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By: James Mathis Date: 08-05-2009

U.S. Department of Justice
Civil Division

Deputy Assistant Attorney General

Washington, D.C. 20530

July 13, 1982

MEMORANDUM

TO : Jonathan C. Rose
Assistant Attorney General
Office of Legal Policy

FROM : *RWW* Richard K. Willard
Deputy Assistant Attorney General
Civil Division

SUBJECT: Appointments to U.S. Claims Court

Now that a decision has been made on the Chief Judge, we should proceed to identify candidates for the remaining seats on this court. The Act provides for a 16-member court, with existing commissioners "grandfathered" onto the court until they have completed 15 years of service or until 1986, whichever comes first. Based upon this formula, there will be 3 additional seats to fill on October 1, 1982, which is the effective date of the Act. Chief Judge Daniel Friedman (of the old Court of Claims) has strongly urged that these new judges be nominated and confirmed prior to October 1 if at all possible.

In addition to these 3 initial vacancies, 2 other commissioners will complete their 15 years of service in February and March of 1983. It makes sense to keep in mind that we will need to fill these seats in the near future. There is one other scheduled opening in this Presidential term (March 1984). However, there is a good chance that other judges will resign or retire over the next year or two, thus creating additional openings on the court.

Another factor to consider is the possible appointment to full 15-year terms of some of the existing commissioners whose grandfather terms would expire in 1985 or 1986. This technique creates an offsetting vacancy for each judge so appointed, and thus would permit President Reagan to name both an old and a new judge to full 15-year terms. For this reason, we should evaluate all of the current commissioners for possible reappointment.

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Attached are resumes of 8 possible candidates for the Claims Court:

Moody R. Tidwell III
H. Robert Mayer
K. William O'Connor
John C. Weistart
Robert N. Ford
David M. Cohen
Jane A. Restani
Robert L. Bombaugh

The last four candidates listed above are currently employed in the Civil Division.

Attachments

cc: Kenneth W. Starr
Bruce E. Fein
Carolyn B. Kuhl
John G. Roberts
Charles J. Cooper
Stephen J. Brogan
Timothy J. Finn
Geoffrey S. Stewart
Dennis Mullins

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R E S U M E

MOODY R. TIDWELL III

HOME ADDRESS:



FOIA(b)6

BUSINESS ADDRESS: United States Department of Interior
Office of the Solicitor
18th & C Sts., N.W.
Washington, D.C. 20240
Telephone: (202) 343-4813

EDUCATION

1970-1973 MASTER OF LAWS DEGREE - School of
Graduate Studies in Law, National Law
School, The George Washington University,
Washington, D.C.

1962-1965 JURIS DOCTOR DEGREE - Washington College
of Law, The American University,
Washington, D.C.

