy working relationship, the State Attorney reached out to the United States Attorney's Office for assistance, which we were able to provide. During my tenure in management at the United States Attorney's Office, I have worked diligently to ensure that our relationships with state and local law enforcement are strong so that cooperative efforts can flourish.

- (g) United States v. Steven LaBrake, et al., Case No. 8:02-CR-319-T: I tried this case, as lead and sole counsel for the United States, in November 2004. It was tried in the United States District Court for the Middle District of Florida, Tampa Division, before the Honorable Richard A. Lazzara. The trial lasted approximately three weeks.

Mr. LaBrake was an official with the City of Tampa. He had oversight over the City of Tampa's housing programs. His wife, Paulette Lynn McCarter, was also an official with the City of Tampa. Both were named, along with three other defendants, in a multi-count public corruption indictment charging the public officials with unjustly enriching themselves. The indictment alleged that Mr. LaBrake, as the Director of the City of Tampa Business and Community Development Services, and Ms. McCarter, as the Senior Redevelopment Counselor for the City of Tampa Community Redevelopment Agency, received bribes and gratuities from co-defendants Dean Ryan, a general contractor, and Chester Luney, the Chief Executive Officer of the Tampa Hillsborough Action Plan ("THAP"), a group of non-profit entities that built houses and coordinated the construction of houses by private contractors. In essence, federal funds earmarked for the poor were being diverted to public officials.

Mr. LaBrake was represented by Patrick Dougherty and Jeffrey Brown. Their address is Brown & Dougherty, PA, 450 Carillon Parkway, Suite 120, St. Petersburg, Florida 33716, and their telephone number is (727) 299-0099. Ms. McCarter was represented by Franklyn Louderback. His address is 150 2nd Avenue North, Suite 840, St. Petersburg, Florida 33701, and his telephone number is (727) 896-2147. Although he pleaded guilty prior to trial, Dean Ryan was represented by Gary Trombley and Ron Hanes. Their address is Trombley & Hanes, PA, 707 North Franklin Street, 10th Floor, Tampa, Florida 33602, and their telephone number is (813) 229-7918. Chester Luney was represented by Lee Fugate and Marcos Hasbun. Their address is Zuckerman Spaeder LLP, 101 East Kennedy Boulevard, Suite 1200, Tampa, Florida 33602, and their telephone number is (813) 221-1010. The final defendant, Lori Roberts, was represented by Marcelino Huerta, who unfortunately passed away recently.

As stated, Mr. Ryan pleaded guilty prior to trial. Following trial, Mr. LaBrake and Ms. McCarter were found guilty of all counts, and Mr. Luney was found guilty of 19 of the 20 counts with which he was charged. The fifth defendant, Lori Roberts, a credit union loan officer who was a minor participant, was acquitted of the two counts with which she was charged. On appeal, the United States Court of Appeals for the Eleventh Circuit affirmed the convictions of Mr. LaBrake, Ms. McCarter, and Mr. Luney. United States v. McCarter, et al., 219 Fed. Appx. 921, 2007 WL 708979 (11th Cir. 2007)(unpublished).

- (h) United States v. Thomas Spellissy, et al., Case No. 8:05-CR-475-T: I tried this case, as lead and sole counsel for the United States, in May 2006. It was tried in the United States District Court for the Middle District of Florida, Tampa Division. The presiding judge was the Honorable

James D. Whittemore. The trial lasted approximately one week. The defense attorneys were Patrick Dougherty and Jeffrey Brown who were mentioned previously herein as counsel for Mr. LaBrake.

Mr. Spellissy was a West Point graduate and a former high-level official at the United States Special Operations Command (USSOCOM). Upon his retirement as a colonel in the United States Army, Mr. Spellissy formed a company, Strategic Defense International, Inc. Mr. Spellissy, through his company, became a consultant for various corporations that were seeking contracts from USSOCOM. In order to get the proposals of his clients funded by USSOCOM, Mr. Spellissy entered into a conspiracy with a retired major from the United States Army, William Burke, who was then working as a civilian contractor at USSOCOM. Mr. Spellissy agreed to make payments to Mr. Burke in exchange for favorable treatment on proposals for which Mr. Spellissy sought funding on behalf of clients.

Mr. Burke was charged separately and agreed to cooperate with the government and testify against Mr. Spellissy. At the trial of Mr. Spellissy, however, Mr. Burke recanted his earlier statements, as well as his guilty plea, and stated that he had not engaged in a conspiracy with Mr. Spellissy and that he had not accepted bribes from him. Despite that dramatic turn of events, Mr. Spellissy and his company were found guilty by the jury of all counts. Although Mr. Burke's recantation caused the district court to enter a post-trial judgment of acquittal on several counts, the defendants' conspiracy convictions were affirmed by the United States Court of Appeals for the Eleventh Circuit. United States v. Spellissy, et al., 243 Fed. Appx. 550, 2007 WL 2709902 (11th Cir. 2007)(unpublished).

- (i) United States v. Betty Trent, Case No. 8:06-CR-448-T: I tried this case, as lead and sole counsel, in June 2007. It was tried in the United States District Court for the Middle District of Florida, Tampa Division. The presiding judge was the Honorable James D. Whittemore. The trial lasted approximately one week. Ms. Trent was represented by Gary Trombley, who has been mentioned previously herein as defense counsel for Dean Ryan. As with any public corruption investigation, the significance of the case is readily apparent.

Ms. Trent, the Executive Director of the Brooksville Housing Authority ("BHA"), conspired with a BHA project manager, Joe Ann Bennett, to unjustly enrich herself by creating false invoices for services purportedly provided to BHA. Ms. Bennett, who was indicted in a separate case due to Bruton issues, No. 8:06-CR-449-27EAJ, pleaded guilty and testified against Ms. Trent at her trial. Following trial, the jury convicted Ms. Trent on all charges, and the convictions recently were affirmed by the United

States Court of Appeals for the Eleventh Circuit. United States v. Trent, 306 Fed. Appx. 482, 2009 WL 22510 (11th Cir. 2009)(unpublished).

