

**David C. Shonka**  
Partner  
Redgrave LLP  
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*Curriculum Vitae*

**SUMMARY**

David is widely recognized and respected in both the government and private sector as an authority on all things Information Law. Clients seek David's expertise as they manage issues related to privacy, security, eDiscovery, cross-border data transfers, government civil law enforcement investigations, and information governance. With his outstanding record as a trial and appellate litigator and legal strategist, David is considered a thought leader in the broader legal community.

David's work experience includes:

- Advising on litigated competition and consumer protection cases in the federal district courts
- Trying cases in administrative proceedings
- Representing clients in appellate cases
- Overseeing the revision of the FTC's Rules of Practice pertaining to investigations and administrative litigation
- Speaking frequently on government investigations, privacy, data security, and eDiscovery and information management topics both in the U.S. and abroad
- Serving as an instructor in trial advocacy courses and representing the Federal Trade Commission in technical assistance missions overseas

## **WORK EXPERIENCE**

Redgrave LLP; Washington, D.C.

Partner (May 2018 – present)

Office of General Counsel, Federal Trade Commission; Washington, D.C.

Acting General Counsel / Principal Deputy General Counsel (April 2008 – April 2018)

Assistant General Counsel for Litigation (February 1993 – April 2008)

Senior Trial Attorney (February 1977 – February 1992)

Billig, Sher & Jones, P.C.; Washington, D.C.

Associate (September 1975 – July 1976)

United States Department of Justice; Washington, D.C.

Trial Attorney, Honors Program, Civil Division (August 1972 – September 1975)

## **OTHER APPOINTMENTS AND MEMBERSHIPS**

Member / Senior Fellow, Administrative Conference of the United States (2012 – present)

Member, International Association of Privacy Professionals (2018 – present)

Member, Steering Committee, The Sedona Conference® International Electronic Information Management, Discovery and Disclosure (2013, 2016 – present)

Member, The Sedona Conference® Working Group Addressing Data Security and Privacy Liability (2007 – present)

Member, Steering Committee, The Sedona Conference® Working Group on E-Discovery (2008, 2012 – present)

Chairman, United States Federal Trade Commission's eDiscovery Steering Committee (2006 – 2013)

## **PUBLICATIONS AND OTHER WRITINGS**

Managing Editor, *Maine Law Review* (1971 – 1972)

Published Note on choice-of-law issues, *23 Maine Law Review* 239 (1971)

*The Sedona Conference® Commentary on Privacy and Information Security: Principles and Guidelines for Layers, Law Firms and Other Legal Services Providers* (17 Sedona Conf. Journal 1, 2016)

*The Sedona Conference® Practical In-House Approaches for Cross-Border Discovery & Data Protection* (17 Sedona Conf. Journal 398, 2016)

*The Sedona Conference® International Principles for Addressing Data Protection in Cross-Border Government and Internal Investigations: Principles, Commentary & Best Practices* (19 Sedona Conf. Journal 557, 2018)

*Responding to the Government's Civil Investigations* (15 Sedona Conf. Journal 1, 2014)

*Federal Trade Commission Investigations* (The General Counsel's Guide to Government Investigations, Chapter 9, 2017, Edition 1.0) (with Morgan R. Kennedy)

## **PUBLIC SPEECHES, SEMINARS, AND PRESENTATIONS**

The Sedona Conference® Working Group 11 Annual Meeting 2020 (Denver, Colorado; Upcoming March 18 – 19, 2020)

- Panelist, “U.S. judicial enforcement of orders entered under the EU General Data Protection Regulation (GDPR)” (with Robert Cattanach, Starr Turner Drum, Alex M. Pearce, and Meredith Schultz)

The Sedona Conference® Working Group 6 Annual Meeting 2020 (New York, New York; February 10 – 11, 2020)

- Panelist, “WG6 Town Hall: The second editions of the International Litigation Principles and Practical In-House Approaches for Cross-Border Discovery & Data Protection” (with Denise E. Backhouse, Hon. James C. Francis, Natascha Gerlach, Taylor Hoffman, and Jeanne A. Thomas)

Sandpiper Partners LLC Cybersecurity and Privacy Conference (New York, New York; November 14, 2019)

- Panelist, “Convergence in a World of Increasing Cyber Attacks and Data Breaches Conference” (with Stacey Blaustein, Patrice Ettinger, David Glockner, and Erez Liebermann)

