

December 12, 2014

Paul Killebrew
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U.S. Department of Justice
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Scott Greenwood
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VIA EMAIL

Re: *Expression of Interest and Statement of Qualifications for Independent Monitor
for Albuquerque Police Department*

Dear Mr. Killebrew and Mr. Greenwood:

Thank you for the opportunity to present this Expression of Interest and Statement of Qualifications to serve as the Integrity Monitor for the Albuquerque Police Department (“APD”) in connection with its Settlement Agreement with the U.S. Department of Justice (“DOJ”). If selected, we will serve as the Independent Monitor with a team of lawyers at Baker Hostetler with extensive monitorship, business ethics and compliance, government contracting, vendor integrity and related criminal investigations experience. As former Assistant U.S. Attorneys in the Eastern District of New York, we have extensive experience handling civil rights and police corruption cases, and have supervised a number of government appointed and privately retained monitorships at Baker Hostetler (please see attached statement of qualifications). We will supervise this engagement and will also rely on the support of one of our associates, Dominic Gentile, a retired New York City Police Department Captain.

As set forth in the accompanying proposal, our experience includes several appointments as independent monitor or examiner of non-prosecution and consent agreements between federal, state and local government agencies and private entities, including several financial institutions stemming from the Enron probe, federal anti-money laundering and tax related prosecutions, a New York City labor organization, a New York State municipality and an engineering company engaged in public New York State contracts. Our monitoring engagements have focused on business ethics and compliance programs, government contracting compliance, vendor integrity reviews

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and other operations, financial controls and protocols, as well as investigations of potential corruption and other non-compliance. We believe our extensive monitoring and prosecutorial experience makes us ideally suited to work with the APD. We welcome the opportunity to speak to you further about the upcoming integrity monitoring engagement.

Please feel free to contact me with any additional questions.

Sincerely,


George A. Stamboulidis

BakerHostetler

Expression of Interest and Statement of Qualifications

Proposal to Serve as Independent Monitor for the City of Albuquerque and the Albuquerque Police Department

December 12, 2014

Submitted by:

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Executive Summary and Methodology

BakerHostetler has a knowledgeable and experienced criminal investigations team that makes us highly qualified to serve as the internal compliance monitor for The City of Albuquerque (the “City”) and the Albuquerque Police Department (“APD”). Our firm has been selected on multiple occasions by the U.S. Department of Justice (“DOJ”) and other governmental entities to serve as an independent Monitor or Examiner of compliance with the terms of non-prosecution and consent agreements between the government and various public and private entities.

Members of the BakerHostetler team have prosecuted and investigated numerous criminal cases as former federal and state prosecutors and law enforcement professionals. Our proposed monitors, George Stamboulidis and Lauren Resnick, are both former federal prosecutors. They both served as Assistant United States Attorneys in the Eastern District of New York, while George also served as a federal prosecutor in the Districts of New Mexico and New Jersey. Both George and Lauren have extensive experience handling civil rights and police corruption cases and have supervised many government-appointed monitorships of public and private entities (selected representations referenced below).

George also brings to the table his regional experience as lead prosecutor in *United States v. Wen Ho Lee*. George was selected by the DOJ to act as lead prosecutor (please see DOJ press release in Annex A) to take over the government’s case in New Mexico. The case involved the mishandling of U.S. classified nuclear weapons secrets and was prosecuted in the United States District Court of New Mexico. George worked closely with his colleagues in the U.S. Attorney’s Office of New Mexico, as well as the FBI and other local law enforcement in the area to successfully resolve the case. In addition to Lauren’s experience as a monitor, she served as one of the lead prosecutors in the highly publicized Abner Louima trials, where she coordinated with the Internal Affairs Bureau of the New York City Police Department (“NYPD”) and secured the convictions of the police officers involved in the attack. She has remained actively involved in policing strategy issues as a board member of the New York Crime Commission. The members of the BakerHostetler team have a recognized reputation for integrity, thorough analysis, and sound judgment, giving our team unique insight and experience enforcing compliance procedures and governmental reform.

While over 30 federal monitors have been named by the DOJ since the program’s inception in 1994, BakerHostetler has been appointed as a monitor by the government five times. Our appointments have included:

- Ethical Practices Attorney for Local 14-14B of the International Union of Operating Engineers to eliminate corruption and ensure integrity of union practices.
- Independent Monitor for Merrill Lynch reviewing procedures around complex structured finance transactions.

- Independent Examiner for Bank of New York assessing anti-money laundering program and SAR filing compliance.
- Independent Monitor for Mellon Bank N.A. assessing compliance policies and practices.
- Monitor for Town of Brookhaven waste disposal and landfill practices.
- Independent Reviewer of Siemens Medical Services procurement and government contract procedures.
- Counsel to the court-appointed trustee under SIPA in the liquidation of Bernard L. Madoff Investment Securities LLC.