- (j) United States v. Wesley Snipes, et al., Case No: 5:06-CR-22-OC: I tried this case, as lead counsel, in February 2008. It was tried in the United States District Court for the Middle District of Florida, Ocala Division. The presiding judge was the Honorable William Terrell Hodges. The defense attorneys for Mr. Snipes were as follows: Robert G. Bernhoft and Robert E. Barnes. Their address is The Bernhoft Law Firm, S.C., 207 East Buffalo Street, Suite 600, Milwaukee, Wisconsin 53202, and their telephone number is (414) 276-3333. Also representing Mr. Snipes was Daniel R. Meachum. His address is Daniel R. Meachum & Assoc., LLC, Centennial Tower, 101 Marietta Street, Suite 2400, Atlanta, Georgia 30303, and his telephone number is (770) 988-9600. Mr. Kahn was represented by Michael William Nielsen. His address is Dowdy & Nielsen, 770 West SR 434, Winter Springs, Florida 32708, and his telephone number is (407) 327-5865. Mr. Rosile was represented by David Anthony Wilson. His address is Law Office of David A. Wilson, 201 SW 2nd Street, Suite 101, Ocala, Florida 34474, and his telephone number is (352) 629-4466.

This was a tax prosecution. The most notable of the defendants was Wesley Snipes, the movie actor, who had become involved in the anti-tax movement. His co-conspirators were individuals who had established an anti-tax organization in Lake Mary, Florida. Based upon the "legal" guidance provided by his co-conspirators, Mr. Snipes did not file tax returns for several years, even though he had made millions of dollars from several movies during the relevant time period. Throughout the investigation of the case, Mr. Snipes, along with his co-conspirators, championed the anti-tax movement. At trial, Mr. Snipes' counsel adopted a different tack and blamed his co-conspirators for leading him astray. Nevertheless, a jury convicted Mr. Snipes of some tax-related charges, while acquitting him of others. He was sentenced to three years' imprisonment, and he is presently on bond pending appeal. His co-conspirators were convicted of all charges, and they were sentenced to ten years' imprisonment. The case is presently on appeal before the United States Court of Appeals for the Eleventh Circuit.

This was an important case for the Internal Revenue Service. Based on media accounts, Mr. Snipes appeared to be flagrantly flaunting the tax laws of the United States. In addition, the tax protestor movement was following the proceedings very carefully since a defeat for the government would embolden them. Fortunately, the government prevailed.

10. Legal Activities

- (a) Interim United States Attorney: From October 2007 through October 2008, I was the Interim United States Attorney for the Middle District of Florida, after Acting United States Attorney James R. Klindt left the Office to become a United States Magistrate Judge. During that period of time, I believe that my management team and I were able to make several significant contributions to the Office.

First and foremost, we increased significantly the number of criminal prosecutions. During that year, the United States Attorney's Office for the Middle District of Florida indicted the most cases in its history. The number of indictments increased by more than 200 from the preceding year, rising from 1163 to 1384. It is difficult to identify a single reason for the substantial increase in productivity. However, I believe it was due, in large part, to the fact that I have been a trial attorney my entire career, and I am acutely aware of what it takes, and how long it takes, to bring a case to trial. I have always believed that it is an honor and privilege to represent the United States in court, and I stressed the importance of that to the attorneys in the Office. I also stressed that, with that honor, there is a concomitant responsibility to be productive and to charge cases that legally should be brought. Throughout my term, I insisted that every Assistant United States Attorney pull his or her own weight.

The increase in the number of indicted cases is even more impressive because, during the same year, the Office also had to re-sentence a large number of defendants who had been convicted of crack offenses due to a retroactive change in the sentencing guidelines. In fact, of all the districts in the country, the Middle District of Florida had the second highest number of defendants who had to be re-sentenced.

A second significant contribution that I made to the Office while serving as Interim United States Attorney was in the area of hiring. During that time, I was able to hire 13 new Assistant United States Attorneys. Of that 13, six were women; five were African-American and one was Asian-American. Diversity is particularly important in a prosecutor's office, and prior to my tenure, minorities were woefully under-represented in this Office. For instance, at the beginning of my tenure, there were only three African-American attorneys out of more than 100 lawyers in the Office. The new United States Attorney should continue to look for opportunities to increase the diversity within the Office.

- (b) Sarkis Soghanalian: While I was an Assistant United States Attorney in the Southern District of Florida, I investigated and prosecuted an international arms dealer, Sarkis Soghanalian. The investigation began in

approximately 1987. I was approached by an investigator who had amassed a great deal of evidence against Mr. Soghanalian for violations of the Arms Export Control Act, which makes it illegal to export weaponry and certain high-tech items without a license from the United States Department of State.

In essence, Mr. Soghanalian, who had been a long-time supplier of weaponry for Saddam Hussein, had attempted to send weapons and other covered equipment to Iraq without the requisite licensing. In particular, he had tried to send several hundred military-configured helicopters to Iraq. These helicopters were equipped with machine guns and other types of weaponry. Mr. Soghanalian had attempted to perpetrate a ruse by claiming that the helicopters were destined for Kuwait, rather than Iraq.

The investigation of this case was very complicated. Because it involved licensing by the United States government, the investigative team wanted to ensure that Mr. Soghanalian had not received approval from any component of the government. There were rumors swirling around that Mr. Soghanalian was working on behalf of the United States and foreign intelligence agencies. Mr. Soghanalian appeared to enjoy these unconfirmed reports, and he may have started many of the rumors himself. In addition, these types of offenses are specific intent crimes, and the government must prove that the defendant actually knew of the licensing requirement.

After an extensive investigation, we presented a multi-count indictment to a federal grand jury in Miami. Mr. Soghanalian, and others, were indicted for violations of the Arms Export Control Act. Shortly after the indictment was returned, the Iran-Contra affair came to light, and Oliver North's personal diary was made public. As I was going to work one morning, I read a passage from North's diary that was published in the Miami Herald. There was a notation in the diary to the effect that "Sarkis agrees to send weapons to Nicaragua gratis." Despite all our efforts to ensure that Mr. Soghanalian was not part of a government-authorized operation, there was now evidence that Mr. Soghanalian was implicated in the Iran-Contra affair with Oliver North.

As a result of this information, defense counsel set out to establish a public authority defense and moved for the discovery of a great deal of classified information. Those requests caused the district court to invoke the Classified Information Procedures Act (CIPA). The pre-trial litigation in this case took several years. I finally left the office before the case went to trial. Mr. Soghanalian proceeded to trial approximately four years after he had been indicted. He was convicted and sentenced to prison.