Redgrave LLP Webinar (Chantilly, Virginia; November 12, 2019)

- Speaker, “Getting Ahead of the CCPA: How to Unravel and Master the Complexities” (with Karin Jenson and Ambre McLaughlin)

EDI Fifth Annual Judicial Training Symposium (Incline Village, Nevada; October 15 – 16, 2019)

- Panelist, “Cybersecurity & Data Privacy in Discovery” (with David Kessler, Hon. Beth Freeman, Paul McVoy, and Amy Sellars)

The National Judicial College Meeting (Minneapolis, Minnesota; October 3, 2019)

- Speaker, “Artificial Intelligence Program for Bench and Bar” (with Nicholas Economou)

The Sedona Conference® Working Group 11 Midyear Meeting 2019 (Montreal, QC, Canada; September 18, 2019)

- Moderator, “Government Agency Roundtable” (with Mark T. Bailey, Ryan G. Kriger, and Timothy R. Murphy)

American Bar Association Cross-Border Institute: The Intersection of Global Discovery, Privacy and Data Security (Berlin, Germany; July 26, 2019)

- Moderator, “Handling Cross Border Law Enforcement Search Warrants and Subpoenas for Electronically Stored Information” (with Karsten Behn, Adam Finlay, and Holly Loiseau)

The Sedona Conference® 11<sup>th</sup> Annual International Programme on Cross-Border Data Transfers and Data Protection Laws (Hong Kong; June 17 – 20, 2019)

- Moderator, “Roundtable Discussion of DPAs”
- Moderator, “Panel Discussion on Choice-of-Law”
- Panelist, “Judicial Enforcement of GDPR Orders”

Cleveland-Marshall College of Law 4<sup>th</sup> Annual Cyber Conference (Cleveland, Ohio; May 30, 2019)

- Panelist, “FTC Cybersecurity Security and Privacy Hearings and Proposed Legislation” (with Douglas Meal, Linda Parnes, Brian Ray, and James Trilling)

The Sedona Conference® Working Group 1 Midyear Meeting 2019 (Charlotte, North Carolina; May 2 – 3, 2019)

- Panelist, “Moving Data Overseas: Update on Cross-border Transfer Mechanisms” (with Denise E. Backhouse and Taylor Hoffman)

American Bar Association Section of Labor & Employment Law, National Symposium on Technology in Labor and Employment Law (Chicago, Illinois; April 10 – 12, 2019)

- Panelist, “General Data Protection Regulation (“GDPR”): What is its Impact so Far, and Why U.S. Employers Should Care” (with Reena Bajowala, Michael Borgia, and Martin Tully)

The Sedona Conference® Working Group 11 Annual Meeting (Houston, Texas; February 28 – March 1, 2019)

- Panelist, “U.S. Judicial Enforcement of Orders Entered Under the EU General Data Protection Regulation (GDPR)” (with Hon. Nathan Hecht, Alexander Pearce, Starr Turner Drum, and Eric P. Mandel)
- Moderator and Panelist, “Additional Remedies for Alleged Federal Trade Commission (FTC) Act Section 5 Violations in the Data Security and Privacy Context (with David Cohen, Arianna Evers, and James Trilling)

Practising Law Institute’s Government Investigations 2019: Investigations Arizing From Data Breach and Privacy Concerns and Parallel Proceedings (New York, New York; February 1, 2019)

- Faculty, “Scope and Limits of Government Investigation of a Data Breach (with Paul G. Hayeck and Kathleen A. McGee)

The Sedona Conference® Working Group 6 Annual Meeting 2019 (St. Pete Beach, Florida; January 14 – 15, 2019)

- Moderator and Panelist, “Choice of Law for Data in the International Context” (with Michael Bahar, Dr. Oliver M. Brupbacher, Jarami D. Kemnitz, and Wayne Matus)
- Panelist, “WG6 Town Hall” (with Hon. James C. Francis (ret.), Natascha Gerlach, and Jeane A. Thomas)
- Panelist, “Dawn Raids” (with John Davis, Wayne Matus, Jeane A. Thomas, and David J. White)

American Law Institute Continuing Legal Education Webcast | Telephone Seminar (Washington, D.C.; December 4, 2018)

- Speaker, “U.S. Businesses, GDPR, and Beyond: Practical Guidance for Complying With Evolving Data Security Regulations (with Ron Hedges and Gail Gottehrer)