Our *Chambers USA*-ranked White Collar practice team includes former top federal prosecutors with the DOJ in New York, New Jersey and Washington, DC (four of whom received the Attorney General's Distinguished Services Award), the former top white collar prosecutor in the Manhattan District Attorney's office, a retired New York City police captain, as well as veteran defense attorneys and enforcement officials from the SEC and other federal agencies. Having prosecuted some of the most publicized and complicated criminal cases of the past decade, they understand the investigative process and know how to manage the resources and complexities of major investigations.

Our attorneys regularly advise clients regarding the implementation and testing of compliance programs and other crucial preventative measures. We frequently assist public and private entities with reviews and remediation of their compliance training, procedures and internal controls. Our attorneys are capable investigators, negotiators and advocates who work diligently to protect the reputations of our clients, keeping them out of the headlines and in compliance with today's complex regulatory and statutory requirements. Given the sensitive and highly public nature of this matter, it is our team's goal to work closely with the APD to ensure that the appropriate training, procedures and enforcement strategies required by the Settlement Agreement are implemented and the effectiveness and reputation of the APD is thereby enhanced.

Set forth below is a brief description of the manner in which BakerHostetler would fulfill the duties and responsibilities of the monitorship, including an outline of proposed methodologies to oversee the implementation of reforms called for by the Settlement Agreement.

METHODOLOGIES

Our activities in assessing and reporting on the implementation of the Settlement Agreement will undoubtedly evolve and change based on various factors, including the pace at which reform measures are developed and implemented by the APD and the City. Even though the process of monitoring will therefore remain dynamic, here are our initial thoughts on how we would approach providing the services required under the Settlement Agreement.

A. Immediate Actions

1. Gaining a Deeper Understanding of the Settlement Agreement and Its Antecedents

If selected, we will immediately begin the process of educating the monitoring team of materials that form the basis for the Settlement Agreement, including the DOJ's investigative report, dated April 10, 2014, which contains the facts that underlie the specific reforms mandated by the Settlement Agreement. During this period we plan to meet with the DOJ investigative team that conducted the investigation of the APD to gain a greater perspective on the substantive requirements of the Settlement Agreement.

2. Develop Methods for Gaining Immediate Access to and Securing Information

At the outset, we would develop methods for obtaining access to the information necessary to perform the specific tasks assigned to the monitoring team, including surveying the types and categories of information maintained by the APD. This will ensure that the monitoring team obtains and continues to receive documents necessary to accomplish the monitoring and assessment objectives described in the Settlement Agreement. Initially, we would establish an email network that would facilitate communication between the monitoring team, the APD, the DOJ and the City. However, we believe that an active monitor should seek other sources of information beyond the written data that is available in police reports. Accordingly, we will seek information from other sources to learn the degree to which reform is taking place. This would include communicating with and gaining information from the communities within Albuquerque, the rank and file and executive staff of the APD as well as other relevant stakeholders.

3. Opening Lines of Communication

We believe it is critical to promptly establish lines of communication with all parties to the Settlement Agreement and all key elements of the APD, as well as the full array of external stakeholders. We would immediately establish contact with the DOJ, the City, APD Chief, command staff, Implementation Unit, Force Review Board, and other essential APD personnel. Forging strong and productive relationships with key elements of the APD will greatly enhance our ability to properly implement the terms of the Settlement Agreement and achieve its underlying objectives. In addition, we will want to meet with the personnel responsible for developing the training materials on new and revised policies mandated by the Settlement Agreement.

We believe that regularly scheduled meetings with the APD and DOJ are important to the exchange of information with the monitor and for the parties to have a thorough understanding of the monitoring team's activities and findings. These meetings are especially important for meeting the deadlines established by the Settlement Agreement, and maintaining momentum that might otherwise be lost.

B. Establishing a Monitoring Plan

During the initial 90 days of the monitorship, the monitoring team will formulate a detailed monitoring plan with short-term and long-term goals that include the mandatory elements of the monitoring team's responsibilities as well as additional monitoring tasks that have a high priority based on

information gathered in the initial phase of monitoring. The monitoring plan would also include the steps necessary for conducting the compliance reviews and outcome assessments required by the Settlement Agreement. The APD's policies and procedures as they apply to the use of on-body recording systems would be revised and updated consistent with the requirements of paragraphs 220 through 231 of the Settlement Agreement. A review of the technologies currently available to law enforcement would be undertaken to assess their potential impact on police services. For example, the emergence of enhanced video capabilities for dashboard cameras has the potential to increase officer safety and accountability and reduce agency liability. In addition, within 45 days of the monitoring team's appointment, we would review and recommend any changes to the outcome measures detailed in paragraphs 294 through 299 of the Settlement Agreement.

C. Maintaining a Local Presence

We recognize that the implementation of the Settlement Agreement's reforms must align with the unique culture of the Albuquerque community. We believe that maintaining a local presence is important to achieving the desired results. To help ensure that the details of our monitoring plan are effective in Albuquerque, our team will: 1) maintain a regular presence in the City throughout the monitorship, but especially in the first year, and will continue to maintain whatever presence is necessary to ensure that the goals of the Settlement Agreement are met; 2) soon after our appointment as monitor, meet with and seek input from civic leaders, government officials, religious leaders and other community stakeholders; 3) contemplate the addition of professionals with law enforcement expertise residing in Albuquerque to ensure a local presence and support our local activities.