- (c) Congress of Racial Equality: While I was in private practice, I did pro bono legal work for the Congress of Racial Equality (CORE), a civil rights organization located in New York City. Although there were several instances in which I rendered legal assistance to that organization, two particular cases come to mind. The first related to Mitch "Blood" Green, a heavyweight boxer, who once had been nationally ranked. At one time, Mr. Green was ranked in the top ten. He received a title bout with then-champion Mike Tyson. Although Mr. Green lost the fight, he lost by decision. As I recall, it was the first time a fighter had gone the distance with Mike Tyson, as opposed to having been knocked out. Sometime later, Mr. Green encountered Mike Tyson at an all-night clothing store in Harlem, New York. The two got into a fight, and during the melee, Mr. Tyson broke his hand striking Mr. Green. Mr. Tyson ran off before the police arrived, and the event became a media sensation. Unfortunately for Mr. Green, he did not fight again after that, and his life began spiraling out of control.

By the time CORE asked me to intervene, Mr. Green had been convicted of driving under the influence and possession of phencyclidine (PCP). His attorneys had left him, probably because of lack of funds, and he needed to have an appeal filed. In addition to the criminal matter, Mr. Green also had signed a number of exclusive contracts with various agents. Although Mr. Green was an accomplished boxer, he was not a sophisticated man. It appeared that many people had taken advantage of him. Our goal was to handle his criminal matter while, at the same time, straightening out his contractual obligations and getting him back in the ring. Unfortunately, we were not able to accomplish very much. I personally handled his appeal, but the appellate court affirmed his convictions. Moreover, we were not able to get Mr. Green back into the ring, even though, through CORE, we had enlisted the assistance of a former heavyweight champion who had made his training facilities available to Mr. Green.

The other significant matter that I handled at the request of CORE was a criminal case against a young man from the south Bronx. The defendant lived in the same area of the south Bronx where I was born. He lived with his mother in a small apartment. His mother had been a welfare recipient, but, through training and hard work, had obtained a nursing degree and was working at a local hospital. The mother left for work very early each morning to catch a bus to the hospital. One morning, her son was awakened by her screams from the street. He immediately jumped out of bed and ran out of the apartment, grabbing a steak knife in the process. When he arrived on the street, his mother pointed to an individual who had just robbed her. The son chased the man into a local park, where they had an altercation and he stabbed the robber in the leg. The robber's femoral artery was severed and he bled to death. The son, in turn, was charged with homicide.

The mother had retained a private attorney to represent her son. However, the mother quickly realized that she possessed insufficient funds to pay the attorney's fees. As a result, she approached CORE and sought their intervention. A representative from CORE contacted the law firm, and I agreed to represent the son. I considered it to be a very interesting case. On the one hand, the police had properly charged the defendant with homicide on the facts as they knew them. On the other, I felt that the defendant's actions were entirely justified, morally, ethically, and legally.

After conferring with the client, I decided to allow him to testify and to present his defense before the grand jury. Even though such a strategy can backfire, I felt that the justification defense was so strong that the grand jury would not return an indictment if all of the relevant facts were made known to them. As I was preparing the client to testify before the grand jury, I received a telephone call from the attorney who had originally represented the defendant. He had heard from the defendant's mother that she did not have the funds to retain him and that my firm was representing her son on a pro bono basis. He advised me that he wished to continue to represent the defendant and that he would do so in a pro bono capacity. I told him such an arrangement would be fine with me. We then discussed defense strategy, and he too was of the opinion that the justification defense should be presented to the grand jury. We agreed that, if the case proceeded past the grand jury, we would confer and determine how to proceed. Fortunately for the defendant, the grand jury did not return an indictment and all charges were dropped.

- (d) Mario Ruiz Massieu: While I was on detail to the United States Department of Justice, Narcotics and Dangerous Drugs Section, I was asked to take over the investigation of Mario Ruiz Massieu, a former Deputy Attorney General of Mexico. The investigation had revealed that Mr. Massieu had laundered approximately \$13 million by having a Mexican Department of Justice official physically transport the money, in suitcases, over a period of a couple of years. Once the criminal investigation commenced, the Mexican Department of Justice official vanished, and he was never heard from again.

Initially, the investigation had been conducted by the United States Attorney's Office in the Southern District of Texas, Houston Division. However, that office did not believe that there was sufficient evidence to pursue charges against Mr. Massieu. The law enforcement agencies involved disagreed with the assessment of the United States Attorney's Office in Houston and requested that the Department of Justice re-examine the case. I was then assigned to take a second look at the matter.

One of the first things that I did when I was assigned to the case was to read a book, "Bordering on Chaos," which had been written by a Miami Herald reporter and detailed the political landscape in Mexico. Prior to being assigned this case, I had very little knowledge of Mexico and the political situation there. From the book, I learned that Massieu was from a prominent Mexican family and that his brother had married into the family of the then-President of Mexico. His brother also had political aspirations until he was assassinated. Because he was the number two official in the Mexican Department of Justice, Massieu personally took over the investigation of his brother's murder. Although he never charged anyone with the crime, Massieu publicly exonerated one suspect, a brother of the then-President. Several years later, that same individual was convicted in Mexico for his role in the killing of Massieu's brother.

Having received a thumbnail sketch of Mexican politics, I set out to understand the investigation. I worked closely with the investigators in Houston and Mexico. We interviewed witnesses and gathered evidence. Ultimately, we decided that we had a provable case, and we presented an indictment to a federal grand jury in Houston, Texas. The grand jury returned an indictment charging Mr. Massieu with several counts of money laundering. On the day before his arraignment in federal court in Houston, Mr. Massieu committed suicide.

- (e) Javier Guzman: Shortly after arriving in the Middle District of Florida, I was assigned an investigation in which a federal agent went undercover in an attempt to ensnare money launderers. As part of the undercover investigation, a local police officer, Javier Guzman, also was assigned an undercover role. After a period of time, we learned from an unrelated investigation in south Florida that we might have a "dirty" police officer involved in our investigation. As a result of the information received, we conducted an internal investigation and quickly realized that Mr. Guzman was a corrupt police officer.

It then became incumbent on the investigative team to make a provable case against Mr. Guzman. Throughout his career, Mr. Guzman had forged a reputation as an outstanding police officer. In fact, he had recently been named Officer of the Year in the Tampa Police Department. Therefore, we knew that we had to build a formidable case against him.