Electronic Discovery Institute 2018 Judicial Training Symposium (Fort Lauderdale, Florida; November 14, 2018)

- Panelist, “Enabling Effective Rule 26(f) Conferences and Holding Rule 16 Scheduling Conferences to Limit Unnecessary Discovery Disputes” (with Hon. James P. O’Hara, Dena Sharp, Ronni Soloman, and Florence Yee)

New York State Bar Association Continuing Legal Education (New York, New York; November 1, 2018)

- Faculty, “The GDPR Comes to America” (with Ronald J. Hedges, Stacey Blaustein, Todd D. Daubert, and Gail L. Gottehrer)

The Sedona Conference® Webinar (Washington, D.C.; October 30, 2018)

- Panelist, “Information Governance and Defensible Disposition Commentaries” (with Kenneth J. Withers, Tara S. Emory, Robb Snow, and Cheryl Strom)

ARMA Live! 2018 (Anaheim, California; October 22 – 24, 2018)

- Co-Facilitator, Panel Buzz Session “2018 CA Consumer Privacy Act: What It Means for My Organization” (with Susan K. Goodman, John Isaza, and Jason Stearns)
- Presenter, “Leveraging Organizational Goals to Boost Your RIM Program” (with Cheryl Strom)
- Presenter, “Do You Solemnly Swear – IG on the Witness Stand” (with Cheryl Strom)

5th Annual Cyber Warfare Symposium (New York, New York; October 18, 2018)

- Panelist, “Perspectives from the Chairmen” (with Daniel Garrie, Elad Yoran, and Chris Inglis)

Government Investigations & Civil Litigation Institute 4<sup>th</sup> Annual Meeting (Fort Lauderdale, Florida; October 8 – 10, 2018)

- Moderator and Panelist, “The Regulators Always Ring Twice” (with John Berry, Tracy Greer, Burke Kappler, Glenn Melcher, Christine Ryall, and Allison Stanton)

Executive Leaders Radio (Arlington, Virginia; September 26 – 10, 2018)

- Panelist (with Lucinda Crabtree, Rahul Jindal, and Bret Carr)

The Sedona Conference® Working Group on Data Security and Privacy Liability 2018 Midyear Meeting (Los Angeles, California; September 13 – 14, 2018)

- Panelist, “Data Security and Privacy Under the New FTC Commissioners” (with Douglas Meal, Brian Ray, and James Trilling)
- Panelist, “The California Consumer Privacy Act: What Impacts Can be Expected on Companies and Consumers Throughout the U.S.” (with Al Saikali, Jacqueline Quam, Paul Burns, and Lydia de la Torre)

6<sup>th</sup> Annual 930gov Conference and Trade Show for Government IT (Washington, D.C.; August 28, 2018)

- Panelist, “The Way Forward for Records, Data and Information Management” (with Carol Brock, Laurence Brewer, and Sue Trombley)

EY – Americas Executive Conference 2018 (Orlando, Florida; July 30 – August 2, 2018)

- Speaker, Plenary Session, “Global Data Privacy and the Impact on Cross-Border Investigations and Litigation” (with Jeane Thomas, Eric Schwarz, Steve Spiegelhalter, and Heidi Stenberg)

Second Annual American Bar Association Cross-Border Discovery Institute: The Interplay Between EU Data Protection and U.S. Discovery (Brussels, Belgium; July 26 – 27, 2018)

- Panelist, “We are Here to Help: Cross-Border Discovery in Government Investigations” (with Jeane Thomas and Natasha Williams)
- Panelist, “Is the Grass Greener? A Regulator’s Perspective” (with John Bowman, Bruno Gencarelli, Romain Robert, and Ralf Sauer)

Redgrave LLP Webinar (Washington, D.C.; July 5, 2018)

- Speaker, “A Conversation with David Shonka,” addressing data privacy and security trends as well as best practices (with Jonathan M. Redgrave)

The 10<sup>th</sup> Annual Sedona Conference® International Programme on Cross-Border Data Transfers and Data Protection Laws (Budapest, Hungary; June 18 – 19, 2018)

- Panelist, “Cross-Border Data Transfers Case Law Update” (with Hon. Michael M. Baylson, Denise E. Backhouse, Karsten Behn, Jonathan M. Wilan, and Kenneth J. Withers)
- Panelist, “Practical In-House Approaches to Internal Investigations & Cross-Border Regulatory Investigations” (with Conor R. Crowley, Jerone J. English, Claudia Goetz Staehelin, Taylor M. Hoffman, and Peggy Kubicz Hall)