Personnel

George A. Stamboulidis

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Sources praise his experience as a former member of the DOJ, and comment that he is "very effective in court." He is considered "the complete package."

— *Chambers USA 2013*

Services

- White Collar Defense and Corporate Investigations
- Complex Commercial Litigation
- Corporate Governance
- Foreign Corrupt Practices Act (FCPA)

Prior Positions

- United States Department of Justice
 - Chief of Long Island Division of the U.S. Attorney's Office for the Eastern District of New York (1995 to 2001)
- Selected as the new lead prosecutor in *United States v. Wen Ho Lee*, a case involving mishandling of U.S. classified nuclear weapons secrets. Case was resolved with a felony guilty plea and the defendant's cooperation in September 2000.
- Prosecuted public corruption trial of most powerful Suffolk County political leader.

A seasoned litigator, George Stamboulidis has tried dozens of complex federal jury trials as prosecutor and as defense attorney. Recognized for his experience in the areas of white collar and business defense, George is regularly engaged by corporations, directors, and officers to advise and defend in complex federal grand jury and regulatory investigations. George is trusted for his integrity and sound judgment in corporate monitorship positions and has been appointed a federal monitor an unprecedented four times by the DOJ.

As a result of George's years of experience and unqualified successes as an Assistant United States Attorney in the Eastern District of New York, George was hand selected by the DOJ in 2000 to take over as the lead prosecutor in the government's case in New Mexico against Wen Ho Lee. The case involved mishandling of U.S. classified nuclear weapons secrets in the United States District Court of New Mexico, and George worked closely with his colleagues in the U.S. Attorney's Office of New Mexico, as well as the FBI and other local law enforcement in New Mexico to successfully resolve the case.

Monitorships

- As part of its investigation into the collapse of Enron, the DOJ selected George to serve as the outside independent monitor of Merrill Lynch, at the time the largest firm in the world by capital. Leading a team of attorneys and auditors, George reviewed Merrill Lynch's implementation of policies and procedures governing the integrity of complex structured finance transactions and, in close consultation with both senior management, the Board of Directors and DOJ, made recommendations to optimize policies, controls, and training firm wide.
- The DOJ appointed BakerHostetler to serve as Independent Examiner of the Bank of New York, with George as the principal responsible for the engagement. He led a team of attorneys and forensic auditors in monitoring the bank's suspicious activity, reporting practices and anti-money-laundering procedures, as well as its compliance with related laws and regulations. In addition to the bank, George reported directly to the United States Attorneys' Offices for the Southern and Eastern

Trial and conviction of *United States v. Vincent* "the Chin" Gigante (Genovese crime family boss).

Trial and conviction of the boss of the Colombo crime family.

Conviction of underboss of the Lucchese crime family.

Three-time recipient of DOJ Director's Award for Superior Performance

- o U.S. Attorney's Office, Brooklyn, NY (1990 to 1995)

Organized Crime Section: Deputy Chief and Acting Chief

- o Attorney General's Honor Program; detailed to the Newark Organized Crime Strike Force (1988 to 1990)

- Vera Institute of Justice: Consultant to the South African government on complex criminal justice issues
- Law Clerk to the Honorable Louis C. Bechtle of the U.S. District Court for the Eastern District of Pennsylvania (1986 to 1988)
- Law Clerk to the Honorable Steven F. Lefelt, the Chief Administrative Law Judge, New Jersey (1985 to 1986)

Admissions

- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. District Court, Northern District of New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York
- U.S. District Court, District of New Jersey
- New York
- New Jersey

Education

- Harvard University John F. Kennedy School of Government, 2000, Strategies of Persuasion Executive Education Program
- J.D., Temple University School of Law, 1985
- B.A., State University of New York at Stony Brook, 1982, Phi Beta Kappa

Districts of New York, the Federal Reserve Bank of New York, and the New York State Banking Department.

- Served as the outside independent monitor of Mellon Bank, N.A. (Mellon), by the United States Attorney's Office. George and his team were responsible for oversight of Mellon's compliance with the terms and conditions of a settlement agreement with the U.S. Attorney's Office. This monitorship continued after Mellon's subsequent merger with the Bank of New York.
- As the former prosecutor who convicted corrupt politicians exercising improper influence on the operations of the Town of Brookhaven, when he entered private practice, George was selected by the Town Board to investigate the operation of Brookhaven's landfill and continues to serve as the Monitor for the Town of Brookhaven's Waste Management Department. He reviews applications for access to the landfill and approves haulers and vendors to mitigate the risk of corruption or illegal dumping and prevent fraud.
- In an effort to eradicate organized crime's decades-long infiltration and control of Local 14-14B of the International Union of Operating Engineers, George was appointed by the U.S. District Court for the Eastern District of New York to serve as the Ethical Practices Attorney for the Local. George investigates allegations of misconduct by union officers, members, and employers, commences disciplinary actions to eliminate corruption and the influence of organized crime from the Local, reviews and revises job referrals and other union protocols, and supervises voting procedures and elections for union officers.
- As monitor to one of the world's largest engineering and electronics conglomerates, George and his team provided an independent report to the New York State Comptroller's Office regarding the corporation's internal controls with regard to compliance, government contracting, and procurement systems. The team provided reports and recommendations for action after conducting interviews and testing systems of the organization's medical business.