Unfortunately, the only evidence that we initially were able to gather against Mr. Guzman was from two brothers, both of whom had acted as confidential informants for Mr. Guzman and had extensive criminal records. We agreed that the historical information against Mr. Guzman would not support a criminal case against him. Consequently, we decided to take a proactive approach and make surreptitious recordings with Mr.

Guzman. That approach proved to be successful. Armed with the new evidence, we sought an indictment against Mr. Guzman on money laundering charges. Ultimately, Mr. Guzman pleaded guilty to the indictment, and he was sentenced to 12 years in prison.

In large part as a result of the Guzman case, the primary federal undercover agent and I have lectured extensively to law enforcement agents throughout the country on the perils that they may face when conducting undercover investigations. We put together a day-long presentation entitled "Managing Your Risk With Informants, Undercover and Drug Investigations: The Slippery Slope to Destruction." We feature the Guzman case, as well as a number of other cases involving police corruption, in order to alert law enforcement to the dangers inherent in these types of cases.

- (f) Aer Lingus: While I was an Assistant United States Attorney in the Southern District of Florida, I was assigned, with another Assistant United States Attorney, to an investigation of Aer Lingus, the national airline of Ireland. An investigation of another entity had revealed evidence suggesting that Aer Lingus might have sent American technology to Iran in contravention of federal law. Through an extensive review of documentary evidence, we were able to prove that Aer Lingus had, in fact, knowingly violated the Arms Export Control Act.

The importance of the case was that the government demonstrated that it would aggressively pursue entities which sought to tranship technology to countries to which the Department of State refused to grant licenses. The United States has a tremendous interest in ensuring that armaments and certain restricted technology are carefully tracked and kept out of dangerous hands. In this case, Aer Lingus made a financial decision that it was beneficial to the company to send technology manufactured in the United States to a prohibited third party, Iran. In order to dissuade such illegal action, we required Aer Lingus to plead guilty and pay a fine in the amount of \$1,000,000. Aer Lingus agreed to the terms of the plea agreement, pleaded guilty, and paid the fine.

(g) Lecturing: Throughout my career, I have done an extensive amount of lecturing to law enforcement on a variety of topics.¹

05/15/97	Panelist	Sentencing Career Criminals - Florida Association of Career Criminal Investigators and Prosecutors	Orlando, Florida
06/05/97	Speaker	Joint Customs - Federal Hispanic Agents Association Professional Development Conference	Tampa, Florida
07/31/97	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Domestic Money Laundering Investigations	Gulfport, Mississippi
12/10/97	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Domestic Money Laundering Investigations	Queens, New York
01/23/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Domestic Money Laundering Investigations	Laredo, Texas
02/03/98	Speaker	ATF National Academy - Money Laundering and Racketeering	Glynco, Georgia
02/20/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Domestic Money Laundering Investigations	Miramar, Florida
04/03/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Domestic Money Laundering Investigations	Shreveport, Louisiana
04/07/98 04/08/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Search and Seizure; Drug Interdiction	St. Thomas, U.S. Virgin Islands
04/28/98 04/30/98	Speaker	U.S. Department of Justice - White Collar Crimes Seminar	Clearwater, Florida
05/11/98 05/12/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Air Smuggling and Asset Forfeiture	Bangor, Maine
05/19/98	Speaker	The Florida Association of Licensed Investigators - Pinellas County Chapter - Federal Criminal Investigations	Clearwater, Florida
06/16/98 06/17/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Air Smuggling and Asset Forfeiture	Baton Rouge, Louisiana
07/23/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Methamphetamine: Awareness & Action: Live Interactive Telecourse	Lakeland, Florida
09/02/98	Speaker	Federal Bureau of Investigation Academy - The Role of the Federal Prosecutor	Quantico, Virginia

¹Prior to 04/97, accurate records of teaching/lecturing were not maintained.

11/02/98 11/03/98	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Air Smuggling and Asset Forfeiture	Shreveport, Louisiana
01/07/99	Speaker	Federal Bureau of Investigation Academy - The Role of the Federal Prosecutor	Quantico, Virginia
07/29/99	Speaker	Federal Bureau of Investigation Academy - The Role of the Federal Prosecutor	Quantico, Virginia
09/07/99 09/10/99	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	San Juan, Puerto Rico
09/20/99 09/21/99	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	St. Croix, U.S. Virgin Islands
09/22/99 09/23/99	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	St. Thomas, U.S. Virgin Islands
03/01/00 03/03/00	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	St. Petersburg, Florida
05/03/00 05/05/00	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	San Juan, Puerto Rico
05/16/00	Speaker	Florida Narcotic Officers Association	Panama City, Florida
07/20/00	Speaker	United States Probation - Middle District of Florida Conference 2000	St. Petersburg, Florida
09/12/00	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Domestic Drug Highway Interdiction	Scottsbluff, Nebraska
10/10/00	Speaker	Public Corruption Conference - Prosecution of Public Corruption Matters - Sponsored by F.B.I. and F.D.L.E.	Tampa, Florida
10/23/00	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Air Smuggling	Apopka, Florida
11/06/00 11/08/00	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	El Paso, Texas
03/27/01	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Airport Interdiction and Investigation	Frederick, Maryland
05/03/01	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Modular Drug Investigations	Charleston, South Carolina
05/17/01 05/18/01	Speaker	Drug Enforcement Administration - Miami Field Division Management Conference	Islamorada, Florida
06/28/01	Moderator	Law Enforcement Telecourse - "Heroin: Understanding the Resurgence" - Multi-Jurisdictional Counterdrug Task Force Training	St. Petersburg, Florida