International Legal Technology Associations Legal Section 6<sup>th</sup> Annual Summit 2018 (Crystal City, Virginia; June 12 – 13, 2018)

- Speaker, “Risks for Incoming and Outgoing Data” (with Kelly Farmer and Leigh Issacs)

Deloitte – Electronic Discovery Symposium for Government Agencies: The Future of eDiscovery in the Federal Sector (Washington, D.C.; May 10, 2018)

- Panelist, “The Internet of Things” (with Amy Dov, David Gaston, Kathleen McGee, and Stacy Jackson)

The Sedona Conference® Working Group on e-Discovery (Nashville, Tennessee; May 3 – 4, 2018)

- Panelist, “Sedona Working Group Series – All Publications: Where does WG1 go from here?” (with Kevin Brady, Taylor Hoffman, and Martin Tully)

IPro Innovations 2018, 17<sup>th</sup> Annual Conference – Sedona Track (Scottsdale, Arizona; May 1, 2018)

- Panelist, “Cross-Border Conflicts: Are You Ready for DGPR and Beyond?” (with Emily Fedeles and Jerami D. Kemnitz)

Sandpiper Partners LLC Event Impact Worldwide on Data Protection, Privacy, E-Discovery and Cybersecurity – (New York, New York; April 24, 2018)

- Panelist, “What Does GDPR Mean to Business,” “Enforcement and Litigation,” and “Information and Data Governance” (with Denise Backhouse, Wendy Feldman, Emma Flett, Hon. James C. Francis IV, Taylor Hoffman, Jesse Greene, David J. Kessler, Hon. Andrew J. Peck, Alan Charles Raul, Louis Scharringhausen, Boris Segalis, James Sherer, and Kelli Stenstrom)

Corporate Legal Operations Institute (CLOC) Conference (Las Vegas, Nevada; April 23, 2018)

- Panelist, “Privileges / Protections / Confidential Communications” (with Sheryl Falk, Serge D. Jorgensen, and Gary Tully)

New York University – Corporate Compliance Conference on Cybersecurity (New York, New York; April 6, 2018)

- Panelist, “Government Regulation: Existing Responses and Remaining Concerns” (with Jennifer Arlen, Jason Chipman, Robert Cohen, John Lynch, and Clark Russell)

The Sedona Conference® Working Group 11 – GDPR (Charlotte, North Carolina; March 19 – 21, 2018)

- Roundtable, “The EU General Data Protection Regulation (GDPR): The Practical Data Security and Privacy Impact for Organizations” (with Robert Glasser, Jennifer Hamilton, Rohan Massey, and David Moncure)
- Panelist, “Law Firm Data Security” (with Sheryl Falk, Christopher King, David Moncure, Neil Riemann, and Alexander White)

New York State Bar Association on GDPR (New York, New York; March 13, 2018)

- Panelist, “The GDPR and How It Might Affect the Practice of Law in New York” (with Stacey Blaustein, Todd D. Daubert, Kathy Harman-Stokes, Ronald J. Hedges, and Gail L. Gotterhrer)



NBA – GDPR Transfers (San Diego, California; February 15, 2018)

- Panelist, “Cross-Border Transfers for Litigation and Investigation” (with Cecil A. Lynn)

Practising Law Institute – Government Investigations (New York, New York; February 13, 2018)

- Panelist, “Scope and Limits of Government Investigations of a Data Breach” (with Kathleen McGee, Christina K. McGlosson-Wilson, and Christine Ryall)

EY Conference on Cross-Border Investigations (Carnegie Hall, New York, New York; December 6, 2017)

- Panel Discussion of GDPR (with Eric Schwarz and David Kessler)

Dinsmore Conference of Ohio State Bar Association (Cincinnati, Ohio; December 1, 2017)

- Keynote Speaker, “Protecting Private and Personal Information: Lawyers and Legal Service Industry”

2017 Journal of Law and Cyber Warfare Symposium (New York, New York; November 9, 2017)

- Panel Discussion with Federal Judges, “Perspectives from the Bench”

Electronic Discovery Institute Judicial Training Symposium (Tucson, Arizona; October 10, 2017)