White Collar Criminal Defense

- Secured complete dismissal of all charges against CEO of a half-billion-dollar nationwide commercial real estate conglomerate charged in a 73-count fraud and money laundering indictment. George's unwavering commitment to establishing his client's innocence resulted in his filing a compelling pretrial dismissal motion, which established that the indictment was obtained through a defective grand jury process. As part of a multi-pronged defense strategy, following the pretrial hearing, the entire indictment was dismissed by the court.
- Obtained full dismissal of a multi-count felony indictment against the president of one of New York City's largest HVAC contractors. George used his extensive knowledge of the New York construction industry to persuade prosecutors that his client was not the proper target of a wide-ranging criminal investigation into corrupt billing practices of general contractors, who exploited subcontractors to overcharge high-end construction clients.

Complex Commercial Litigation

- Obtained federal jury victory for the defense in alleged antitrust price-fixing in the autoparts market.
- Represented corporate entity in a trademark infringement case in which a competing brand filed a lawsuit seeking an injunction barring George's client from using four logos on licensed goods. George worked to level the playing field for his client during the trial, which resulted in a jury unanimously finding three of the four trademarks adopted by the client did not infringe on the opposition's trademark rights.
- Serves as court-appointed counsel to the SIPA Trustee for the liquidation of Bernard L. Madoff Investment Securities LLC.

Recognition

- Chambers USA: White-Collar Crime & Government Investigations in New York (2013, 2014)
- *The Best Lawyers in America*® (2010 to 2015)
 - New York: Criminal Defense: White-Collar
- New York "Super Lawyer" (2006 to 2014)
- Martindale-Hubbell: AV Preeminent
- United States Department of Justice Director's Award for Superior Performance (three-time recipient)



Memberships

- Litigation Counsel of America: Fellow
 - Thomas A. Mesereau Cup Selection Committee: Member
- The Trial Law Institute: Member
- Diversity Law Institute: Member
- Federal Bar Council
- National Association of Criminal Defense Lawyers
- New York County Lawyers Association
- American Bar Association: Advisory Panel
- New York State Bar Association
- Health Care Compliance Association (HCCA)
- Citizens Budget Commission: Board of Trustees

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"[Lauren] provides sound advice - not just legally, but also from the business perspective. She is very strong on compliance and regulatory work."

— *Chambers USA 2014*

Services

- Foreign Corrupt Practices Act (FCPA)
- International Asset Tracing and Recovery
- White Collar Defense and Corporate Investigations
- Complex Commercial Litigation

Industries

- Hedge Fund Industry

Prior Positions

- United States Department of Justice: Assistant U.S. Attorney, Chief of Computer Crimes and Intellectual Property Section, Eastern District of New York
 - Spearheaded DOJ's global initiative to combat electronic crime.
 - Lead prosecutor in high profile civil rights cases, organized crime and business fraud prosecutions.
- Prosecution of Lemrick Nelson for racially motivated fatal stabbing of Yankel Rosenbaum during the 1991 anti-Semitic riots in Crown Heights, Brooklyn.
- Prosecution of NYC police officers for 1997 sexual assault of Abner Louima.

A member of the White Collar and Corporate Investigations team, Lauren Resnick's practice focuses on white collar and commercial litigation. A former Assistant U.S. Attorney for the Eastern District of New York, Computer Crimes and Intellectual Property Section Chief, and two-time recipient of the Department of Justice Director's Award for Superior Performance, Lauren is regularly retained by executive management and audit committees of *Fortune* 500 corporations to conduct internal investigations on FCPA, AML, trade sanctions and OFAC, securities fraud, accounting and employment matters, and to advise on cybercrime issues. She has directed numerous monitorships in connection with BakerHostetler's appointment by the Department of Justice and other governmental agencies to assess compliance at banking institutions, labor unions, corporations and municipalities. A member of the BakerHostetler team serving as Counsel to the Securities Investor Protection Act (SIPA) Trustee for the liquidation of the largest Ponzi scheme in history, Lauren supervises the extensive financial reconstruction of the decades-long operations of Bernard L. Madoff Investment Securities LLC for the ongoing liquidation and litigation proceedings.

Lauren serves as the Firmwide Business Development Partner, providing guidance and direction to ensure that the firm is focused on identifying clients' needs and developing sound solutions to maintain and increase the firm's presence in the legal marketplace.