07/17/01 07/18/01	Instructor	Law Enforcement Telecourse - "Drug Enforcement at the Crossroads of America - Elements of a Successful Prosecution" - Federal Law Enforcement Training Center in Conjunction with Multi-Jurisdictional Counterdrug Task Force Training	St. Petersburg, Florida
08/20/01 08/25/01	Instructor	Dismantling Drug Trafficking Organizations - Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT)	Trinidad
09/04/01	Instructor	Law Enforcement Telecourse - "Drug Enforcement at the Crossroads of America - A Summary of the Six Part Program" - Federal Law Enforcement Training Center in Conjunction with Multi-Jurisdictional Counterdrug Task Force Training	St. Petersburg, Florida
09/13/01	Instructor	Law Enforcement Telecourse - "Drug Enforcement at the Crossroads of America - Elements of a Successful Prosecution" - Roll-Call Video Series - Multi-Jurisdictional Counterdrug Task Force Training	St. Petersburg, Florida
09/25/01	Speaker	U.S. Customs Service - Financial Programs Division - Money Laundering Conference	Naples, Florida
11/28/01	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Airport Interdiction and Investigation	St. Petersburg, Florida
12/17/01 12/18/01	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Money Laundering Investigations	San Juan, Puerto Rico
02/12/02	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	Chantilly, Virginia
07/23/02	Speaker	Anti-Terrorism Task Force Training for Law Enforcement - Exploitable Weaknesses of Terrorist Organizations	Tampa, Florida
08/29/02	Speaker	Anti-Terrorism Task Force Training for Law Enforcement - Exploitable Weaknesses of Terrorist Organizations	Orlando, Florida
09/16/02	Speaker	Anti-Terrorism Task Force Training for Law Enforcement - Exploitable Weaknesses of Terrorist Organizations	Jacksonville, Florida
09/17/02	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Search and Seizure	St. Petersburg, Florida
11/04/02	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Experts	St. Petersburg, Florida
02/05/03	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Experts	Anderson, South Carolina
02/26/03	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Experts - Florida Department of Law Enforcement	Tampa, Florida
03/03/03	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Experts	Forsyth, Georgia

04/02/03	Speaker	Anti-Terrorism Task Force Training for Law Enforcement - Exploitable Weaknesses of Terrorist Organizations	Fort Myers, Florida
04/09/03 04/10/03	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Informants, Undercover and Drug Investigations	St. Thomas, U.S. Virgin Islands
06/04/03	Speaker	Training for Law Enforcement Presented by the United States Attorneys Office - Managing Your Risk with Informants, Undercover and Drug Investigations: The Slippery Slope to Destruction	Tampa, Florida
09/23/03	Speaker	U.S. Department of Homeland Security - OCDETF - Financial U/C-OPS Conference	Chicago, Illinois
09/25/03	Speaker	U.S. Drug Enforcement Administration - Advanced Narcotics Course - T-IIIIs	Clearwater, Florida
10/03/03	Speaker	Law Enforcement Coordinating Committee (LECC) - Managing Your Risk with Informants, Undercover and Drug Investigations - The Slippery Slope to Destruction	Orlando, Florida
10/28/03	Speaker	Law Enforcement Coordinating Committee (LECC) - Managing Your Risk with Informants, Undercover and Drug Investigations - The Slippery Slope to Destruction	Tampa, Florida
10/30/03	Speaker	Law Enforcement Coordinating Committee (LECC) - Managing Your Risk with Informants, Undercover and Drug Investigations - The Slippery Slope to Destruction	Jacksonville, Florida
12/16/03	Speaker	Federal Bureau of Investigation - All Agents Conference	Tampa, Florida
01/29/04	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy - The Montana Narcotics Officers Association	Bozeman, Montana
01/30/04	Speaker	Managing Your Risk with Informants, Undercover and Drug Investigations - The Slippery Slope to Destruction	Plant City, Florida
01/22/04	Speaker	Terrorism - From Intelligence Sharing to Shared Response - Law Enforcement Coordinating Committee	Clearwater, Florida
01/23/04	Speaker	Risk Management - Informants and Undercover Drug Operations - Avoiding the Slippery Slope to Destruction	Clearwater, Florida
05/24/04 05/25/04	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony - HIDTA	Milwaukee, Wisconsin
06/10/04	Speaker	Internal Revenue Service - Criminal Investigation Division - Pitfalls of Executing Search Warrants in Tax Investigations	Tampa, Florida
03/10/05 03/11/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony - HIDTA	Methuen, Massachusetts
04/07/05 04/08/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Bronx, New York

05/17/05	Speaker	DEA Basic Narcotics and Dangerous Drugs Law Enforcement School - Courtroom Testimony	Tampa, Florida
05/23/05 05/24/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Twinsburg, Ohio
06/16/05	Speaker	Federal Law Enforcement Training Center - Training - Courtroom Testimony	St. Thomas, U.S. Virgin Islands
07/21/05	Speaker	United States Probation and Pretrial Services 2005 District Conference - Public Corruption	Naples, Florida
08/08/05 08/09/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Marinette, Wisconsin
09/08/05 09/09/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Meriden, Connecticut
09/21/05 09/23/05	Speaker	United States Attorney's Office - District of the Virgin Islands (St. Thomas) - Law Enforcement Training - Courtroom Testimony	St. Thomas, U.S. Virgin Islands
09/28/05 09/30/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	San Juan, Puerto Rico
11/14/05 11/15/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Farmingdale, New York
12/05/05 12/06/05	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Salisbury, Maryland
01/27/06	Speaker	Managing Your Risk with Informants, Undercover and Drug Investigations - The Slippery Slope to Destruction	Fort Myers, Florida
02/27/06 02/28/06	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Sandy, Utah
05/24/06	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	Lawrence, Kansas
08/19/06	Speaker	Florida Gang Investigators Association Conference - The Connection: Gangs, Drugs and Violence - "Rico - A Primary Weapon in the Federal Arsenal"	Bonita Springs, Florida
09/25/06	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy Investigations	Rockland, Maine
11/29/06	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Drug Science Investigation - Distance Learning	St. Petersburg, Florida
01/11/07 01/12/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Hudson, New York
02/09/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Drug Training for Investigators - Legal Aspects	St. Petersburg, Florida

02/16/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Mock Trial for DTFI Course	St. Petersburg, Florida
02/20/07 02/21/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Carlsbad, New Mexico
03/05/07 03/06/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Meriden, Connecticut
04/14/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Marshalltown, Iowa
04/23/07 04/24/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Franklin, Massachusetts
04/26/07	Speaker	Manatee County Sheriff's Office - Drug Investigations	Bradenton, Florida
05/16/07 05/17/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Tampa, Florida
05/21/07 05/22/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	South Salt Lake City, Utah
05/24/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Lawrence, Kansas
06/07/07	Speaker	The International Narcotics Enforcement Management Seminar - Co-Sponsored by DEA and United States Central Command - "International Prosecutions"	Clearwater, Florida
06/21/07 06/22/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Irving, Texas
06/24/07 06/25/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Farmingdale, New York
07/10/07 07/11/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	El Centro, California
08/10/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Drug Training for Investigators - Legal Aspects	St. Petersburg, Florida
08/17/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Mock Trial for DTFI Course	St. Petersburg, Florida
08/27/07 08/28/07	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Morristown, Tennessee
03/07/08 03/08/08	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Poughkeepsie, New York
04/28/08 04/29/08	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	San Juan, Puerto Rico