- Panelist, “Cross Border Discovery” (with Hon. Xavier Rodriguez, Natascha Gerlach, Kelli Stenstrom, John Palmer, and David J. Kessler)

Government Investigations & Civil Litigation Institute Annual Meeting (Tucson, Arizona; October 9, 2017)

- Panelist, “The Regulators Always Ring Twice” (with Glenn Melcher, Christine Ryall, Tracy Greer, Allison Stanton)

The First Annual American Bar Association Cross-Border Discovery Institute: The Interplay Between EU Data Protection and U.S. Discovery (Munich, Germany; July 24 – 28, 2017)

- Keynote speaker, “A Discussion about FTC Investigations and Privacy Shield, Its History, Use and Limits”
- Panelist, “Data Protection Authority Roundtable: The Interplay Between EU Data Protection and U.S. Discovery,” (with Alexander Filip and John Bowman)

Ninth Annual Sedona Conference® International Programme on Cross-Border Discovery & Data Protection Laws (County Kildare, Ireland; June 20 – 21, 2017) (Programme Co-Chair)

- Panelist, “The First Year of the EU-US Privacy Shield: What Challenges Lie Ahead?” (with Karsten Behn, Matt Cohen, Natascha Gerlach, Monika Kuschewsky, and Romain Robert,)
- Panelist, “The Extraterritorial Reach of Laws and Law Enforcement Authorities Regarding Electronic Data” (with Karsten Behn, Hon. Helen Dixon, and Hon. Andrew Peck)
- Panelist, “The Sedona Conference® International Investigations Principles” (with Denise E. Backhouse, Hon. Michael M. Baylson, Noelle Lenoir, David Moncure, and David Wallack)

IPro Conference (Sedona Track), (Scottsdale, Arizona; April 25, 2017)

- Panelist, “eDiscovery Without Rules: Responding to Government and Internal Investigations” (with Kevin Brady and Alfred J. Salkali)
- Panelist, “GDPR is Coming: Are Your Cross-Border e-Discovery Ducks Lined Up?” (with Emily Fedeles and Taylor Hoffman)

Sedona Conference® Working Group 11 on Data Security and Privacy Liability 2017 Annual Meeting (Saint Pete Beach, Florida; January 16 – 17, 2017)

- Panelist, “Data Protection Regulator Roundtable” (with Matthew Fitzsimmons and Ernani Magalhaes)
- Panelist, “International Data Security and Privacy Issues Roundtable: What Should be WG11’s focus?” (with Susan Bennett, Matthew Cohen, David Moncure and M. Camila Tobon)

The Sedona Conference® Working Group 1 Electronic Document Retention & Production Annual Meeting (Atlanta, Georgia; October 26 – 27, 2016)

- Panelist, “Protecting Confidential Client Information from Cyber Threats” (with Claudia Morgan, Timothy Opsitnick, and Daniel Regard)

Privacy + Security Forum (Washington, D.C.; October 24 – 26, 2016)

- Panelist, “Working with the New EU Privacy Regime under the EU-U.S. Privacy Shield and the New GDPR” (with Patrick Burke)

Electronic Discovery Institute Leadership Summit (Fort Lauderdale, Florida; October 13 – 14, 2016)

- Panelist, “The Agents of Shield: Working with the New EU Privacy Regime” (with Dori Anne Kuchinsky, Susan Hammond, and Stacy Blaustein)

Electronic Discovery Institute Judicial Training Symposium (Fort Lauderdale, Florida; October 10, 2016)

- Panelist, “The Duty to Preserve Under New Rule 37(e) (with Daniel Girard, Eric Lieber, Hon. Pamela M. Sargent, and John Rosenthal)

The Sedona Conference® Working Group 11 on Data Security and Privacy Liability 2016 Annual Meeting (Redmond, Washington; August 10 – 11, 2016)

- Panelist, “Data Protection Regulator Roundtable” (with Ernani Magalhaes, Joanne McNabb, and Eva H. Novick)

Eighth Annual Sedona Conference® International Programme on Cross-Border Discovery & Data Protection Laws (Berlin, Germany; June 7 – 8, 2016)

- Panelist, “Key Changes to the EU-U.S. Cross-Border Discovery Framework: A practical look at the effects the new European legislation will have on EU-U.S. cross-border transfers in the context of litigation, government investigations, and internal investigations” (with Hon. Michael Baylson, Dr. Alexander Dix, Amor Estaban, David J. Kessler, and Monika Kuschewsky)
- Panelist, “Safe Harbour After the European Court of Justice (ECJ) Ruling: How did we get here and where are we going?” (with Lara Ballard, Alexander Filip, Natascha Gerlach, and Peter Hustinx)