Experience

Monitorships

- Supervised team enforcing Consent Decree requiring eradication of organized crime influence at operating engineers union, providing oversight to ensure fair job referral and election procedures in connection with firm's appointment as Ethical Practices Attorney for Local 14, 14B.
- Managed team assessing bank's global compliance on data privacy, government contracts, FCPA and other regulatory compliance matters in connection with firm appointment as Monitor of non-prosecution agreement between DOJ and Mellon Bank, N.A.
- Supervised lawyers and forensic specialists reporting directly to the government and banking regulators on the bank's anti-money laundering

- Law Clerk for the Honorable Raymond J. Dearie of the District Court for the Eastern District of New York

Admissions

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

Education

- J.D., Harvard Law School, 1990, *cum laude*
- B.A., Brown University, 1987, *magna cum laude*

compliance program in connection with firm's appointment as Independent Examiner of a non-prosecution agreement between the DOJ and the Bank of New York.

- Managed team of lawyers and forensic specialists assessing the review of complex structured finance transactions and providing recommendations to senior management in connection with BakerHostetler's appointment as Monitor of a non-prosecution agreement between the DOJ and Merrill Lynch & Co., stemming from the Enron probe.

Internal Investigations/Regulatory Compliance

- Advised European-based manufacturing company on U.S. government access to electronic communications maintained in cloud-based storage.
- Conducted comprehensive investigation for audit committee and executive management of international financial services company regarding compliance with OFAC trade sanctions in Iran, Syria, Libya and Cuba. Analyzed anti-money laundering procedures and books and records to advise client on disclosure obligations.
- Conducted FCPA and securities fraud investigations for international financial services company and advised remediation plans.
- Represented international hedge fund accountant in SEC and FSA investigation of accounting and securities practices.

White Collar Criminal Defense

- Primary author of motion to dismiss based on prosecutorial misconduct that secured unprecedented dismissal of 73-count state fraud and money laundering indictment against former CEO of half-billion-dollar commercial real estate conglomerate.
- Represented client in criminal prosecution for wire fraud and money laundering in connection with \$30 million escrowed funds. Obtained favorable disposition following successful litigation of key evidentiary issues for trial.
- Represented multi-jurisdictional senior sales executive in connection with criminal antitrust investigation of auto parts manufacturers by DOJ and European Commission, analyzing criminal and civil exposure.

Complex Commercial Litigation

- Directs a team and oversees the SIPA Trustee's forensic accounting consultants in identifying and analyzing the systems and procedures utilized by Bernard L. Madoff to report fictitious trading. Is core member of strategy team supervising the global investigation and litigation of hundreds of actions seeking recovery of fraudulent transfers for equitable distribution to the defrauded customers filed by the Trustee in the United States Bankruptcy Court for the Southern District of New York against financial institutions, money managers, insiders and sophisticated investors.
- Represented senior government official in *Iqbal v. Ashcroft*, involving constitutional and statutory challenges to the detention policies following the September 11 terrorist attacks, resulting in a favorable U.S. Supreme Court ruling on the pleading standards required to bring

actions in federal court.

Recognition

- Chambers USA: Litigation: White-Collar Crime & Government Investigations in New York (2014)
- *The Best Lawyers in America*® (2010 to 2015)
 - New York: Criminal Defense: White-Collar
- New York "Super Lawyer" (2006 to 2014)
 - "Top 50 Women" (2013, 2014)
- Department of Justice Director's Award for Superior Performance (two-time recipient)



Memberships

- Association of the United States Attorney's Office for the Eastern District of New York: Board Member
- NYC Citizens Crime Commission: Board Member

Additional Team Members



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Dominic assists clients in white collar criminal matters involving investigations of embezzlement and fraud and serves as Counsel to the Securities Investor Protection Act trustee for the liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff in the ongoing liquidation and litigation proceedings.

Dominic is a retired New York City Police Department Captain who served as the Commanding Officer of several police precincts in Manhattan and Brooklyn, where he was responsible for the administration and overall supervision of those commands. Over his twenty-five year police career, Dominic developed and implemented a number of policy initiatives, and monitoring programs designed to track specific areas of police performance. He has extensive experience in the investigation of complaints of excessive force and other police misconduct. As both a precinct commander and detective investigator, Dominic has dealt with the myriad issues surrounding officer involved shootings from on scene coordination to firearms review board determinations. He is a graduate of the FBI National Academy and served in leadership roles with both the Federal Bureau of Investigation and Drug Enforcement Administration task forces.

Memberships

- New York State Bar Association
- New York County Lawyers' Association
- National Law Enforcement Associates
- FBI National Academy Associates

Qualifications

MONITORSHIPS AND INTERNAL CONTROL ASSESSMENTS

BakerHostetler has been selected on multiple occasions by the DOJ and other governmental entities to serve as independent Monitor or Examiner of compliance with the terms of non-prosecution and consent agreements between the government and private entities. In each of these engagements, BakerHostetler has conducted interviews, assessed compliance programs, tested systems and provided detailed written reports of its observations to the government. Our criminal investigations team has the experience necessary to ensure the effective handling of internal investigations so that the essential facts underlying misconduct allegations are uncovered and remediated.