06/04/08	Speaker	Law Enforcement Symposium - "Global Terrorism, Domestic Extremism and the Dark Side of the Sunshine State" - Sponsored by the USAO-MDFL, The Anti-Defamation League, The Federal Bureau of Investigation, FDLE and St. Petersburg College	Tampa, Florida
07/16/08	Panelist	IRS-CI Annual Conference	St. Augustine, Florida
08/12/08	Introductory Speaker	Florida Gang Investigators Association Annual Conference	Bonita Springs, Florida
08/27/08	Speaker	The Northeast Florida Suspicious Activity Reporting Forum for Financial Institutions	Jacksonville, Florida
09/09/08	Speaker	Defense Criminal Investigative Service - Southeast - Annual Conference	Panama City, Florida
09/18/08	Speaker	Tampa Bay Area Chiefs of Police Association - Luncheon	Tampa, Florida
09/23/08	Speaker	Managing Your Risk with Informants, Undercover, and Drug Investigations - The Slippery Slope to Destruction; a Training Session for Law Enforcement	Tampa, Florida
09/30/08	Speaker	Managing Your Risk with Informants, Undercover, and Drug Investigations - The Slippery Slope to Destruction; a Training Session for Law Enforcement	Jacksonville, Florida
10/17/08	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Drug Training for Investigators	St. Petersburg, Florida
12/03/08 12/04/08	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony - Naval Air Station, Whiting Field	Milton, Florida
01/13/09 01/14/09	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Quincy, Florida
01/29/09	Speaker	Inspector General Manager's Retreat - Cape Canaveral Air Force Station	Cape Canaveral, Florida
03/09/09	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Elements of Conspiracy; Courtroom Testimony - Essex County, New Jersey Police College	Cedar Grove, New Jersey
03/25/09	Speaker	HUD-OIG Joint Manager's Conference	Tampa, Florida
04/15/09	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Courtroom Testimony	Garden City, Georgia
05/11/09	Speaker	Multi-Jurisdictional Counterdrug Task Force Training - Conspiracy; Courtroom Testimony - New York Field Office, Drug Enforcement Administration	New York, New York

- (h) Management Experience: From an early stage in my career, I have served in various management positions. Even as a supervisor, I have always maintained a caseload. I believe strongly in the concept of leading by example. In addition, I thoroughly enjoy litigation, and I have never been willing to forgo that part of my career.

Management can be rewarding in that you have an opportunity to view an organization on a macro level. By looking at the operation of the entire office, and not just the cases that you are prosecuting, you have an opportunity to identify systemic problems and correct them.

Serving in management can also be extremely challenging at times because you must deal with a myriad of personnel issues. My experience has been that many of the individuals in government who want to be in supervisory positions shirk their responsibilities when difficult decisions must be made.

In 1999, I was selected to be the Chief of the Special Prosecutions Section. One of the Assistant United States Attorneys assigned to this new section was Jeffrey Del Fuoco, who had what I later learned to be a checkered history as a prosecutor in this Office.

There was a tremendous amount of rancor between Mr. Del Fuoco and opposing counsel. He was strongly disliked by the defense bar in Tampa for the perceived abuses that he had committed in the past. The enmity eventually led to a couple of Tampa attorneys filing a complaint against him with the United States District Court for the Middle District of Florida. Around that time, Mr. Del Fuoco's behavior became more erratic. Although he had always made broad pronouncements of criminal culpability, he started leveling baseless accusations with greater frequency. At this point, I decided to confront him and told him forcefully that he had to stop making unfounded accusations. In addition, I had learned that he had leaked matters to the media, and I took him to task for that as well.

As one could expect, Mr. Del Fuoco did not handle the pointed criticism well. Instead, he turned his attention to me. He filed a number of spurious complaints against me with the Office of Professional Responsibility, which is the Department's disciplinary body. One of the complaints was that I had an improper relationship with the two attorneys in Tampa who had filed the complaint against him, both of whom are highly respected members of the criminal defense bar. The evidence that he alleged demonstrated the improper relationship was the fact that I had appeared as a panelist at an American Bar Association seminar on White Collar Crime at the Stetson University School of Law. His complaint was

that there were "connected" defense attorneys present as well, including the two who had filed the complaint against him. Of course, he failed to mention that, in addition to those two attorneys, also present were the United States Attorney, two United States District Judges, two United States Magistrate Judges, and various lawyers from across the State of Florida.

Even more bizarre than that ludicrous accusation was his claim that I was a member of the Irish Republican Army and that, unbeknownst to my family, I traveled to Ireland a couple of times a year to meet with IRA operatives. Although salacious, the allegation was utterly baseless. The Office of Professional Responsibility investigated the matter and concluded that I had done nothing wrong.

Next, Mr. Del Fuoco filed a complaint with the Florida Bar alleging a number of improprieties that I supposedly had committed. The Florida Bar found his claims to be meritless. Recently, he filed a strikingly similar series of complaints against me with the Florida Bar. These recent allegations were also quickly rejected by the Florida Bar. In addition, he has filed allegations against me with the Department of Justice, the Senate Judiciary Committee, and a number of elected officials. It is apparent that Mr. Del Fuoco is fixated on me. Of course, I am not alone. He has filed innumerable complaints against a host of others, including most of the senior management within the United States Attorney's Office. To my knowledge, none has been found to have merit. Due to his bizarre fixation on me, it has been suggested to me, by a number of prosecutors, lawyers, and members of law enforcement, that I should carry a weapon at all times because he is seemingly unstable.

Although this has been an unpleasant experience, in an ironic manner, it has made me a better prosecutor. There is a bond among prosecutors, as there is in most organizations. If a prosecutor makes a statement, there is a consensus among other prosecutors that the statement is correct. For many years, I shared that perspective. I no longer do. Now, I am more apt to question my colleagues when they embark on dubious courses of action. I do not take what a colleague says at face value simply because he or she is a federal prosecutor.