Sandpiper Event: Information Governance, Security and Privacy and Data Analytics Briefing (New York, New York; May 4, 2016)

- Panelist, “Security and Privacy Update” (with Dyan A. Decker, Anthony Diana, Brian Fox, Katherine Goldstein, Richard T. Jacobs, Alan Charles Raul, Lisa J. Soto, and Joseph Steffan)

## **REPRESENTATIVE LITIGATION EXPERIENCE**

*FTC v. Indiana Fed'n of Dentists*, 476 U.S. 447, 106 S. Ct. 2009, 90 L. Ed. 2d 445 (1986)

*FTC v. Boehringer Ingelheim Pharm., Inc.*, 892 F.3d 1264 (D.C. Cir. 2018)

*Soundboard Ass'n v. FTC*, 888 F.3d 1261 (D.C. Cir. 2018)

*FTC v. Advocate Health Care Network*, 841 F.3d 460 (7th Cir. 2016)

*FTC v. AT&T Mobility LLC*, 883 F.3d 848 (9th Cir. 2018)

*FTC v. Penn State Hershey Med. Ctr.*, 838 F.3d 327 (3d Cir. 2016)

*FTC v. Boehringer Ingelheim Pharm., Inc.*, 778 F.3d 142 (D.C. Cir. 2015)

*FTC v. Wyndham Worldwide Corp.*, 799 F.3d 236 (3d Cir. 2015)

*FTC v. BlueHippo Funding, LLC*, 762 F.3d 238 (2d Cir. 2014)

*FTC v. BurnLounge, Inc.*, 753 F.3d 878 (9th Cir. 2014)

*FTC v. W. Union Co.*, 579 F. App'x 55 (2d Cir. 2014)

*FTC v. Lundbeck, Inc.*, 650 F.3d 1236 (8th Cir. 2011)

*Chicago Bridge & Iron Co. N.V. v. FTC*, 534 F.3d 410 (5th Cir. 2008)

*FTC v. Church & Dwight Co.*, 665 F.3d 1312 (D.C. Cir. 2011)

*FTC v. H.J. Heinz Co.*, 246 F.3d 708 (D.C. Cir. 2001)

*Wilson v. Rental Research Servs., Inc.*, 206 F.3d 810 (8th Cir. 2000)(en banc)

*Coca-Cola Bottling Co. of the Sw. v. FTC*, 85 F.3d 1139 (5th Cir. 1996)

*In re Detroit Auto Dealers Ass'n, Inc.*, 84 F.3d 787 (6th Cir. 1996)

*FTC v. Hosp. Bd. of Directors of Lee Cty.*, 38 F.3d 1184 (11th Cir. 1994)

*In re Detroit Auto Dealers Ass'n, Inc.*, 955 F.2d 457 (6th Cir. 1992)

*FTC v. Univ. Health, Inc.*, 938 F.2d 1206 (11th Cir. 1991)

*R.R. Donnelley & Sons Co. v. FTC*, 931 F.2d 430 (7th Cir. 1991)

*W. Texas Transmission, L.P. v. Enron Corp.*, 907 F.2d 1554 (5th Cir. 1990)

*FTC v. Am. Nat. Cellular*, 868 F.2d 315 (9th Cir. 1989)

*FTC v. Elders Grain, Inc.*, 868 F.2d 901 (7th Cir. 1989)

*Flowers Indus., Inc. v. FTC*, 835 F.2d 775 (11th Cir. 1987)

*FTC v. Standard Fin. Mgmt. Corp.*, 830 F.2d 404 (1st Cir. 1987)

*FTC v. Warner Commc'ns Inc.*, 742 F.2d 1156 (9th Cir. 1984)

*Grolier Inc. v. FTC*, 699 F.2d 983 (9th Cir. 1983)

*Equifax Inc. v. FTC*, 678 F.2d 1047 (11th Cir. 1982)

*Tenneco, Inc. v. FTC*, 689 F.2d 346 (2d Cir. 1982)

*Jim Walter Corp. v. FTC*, 625 F.2d 676 (5th Cir. 1980)

*Official Airline Guides, Inc. v. FTC*, 630 F.2d 920 (2d Cir. 1980)