As part of its investigation into the collapse of Enron, the DOJ selected Lauren Resnick, George Stamboulidis and BakerHostetler to serve as the outside independent Monitor of Merrill Lynch, the world's largest securities firm by capital. Pursuant to the non-prosecution agreement, our team reviewed Merrill Lynch's implementation of policies and procedures governing the integrity of complex structured finance transactions and made recommendations to optimize policies, controls and training firmwide.

BakerHostetler was also appointed by the DOJ to serve as Independent Examiner of the Bank of New York with Lauren Resnick and George Stamboulidis as the principal partners responsible for the engagement. In connection with that engagement, our team monitored and assessed the bank's suspicious activity reporting practices, anti-money-laundering procedures, and compliance with related laws and regulations. In May 2007, the U.S. Attorney's Office for the Western District of Pennsylvania selected BakerHostetler to serve as the outside independent Monitor of Mellon Bank, N.A (Mellon) in connection with a settlement agreement resolving the destruction of customer tax returns and vouchers by bank employees. Following Mellon's merger with the Bank of New York, our team was responsible for oversight of Bank of New York Mellon's enhanced governance around its compliance and audit functions and its development of robust protocols and procedures for the firm's key compliance risk areas.

Our team has conducted similar process and compliance assessments with reporting requirements to state and local governmental entities. In 2007, BakerHostetler was asked by Siemens, one of the world's largest conglomerates specializing in electronics, engineering and medical devices, to provide an independent report to the New York State Comptroller's Office regarding a subsidiary's internal controls around government contracting and procurement. Later that year, BakerHostetler was selected by the Town of Brookhaven to serve as Independent Monitor for solid waste contracts. Along with an outside investigative firm, our team monitors contracts and activities between the Town of Brookhaven's Department of Waste Management and suppliers of construction and demolition debris, ash and other waste material.

BakerHostetler recently concluded a five-year term as Ethical Practices Attorney for Local 14-14B of the International Union of Operating Engineers to eradicate corruption and organized crime influence from the union.

Oversight involved investigation of allegations of misconduct by union officers, members and employers, commencement of disciplinary actions to eliminate corruption and the influence of organized crime from Local 14, review and revision of job referral and other union protocols, and supervision of elections.

The firm's White Collar Crime and Corporate Investigations team has and continues to work with various investigative and consulting firms in connection with government-appointed monitorships, internal investigations and controls assessments, and counseling municipal and corporate clients on best practices to optimize policies and procedures. Depending on the specific needs and nature of the monitorship, BakerHostetler will engage a forensic services firm in order to provide the City and APD with the most comprehensive and skilled advisory services possible.

POLICE ENFORCEMENT AND STRATEGY EXPERIENCE

- Representation of New York City Mayor de Blasio (then as Public Advocate and Mayor-Elect) as amicus curiae in a civil rights and public policy federal class action lawsuit *Floyd v. City of New York* against the NYPD and the City of New York challenging the NYPD's stop-and-frisk policing procedures on constitutional and racial discrimination grounds. Supported challenge to the NYPD's policing practices resulting in federal district court decision that the City had systematically violated the civil rights of African-Americans in its use of stop-and-frisk and ordering an extensive remedial program, including installation of a federal monitor for the NYPD, re-writing of patrol guidelines, a pilot program for videotaping encounters between patrol officers and citizens, and other reforms.
- Current board membership on New York Crime Commission providing policing strategy guidance to NYPD.
- Federal investigation and prosecution of police torture case arising from the August 1997 sexual assault of Abner Louima at 70th Precinct stationhouse; officers convicted of assault and conspiracy to obstruct justice.
- Federal investigation of the NYPD Internal Affairs officer in a corruption matter that jeopardized the safety of a NYPD undercover detective during an arson murder investigation.
- On-the-job experience in NYPD as commanding officer of two precincts responsible for administration and supervision, policy initiatives, and monitoring programs designed to track specific areas of police performance, as well as investigations of complaints of excessive force and other police misconduct in some instances leading to institution of disciplinary proceedings or criminal prosecution.
- In a case that received national media attention, BakerHostetler obtained a reversal on appeal of the murder conviction of a 12-year-old boy who had falsely confessed as the result of a coercive interrogation. Subsequently, the team brought a federal civil rights action against a chief county prosecutor and other public officials resulting in a multimillion-dollar settlement for the boy, a letter of

apology signed by three police chiefs, and, ultimately, the chief prosecutor's ouster from office.

- Represented and resolved federal corruption investigation on behalf of senior member of the NYPD. New York State investigation and prosecution of well over 1,000 street crime cases dealing with various allegations of police misconduct and prosecution or departmental disciplinary action as appropriate.