The new United States Attorney likely will encounter disputes not only within the ranks of his or her own office, but he or she also will have to address external issues that effect the administration of justice in the Middle District of Florida. As the highest federal law enforcement official in the District, the United States Attorney must make decisions that have an effect on other agencies. For instance, while I was the Chief of the Criminal Division, it was brought to my attention that an employee of a

federal law enforcement agency had a problematic background that might need to be disclosed to the defense if that employee were to testify at trial. I took the position, and still do, that I need to review all personnel matters pertaining to that employee before a decision can be made as to whether the information needs to be produced to the defense or, at a minimum, to the court in camera. The federal agency has taken a contrary position. I have been in a dispute with this agency for a couple of years now. As of today, it is still not resolved. It would be simple to accede to the agency's request and their interpretation of the law. However, because I believe that my position is the lawful one, I will not.

- (i) Review of Federal Bureau of Investigation Offices: In January 1998, then-Deputy Attorney General Eric Holder put together a team of experienced prosecutors and FBI agents, and I was selected to be part of that team. We were tasked with traveling to various FBI offices throughout the country to ensure that they were in compliance with certain Congressional subpoenas. The United States Congress had issued subpoenas to the FBI concerning campaign financing issues. At the time, the FBI's files were not maintained on computers. As a result, the FBI was having a difficult time complying with the subpoenas. When called upon to testify before Congress, the then-Director of the FBI had testified that the search for relevant records had been completed and that all pertinent records had been produced. Shortly after his testimony, additional records were discovered. Thereafter, the then-Attorney General of the United States testified that all pertinent records had been produced to Congress. Again, shortly after her testimony, additional records were found. As a result of these gaffes, Mr. Holder put a team together to ensure complete compliance with the subpoenas.

The team that I was assigned to went to the FBI offices in New York, the largest FBI field office, Houston and Oklahoma City. In each, we met with senior management, explained the severity of the situation, and reviewed records. Although we were not met with any resistance, it was an uneasy situation explaining to senior management that no further late discoveries of documents would be tolerated. If such a situation were to occur, careers would be in jeopardy. The message was clear, and it seemed to be clearly understood. To my knowledge, there were no further issues concerning less than full compliance with the subpoenas.

11. Public Office

N/A

12. Candidates or Applicant

N/A

13. Other Occupations

From approximately 1997 through the present, I have been an adjunct faculty member at the St. Petersburg College Multi-Jurisdictional Counterdrug Task Force Training (MCTFT), where I lecture to federal, state and local law enforcement agents on a variety of legal issues. Because it is a paid position, I only lecture for MCTFT when I am on annual leave from my position as an Assistant United States Attorney.

14. Business Connections

- (a) Since approximately July 1997, I have been an officer in a corporation, Dublin Pubs, Inc. I am the Vice President and Treasurer. The corporation owns a small Irish pub and restaurant located in Tampa, Florida. I have no involvement in the day-to-day operations of the pub and restaurant.

Since approximately March 1999, I have been an officer of a corporation, DPI, Inc., which is a subsidiary of Dublin Pubs, Inc. I am the Secretary. This corporation owns several parking lots which are adjacent to the pub.

Since approximately January 2001, I have been involved in two corporations, O'Neill's Irish Art, LLC and Dublin Investments, LLC. I am a member. These corporations were formed in order to start a business involving Irish art. Neither corporation has ever been active. Therefore, there have not been any duties.

- (b) It is not my intention to withdraw from the above-referenced businesses, to which I devote negligible time and energy. Prior to becoming an officer of Dublin Pubs, Inc., I requested and received permission from the United States Department of Justice to do so. Therefore, I do not see that my continued involvement in the business would be a conflict of interest or interfere in anyway with the performance of my duties. If such a determination were be made, I would obviously re-assess my position.

15. Allegations

N/A

16. Investigations

N/A. I previously mentioned in paragraph 10 that a disgruntled former employee made a number of allegations against me, some of which were criminal or potentially criminal in nature. These complaints were investigated by the Department of Justice's Office of Professional Responsibility ("OPR"), which is not a criminal investigative body, but rather one that normally handles allegations of professional misconduct. OPR found the allegations to be baseless.

17. Client Litigation

N/A

18. Legal Proceedings

(a) I was a party to a class action lawsuit filed by present and former Assistant United States Attorneys against the United States Department of Justice. Doe v. United States, No. 98-896C (Fed. Cl.) I opted in as a member of the class. As I recall, the plaintiffs prevailed in the trial court but the decision was reversed on appeal.

(b) Dublin Pubs, Inc. brought suit in Hillsborough County in Case No. 05-CA-009114. I was not a party to the suit, although I am an officer of Dublin Pubs, Inc. It was a civil dispute, and the case was settled.

19. Disciplinary Matters

I have never been disciplined or cited for a breach of ethics or unprofessional conduct.

I have been the subject of a complaint to an office, agency and bar association.

(a) George Andrade, Departmental Disciplinary Committee, Supreme Court, Appellate Division, First Judicial Department (1994):

While in private practice at Kramer, Dillof, Tessel, Duffy & Moore in New York, I represented George Andrade at trial. It was a claim of medical malpractice. I was able to secure a plaintiff's verdict in the amount of \$500,000. Sometime in late 1993, almost two years after I left the law firm, Mr. Andrade filed a complaint against me. The gist of his complaint was that he had been trying to reach me, but that I had been unavailable.

I filed a written response stating that I was unaware that Mr. Andrade had been trying to reach me. Of course, I assumed that, if he had called the firm, he would have learned that I had left the private practice of law and moved to Tampa. On April 14, 1994, I was informed by the committee that the file had been closed without any action taken.

- (b) Deborah Gore Dean, Office of Bar Counsel, The Board on Professional Responsibility, District of Columbia Court of Appeals (1995):

I prosecuted Deborah Gore Dean on behalf of the Office of Independent Counsel. The trial occurred in Washington, D.C. After her conviction on all counts, Ms. Dean filed a bar complaint alleging a number of instances of prosecutorial misconduct during the trial. On June 27, 1996, Bar Counsel sent a letter stating that there was "insufficient evidence of professional misconduct" and Bar Counsel terminated the investigation.

- (c) Jeffrey Del Fuoco, The Florida Bar (2006):

In 2006, Jeffrey Del Fuoco, a former Assistant United States Attorney, filed a bar complaint against me alleging that I threatened him, a threat he took seriously because of my alleged connections with the leadership of the Irish Republican Army, harassed him, berated him, and illegally leaked information about him to the media. In a letter dated August 24, 2006, Bar Counsel stated that the allegations did not warrant further investigation and closed the file.