*SCM Corp. v. FTC.*, 612 F.2d 707 (2d Cir. 1980)

*Am. Gen. Ins. Co. v. FTC*, 589 F.2d 462 (9th Cir. 1979)

*Reuben H. Donnelley Corp. v. FTC*, 580 F.2d 264 (7th Cir. 1978)  
*SCM Corp. v. FTC*, 565 F.2d 807 (2d Cir. 1977)

*Indep. Bankers Ass'n of Am. v. Smith*, 402 F. Supp. 207 (D.D.C. 1975), *aff'd*, 534 F.2d 921 (D.C. Cir. 1976)

*FTC v. DIRECTV, Inc.*, No. 15-CV-01129-HSG, 2017 WL 3453376 (N.D. Cal. Aug. 12, 2017)

*Pharm. Research & Mfrs. of Am. v. FTC*, 790 F.3d 198 (D.C. Cir. 2015)

*FTC v. O'Connell Assocs., Inc.*, 828 F. Supp. 165 (E.D.N.Y. 1993)

*Cableamerica Corp. v. FTC*, 795 F. Supp. 1082 (N.D. Ala. 1992)  
*FTC v. Illinois Cereal Mills, Inc.*, 691 F. Supp. 1131 (N.D. Ill. 1988), *aff'd sub nom. FTC v. Elders Grain, Inc.*, 868 F.2d 901 (7th Cir. 1989)

*FTC v. Great Lakes Chem. Corp.*, 528 F. Supp. 84 (N.D. Ill. 1981)

*FTC v. Southland Corp.*, 471 F. Supp. 1 (D.D.C. 1979)

*Inv. Co. Inst. v. Bd. of Governors of Fed. Reserve Sys.*, 398 F. Supp. 725 (D.D.C. 1975), *aff'd*, 551 F.2d 1270 (D.C. Cir. 1977)

*Country Club Bank of Kansas City v. Smith*, 399 F. Supp. 1097 (W.D. Mo. 1975)

*Marcoux v. Mid-States Livestock*, 66 F.R.D. 573 (W.D. Mo. 1975)

*New York Stock Exch., Inc. v. Smith*, 404 F. Supp. 1091 (D.D.C. 1975)  
*Servitron, Inc. v. ICC.*, 380 F. Supp. 1344 (M.D. La. 1974), *aff'd sub nom. Servitron, Inc. v. Interstate Comm'n & U.S.*, 420 U.S. 999, 95 S. Ct. 1440, 43 L. Ed. 2d 758 (1975)

*State of Colo. ex rel. State Banking Bd. v. First Nat. Bank of Fort Collins*, 394 F. Supp. 979 (D. Colo. 1975), *aff'd in part, rev'd in part*, 540 F.2d 497 (10th Cir. 1976)

*Comet Elecs., Inc. v. United States*, 381 F. Supp. 1233 (W.D. Mo. 1974), *aff'd*, 420 U.S. 999, 95 S. Ct. 1439, 43 L. Ed. 2d 758 (1975), and *aff'd sub nom. George T. Cook Co., Inc. v. United*

*States*, 420 U.S. 999, 95 S. Ct. 1440, 43 L. Ed. 2d 758 (1975), and *aff'd sub nom. Trans-Mark Servs., Inc. v. Interstate Commerce Comm'n*, 420 U.S. 999, 95 S. Ct. 1440, 43 L. Ed. 2d 758 (1975)

*First Nat. Bank of Fayetteville v. Smith*, 365 F. Supp. 898 (W.D. Ark. 1973)

## **EDUCATION**

J.D., with honors, University of Maine School of Law (May 1972)

B.A., Economics and English, University of Nebraska (May 1969)

## **BAR AND COURT ADMISSIONS**

Connecticut (1972)

District of Columbia (1976)

United States Supreme Court (1980)

United States District Court for the District of Columbia (1976)

United States Court of Appeals for the First Circuit (1987)

United States Court of Appeals for the Second Circuit (2012)

United States Court of Appeals for the Fifth Circuit (1982)

United States Court of Appeals for the Sixth Circuit (1989)

United States Court of Appeals for the Seventh Circuit (1978)

United States Court of Appeals for the Ninth Circuit (1978)

United States Court of Appeals for the Eleventh Circuit (1987)

United States Court of Appeals for the District of Columbia (1976)