BakerHostetler

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver Houston

Los Angeles New York Orlando Philadelphia Seattle Washington, DC

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ANNEX A



FOR IMMEDIATE RELEASE

AG

THURSDAY, MAY 25, 2000

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JUSTICE DEPARTMENT NAMES LEAD PROSECUTOR
IN CASE AGAINST WEN HO LEE

WASHINGTON - The Justice Department today said that George A. Stamboulidis will be the lead prosecutor in the federal government's case against former Los Alamos engineer Wen Ho Lee. Stamboulidis, a veteran federal prosecutor, will start begin his new post on May 30.

On December 10, 1999, a federal grand jury returned a 59-count indictment against Lee, charging Lee with violations of the Atomic Energy Act of 1954. The indictment alleges that Lee tampered with and concealed classified information related to nuclear weapons while he was employed at the Energy Department's Los Alamos National Laboratory.

Trial is scheduled to begin November 6, 2000, in the U.S. District Court in Albuquerque, New Mexico.

Stamboulidis is a chief in the U.S. Attorney's Office for the Eastern District of New York, where he heads the Long Island offices. For 11 years, Stamboulidis has prosecuted cases in New York involving organized crime, public corruption, drug trafficking, money laundering, and fraud. He joined the U.S. Attorney's Office as an Assistant U.S. Attorney and has served as the Deputy Chief of the Organized Crime Section in that office.

During the 1990's, Stamboulidis won convictions in prosecutions against notorious organized crime figures, including Vincent Gigante, boss of the Genovese Family, and more than two dozen members of the Luchese, Colombo and Gambino crime families. He received the Justice Department Director's Award in 1994, 1995 and 1999 for convicting and imprisoning these criminals.

Stamboulidis also has won convictions in significant prosecutions involving public officials on Long Island. Earlier this month, FBI Director Louis J. Freeh commended Stamboulidis for convicting more than two dozen individuals in a racketeering enterprise involving truck theft and chop shop rings, as well as extortion by political party officers.

In addition, Freeh has also praised Stamboulidis for his key role in investigating and diminishing the influence and viability of the Colombo crime family.

Prior to joining the Justice Department through its Honors Program in 1988, Stamboulidis served as a clerk for U.S. District Judge Louis Bechtle in Philadelphia. Born in Alabama, Mr. Stamboulidis graduated with honors from the State University of New York-Stony Brook and Temple University School of Law.

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Department of Justice

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MERRILL LYNCH MONITOR NAMED

Merrill Lynch Agrees To Appointment Of George A. Stamboulidis

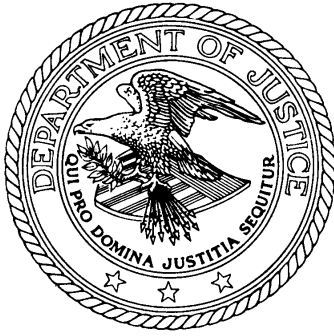
WASHINGTON, D.C. - Assistant Attorney General Christopher Wray of the Criminal Division, Enron Task Force Director Leslie R. Caldwell, and Assistant Director Grant Ashley of the FBI's Criminal Investigative Division announced today that the Department of Justice has chosen George A. Stamboulidis to serve as the outside independent monitor of Merrill Lynch & Co., Inc.

In an agreement reached with the Department of Justice, announced on Sept. 15, 2003, Merrill Lynch accepted responsibility for any criminal conduct by its employees in the firm's dealings with Enron Corp., and agreed to cooperate fully with the continuing Enron investigation. Merrill Lynch also agreed to implement a series of sweeping reforms addressing the integrity of client and third-party transactions. Merrill Lynch agreed that an independent outside monitor would oversee its compliance efforts for a period of 18 months, issuing periodic reports to the Department.

Stamboulidis, a former federal prosecutor in the U.S. Attorney's Office for the Eastern District of New York, has been a partner in the New York office of Baker & Hostetler LLP since 2001. Stamboulidis specializes in white collar and corporate criminal investigations and heads the firm's New York litigation practice. As a federal prosecutor for 13 years, Stamboulidis tried numerous significant criminal cases, including major public corruption and organized crime cases, such as the prosecution of Genovese crime boss Vincent Gigante. Stamboulidis served in various supervisory positions in the United States Attorney's Office for the Eastern District of New York and was a recipient of numerous Justice Department awards.

Stamboulidis will be responsible for reviewing the work of an independent auditing firm that Merrill Lynch will retain to ensure that the agreed-upon reforms are fully implemented and effective. Stamboulidis will report his findings to the Department of Justice, and internally to the General Counsel of Merrill Lynch and its Board of Directors.

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NEWS RELEASE

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MELLON MONITOR NAMED

Mellon Bank Agrees to Appointment of George A. Stamboulidis as Outside Monitor

May 17, 2007 – The United States Attorney’s Office for the Western District of Pennsylvania has chosen George A. Stamboulidis and his team at Baker Hostetler to serve as the outside independent monitor of Mellon Bank, N.A. (Mellon or the Bank), United States Attorney Mary Beth Buchanan announced today .

