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**Date:** March 27, 2015

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<b>I. Professional</b>	<b>Accrediting Agency or Jurisdiction</b>	<b>Date of Admission</b>
Lawyer	NYS Supreme Court, App. Div. 2 <sup>nd</sup> Dept	April 22, 1975
Lawyer	US District Court, EDNY	May 1975
Lawyer	US District Court, SDNY	June 1975
Lawyer	US Court of Appeals, 2d Cir.	February 1981
Lawyer	US Court of Appeals, 3d Cir.	June 2008
Lawyer	US Court of Appeals, 9th Cir.	May 1980
Lawyer	US Tax Court	June 1984

<b>II. Professional Organization</b>	<b>Date of Admission</b>	<b>Active/Inactive</b>
NYS Bar Association	1975 – current	Active
Qns Cty Bar Association	1975 – current	Active
Nat. Assoc. of Bkptcy Trustees	1984 – current	Active
American Bkptcy Institute:	2014 – current	Active

### **III. General professional experience:**

From May of 1975 through April of 1977, I was associated with Catholic Charities, Diocese of Brooklyn and maintained a *pro bono* practice at 895 Putnam Avenue in Brooklyn. During those years, I concentrated primarily representation of persons unable to afford legal counsel, in a variety of civil, and occasionally criminal, matters.

From April of 1977 through May of 1981, I was an associate at Willkie Farr & Gallagher, in New York, working in civil litigation with an emphasis on federal securities, commodities and anti-trust matters.

Since 1981, while a partner at Yost & O'Connell, in Whitestone, I have represented clients in transactional and litigated matters involving a broad range of state and federal law. I have appeared and argued at the trial and appellate levels of the New York and Federal Courts, and have tried cases to verdict in New York Supreme Court and in Federal District Court. I have appeared in arbitration proceedings before the New York Stock Exchange, in administrative trial proceedings before the Commodities Futures Trading Commission, and in proceedings arising

under canon law, and served as receiver in District Court enforcement proceedings brought by the Federal Trade Commission.

I have maintained an active *pro bono* practice. As the recipient of a Campaign for Human Development grant, I provided legal services without charge to residents of central Brooklyn from 1975 through 1977. I participated for many years in pro bono programs through the Queens County Bar Association and the District and Bankruptcy Courts for the Eastern District of New York. Since 2005, I have been a participating attorney in the Catholic Legal Immigration Network, Inc. (CLINIC), and have represented parties seeking asylum or relief from deportation in appeals before the Board of Immigration Appeals as well as before the United States Court of Appeals for the Third Circuit.

#### **IV. General pertinent experience:**

Please see ¶¶ 3 and 6.

#### **V. Mediation training:**

NYSBA Three Day Commercial Mediation Training program, held at Fordham University School of Law on March 17-19, 2015 (24 hours of Continuing Legal Education credit)..

#### **VI. Pertinent bankruptcy training:**

I first represented debtors, *pro bono*, under the former Bankruptcy Act while practicing in Brooklyn in the mid-1970s. Until retiring from active panel rotation in November of 2014, I served as a Chapter 7 panel trustee in the SDNY since 1984, and in the EDNY since 1989.

I have administered a wide range of bankruptcy estate property, including real estate, patents, copyrights, musical compositions, movies, claims and choses in action, businesses of all kinds, and (in one instance) livestock. As operating trustee in both Chapter 7 and Chapter 11 cases, I have operated residential and commercial real estate businesses, a major midtown Manhattan hotel, a securities firm, professional practices, software companies, restaurants, a 57th Street music club, donut shops and (briefly) a horse farm. Both as debtor's attorney and as Chapter 11 trustee, I have successfully proposed, negotiated and confirmed Chapter 11 plans, and have served as a Chapter 11 examiner.

I have published two articles on bankruptcy law, and have lectured before Bar Association and other professional panels. I have been an attorney, or a party, in litigated matters arising under the Bankruptcy Code, as well as in related areas of state and federal law.

#### **VII. General pertinent business or legal experience:**

Please see ¶¶ 3 and 6.