- (d) Jeffrey Del Fuoco, The Florida Bar (2009):

Jeffrey Del Fuoco made essentially the same complaint to the bar that he made in 2006. On April 2, 2009, I received a letter from The Florida Bar stating that Bar Counsel found insufficient evidence that I had violated any rules of the Supreme Court of Florida which govern attorney discipline. Accordingly, the file was closed.

On May 8, 2009, I received a second letter from Bar Counsel. Apparently, Mr. Del Fuoco had requested an appeal of the earlier decision. Bar Counsel informed Mr. Del Fuoco that the file would remain closed.

- (e) Thomas Spellissy, The Florida Bar (2009):

I prosecuted Thomas Spellissy for a bribery scheme to defraud the United States. Mr. Spellissy appealed his conviction. The conviction was upheld. He now has filed at least eight post-trial motions for a new trial. All but the last one have been denied. The last filed motion is still pending. He also

has filed an appeal from the denial of one of the post-trial motions. That appeal is also pending.

Recently, Jeffrey Del Fuoco filed an affidavit in the case of Mr. Spellissy. That affidavit was unaccompanied by a motion. In the affidavit, Mr. Del Fuoco stated that I committed prosecutorial misconduct in the trial of Mr. Spellissy. Upon motion of the government, that affidavit was stricken by the court. Thereafter, on May 20, 2009, I received a letter from the Florida Bar stating that Mr. Spellissy has filed a complaint against me. In it, he adopts some of the arguments that were raised by Mr. Del Fuoco in his stricken affidavit. I have not, as yet, responded to Mr. Spellissy's complaint since I just recently received a copy of it.

20. Health

- (a) Excellent
- (b) N/A
- (c) N/A
- (d) N/A

21. Writings

- (a) United States v. Concepcion Mena, et al., Case No. 87-5333, is a multi-defendant case that I tried while an Assistant United States Attorney in the Southern District of Florida. I drafted the attached appellate brief, which would have been reviewed by an appellate lawyer.
- (b) United States v. Carlos Valdes, Case No. 87-5055, is a case that I tried as an Assistant United States Attorney in the Southern District of Florida in which a defendant for the first time was charged and convicted under the Armed Career Criminal statute. I drafted the attached appellate brief, which would have been reviewed by an appellate lawyer.
- (c) People v. Mitchell Green is an appellate brief that I drafted on behalf of a criminal defendant while I was in private practice in New York City. I drafted the brief, and there would not have been any review.
- (d) Joshua Weller and Judith Weller v. Dr. Joseph Tannenbaum, et al., Index # 11984/86, is a medical malpractice panel contention paper that I drafted while in private practice in New York City. I drafted the paper, and there would have been little, if any, review.

- (e) United States v. Audley Evans, et al., Case No. 8:00-CR-75-T-25A, is a response that I drafted in response to a pre-trial motion in a case that I tried as an Assistant United States Attorney in the Middle District of Florida.
- (f) United States v. Thomas Spellissy, et al., Case No. 8:05-CR-475-T-27TGW, is a response that I drafted in response to a pre-trial motion in a case that I tried as an Assistant United States Attorney in the Middle District of Florida.

22. Professional Associations

National Association of Assistant United States Attorneys; Hogan- Morgenthau Associates; New York State Trial Lawyers Association (no longer active); Herbert Goldberg Inns of Court (no longer active); Magistrate Selection Committee (2009).

23. Civic Associations

Gold Shield Foundation

24. Distinctions

IRS Criminal Investigation Chief's Award, July 2008; FBI Certificate of Recognition, Robert S. Mueller, III, Director, November, 2004; FBI Certificate of Recognition, Robert S. Mueller, III, Director, September, 2004; U.S. Department of Housing and Urban Development, Inspector General Kenneth M. Donohue, May, 2004; United States Department of Justice, Drug Enforcement Administration, Caribbean Field Division, San Juan, Puerto Rico, December 17-18, 2001; United States Department of Justice, Federal Bureau of Investigation, 2001; Department of Housing and Urban Development, Office of Inspector General, Award for Excellence, 2000; Yorktown Certificate, The Commissioner of Customs, Raymond W. Kelly, October 15, 1999; United States Department of Justice, For Outstanding Service in the Narcotic and Dangerous Drug Section, Criminal Division, August 15, 1998-September 29, 1999; United States Department of Justice, Special Achievement Award, September 23, 1999; Organized Crime Drug Enforcement Task Force, Certificate of Appreciation, Charles R. Wilson, United States Attorney, October 30, 1995; United States Department of the Treasury, Criminal Investigation, 1994-1995; Federal Investigators Association, Washington, D.C. Chapter, December 4, 1992; Organized Crime Drug Enforcement Task Force, Award for Public Service, Dexter Lehtinen, United States Attorney, February 27, 1990; United States Department of Justice, Drug Enforcement Administration, Certificate of Appreciation, Thomas V. Cash, Special Agent in Charge, Miami Field Division, February 1990; Department of the Treasury, Bureau of Alcohol, Tobacco and

Firearms, Certificate of Appreciation, Robert J. Creighton, Special Agent in Charge, Miami District Office, February 1990; Director's Award for Superior Performance, Director, Executive Office of the United States Attorneys, February 23, 1990; United States Department of Justice, Drug Enforcement Administration, Outstanding Contributions to Operation Eclectic, January 1986-July 1988; Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Certificate of Appreciation, James Brown, Special Agent in Charge, Miami District Office, June 15, 1988; and United States Customs Service, Office of Enforcement, Special Agent in Charge, South Florida Area, February 1988.

25. Community Services

Coaching youth football (Dade County); coaching youth baseball and soccer (Hillsborough County); Project Children (caring for Catholic and Protestant children from Northern Ireland while they reside in the United States for a summer).

27. Tax Liens

N/A

28. Employer Taxes

Yes.

29. Private Club Memberships

N/A

30. Judicial Office

N/A

32. Other Relevant Information

I am not aware of anything else that should be disclosed.

33. References

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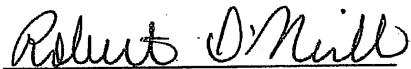
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34. Waiver; Authorization; Signature

I hereby waive any privilege of confidentiality I may have concerning information which the Commission may desire to obtain from any source concerning my qualifications.

I specifically authorize all institutions, organizations, schools, physicians, hospitals, and individuals to make available to the Commission any information concerning me which the Commission may request.



Robert E. O'Neill

June 5, 2009