In an agreement reached with the U.S. Attorney’s Office and announced on August 18, 2006, Mellon accepted responsibility for any criminal conduct by its employees in the firm’s dealings with Financial Management Service and the Internal Revenue Service regarding the April 2001 destruction of more than 77,000 tax returns and payments at the Mellon Client Service Center in Pittsburgh, Pennsylvania. In addition, Mellon agreed to cooperate fully with the government in connection with the investigation into the document destruction. The Bank also agreed to amend its policies and procedures to strengthen its compliance and ethics programs.

Stamboulidis, a former federal prosecutor in the U.S. Attorney’s Office for the Eastern District of New York, has been a partner in the New York office of Baker Hostetler LLP since 2001. Stamboulidis specializes in white collar, corporate investigations, corporate monitoring and complex commercial litigation and heads the firm’s White Collar Crime and Corporate Investigations practice team. As a federal prosecutor for 13 years, Stamboulidis tried numerous significant criminal cases,

including major public corruption and organized crime cases, such as the prosecution of Genovese crime boss Vincent “the Chin” Gigante. Stamboulidis served in various supervisory positions in the United States Attorney’s Office for the Eastern District of New York and was a recipient of numerous Justice Department awards.

As part of its investigation into the collapse of Enron, the U.S. Department of Justice selected Stamboulidis to serve as the outside independent Monitor of Merrill Lynch. Stamboulidis is also leading a team of Baker Hostetler attorneys and auditors from FTI Consulting, as part of Baker Hostetler’s appointment as the Independent Examiner of the Bank of New York, which has announced it will merge with Mellon Bank later this year.

As Monitor of Mellon Bank, Stamboulidis and his team will be responsible for oversight of the Bank’s compliance with the terms and conditions of the August 2006 settlement agreement and will conduct annual assessments of that compliance, providing detailed written reports to the United States Attorney. The monitoring will include an examination of enhancements instituted by Mellon to its compliance and ethics program in accordance with the settlement agreement to optimize the Bank’s policies and procedures concerning government contracts, code of business conduct and ethics training curriculum. In addition to assessing Mellon’s newly centralized compliance and ethics function, Stamboulidis and his team will monitor the Bank’s internal compliance monitoring and audit process to ensure that these review functions are sufficiently robust and independent in their evaluation of business practices. The Monitor’s work will include an analysis of Mellon’s case management system for ethics and compliance matters, trend assessment and escalation process for investigation and personnel action. Stamboulidis will be assisted by Baker Hostetler partners and former federal prosecutors Lauren J. Resnick and John J. Carney as well as auditors from FTI Consulting.

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U.S. Department of Justice

*United States Attorney
Eastern District of New York*

*United States Attorney
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FOR IMMEDIATE RELEASE

April 27, 2006

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PRESS RELEASE

BANK OF NEW YORK EXAMINER NAMED

Law Firm Of Baker & Hostetler, LLP Appointed To Fill Post

ROSLYNN R. MAUSKOPF and MICHAEL J. GARCIA, United States Attorneys for the Eastern and Southern Districts of New York, respectively, announced today that they have appointed the law firm of Baker & Hostetler, LLP, supported by the forensic auditing firm of FTI Consulting, Inc., to serve as the independent examiner of The Bank of New York ("BNY").

The appointment was made pursuant to the terms of the government's agreement with BNY, entered on November 4, 2005. Pursuant to the agreement, BNY agreed to pay \$38 million in penalties and victim compensation to resolve parallel criminal investigations conducted by the United States Attorneys' Offices for the Eastern and Southern Districts of New York of allegations that BNY engaged in crimes involving fraud and money laundering and failed to comply with mandatory reporting obligations under the Bank Secrecy Act. BNY also agreed to implement a series of sweeping internal reforms to ensure compliance with anti-fraud and money-laundering obligations, and be monitored by an independent examiner.

The principal Baker & Hostetler partner responsible for the engagement will be George A. Stamboulidis. Stamboulidis, a former federal prosecutor, has been a partner in the New York office of Baker & Hostetler since 2001, specializing in white collar and corporate criminal investigations. In 2003, the Justice Department named Stamboulidis to serve as independent monitor of Merrill Lynch & Co., Inc., with responsibility for overseeing compliance efforts at that firm mandated by an agreement with the Justice Department arising from Merrill's

dealings with Enron Corp. Stamboulidis will be assisted by Baker & Hostetler partners and former federal prosecutors Lauren J. Resnick and John J. Carney.

Supporting Baker & Hostetler in its role as independent examiner will be the forensic auditing firm of FTI Consulting, Inc., led by Philip H. Stern, a former prosecutor and an expert in forensic investigations and corporate compliance issues. Stern will be assisted by a range of FTI Consulting personnel with extensive experience in compliance and anti-money laundering issues.

As independent examiner, Baker & Hostetler will be responsible for monitoring and reporting to the United States Attorneys' Offices, the Federal Reserve Bank of New York, the New York State Banking Department, and BNY on the state of BNY's suspicious activity reporting practices and anti-money laundering procedures, its compliance with related laws and regulations governing BNY's conduct in these areas, and the efficacy of the remedial measures required to be implemented under BNY's agreement with the government.