1957-1961 BACHELOR OF ARTS DEGREE - Ohio Wesleyan
University, Delaware, Ohio

EMPLOYMENT

1981-Present DEPUTY SOLICITOR
U.S. DEPARTMENT OF THE INTERIOR

1981 COUNSELLOR TO THE SECRETARY OF THE
INTERIOR

1977-1980 ASSOCIATE SOLICITOR, DIVISION OF
MINE SAFETY AND HEALTH, U.S. DEPARTMENT
OF LABOR

1975-1977 ASSOCIATE SOLICITOR, DIVISION OF ENERGY
AND RESOURCES, U.S. DEPARTMENT OF THE
INTERIOR

1973-1975 ASSOCIATE SOLICITOR, DIVISION OF GENERAL
LAW, U.S. DEPARTMENT OF THE INTERIOR

1971-1973 VICE CHAIRMAN AND STAFF DIRECTOR, LEGAL
REMEDIES STUDY GROUP, COMMISSION ON
GOVERNMENT PROCUREMENT

1969-1971 ASSISTANT SOLICITOR FOR PROCUREMENT,
DIVISION OF PROCUREMENT AND PATENTS,
U.S. DEPARTMENT OF THE INTERIOR

1965-1969

ATTORNEY, OFFICE OF THE GENERAL COUNSEL,
U.S. GENERAL ACCOUNTING OFFICE

PERSONAL

DATE OF BIRTH: February 15, 1939

PLACE OF BIRTH: Kansas City, Missouri

MARITAL STATUS: Married, two children

MILITARY STATUS: Honorably discharged in 1966 from the United States Coast Guard

OTHER PROFESSIONAL

RESPONSIBILITIES: Member of the Board of Directors and Corporate Secretary of Keco Industries, Inc.

Member of the Board of Directors and President of Pine Ridge Corporation

Member of the Administrative Conference of the United States

Member of the Committee on Government Patent Policy of the Federal Council on Science and Technology, U.S. Department of Commerce (1973-1975)

Member of U.S. Working Group on Intellectual Property, to implement the U.S./U.S.S.R. Science and Technology Agreements (1974-1977)

REFERENCES:

James G. Watt, Secretary of the Interior

Donald Paul Hodel, Under Secretary of the Interior

William H. Coldiron, Solicitor
U.S. Department of the Interior

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HAJDANE ROBERT MAYER



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PERSONAL DATA

Born: Buffalo, New York; February 21, 1941
Family: Married to Mary Anne (McCurdy)
B.S., Jacksonville State University, Alabama, 1966
Daughters: Anne Christian, 1973; Rebecca Paige, 1975

LEGAL EXPERIENCE

Civilian:

Deputy Special Counsel, Office of the Special Counsel,
United States Merit Systems Protection Board,
June 1981-Present

Special Assistant to the Chief Justice,
Supreme Court of the United States, 1977-80

Law Clerk for the Honorable John D. Butzner, Jr.,
Circuit Judge, United States Court of Appeals
for the Fourth Circuit, 1971-72

" " "
Baker & McKenzie, Washington, D.C.
(Litigation and Corporate), 1980-81

McGuire, Woods & Battle, Charlottesville, Virginia
(Litigation), 1975-77

Lecturer in Trial Advocacy, University of Virginia
School of Law, 1975-77

Military, United States Army:

Acting Staff Judge Advocate; Deputy Staff Judge Advocate
(30 lawyers, 40 support personnel, serving 40,000
person community), 1974-75

Chief Trial Defense Counsel (8 lawyers); Chief of
Criminal Justice Administration (17 lawyers),
1973-74

Prosecution, 1969, 1970

Admitted:

Supreme Court of the United States; Supreme Court of
Virginia; District of Columbia Court of Appeals

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HALDANE ROBERT MAYER
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LEGAL EDUCATION

Law School:

College of William and Mary, Williamsburg, Virginia, 1971;
First in Class

Honors:

Editor-in-Chief, *William and Mary Law Review*, 1970-71
William A.R. Goodwin Scholarships, 1969-71
West Publishing Company Scholarship Award, 1969, 1970
American Jurisprudence Awards:
Corporation Law
Torts
Creditor's Rights and Debtor's Remedies
Award, Outstanding Law Review Candidate, 1969
Omicron Delta Kappa National Leadership Society

Published:

Note, *Preventive Detention and the Proposed Amendment to
the Ball Reform Act of 1966*, 11 Wm. & Mary L. Rev.
525; Comments, 11 Wm. & Mary L. Rev. 261; 10 Wm. &
Mary L. Rev. 767 and 997 (1969)

UNDERGRADUATE EDUCATION

United States Military Academy, West Point, New York,
Bachelor of Science, 1963

MILITARY SERVICE

Assignments, 1963-68:

Electronics Engineer; Troop Commander; Staff Officer;
Military Advisor, Vietnam

Current:

Major, United States Army Reserve (Trial Judiciary)

Awards and Decorations:

Bronze Star Medal; Two Army Commendation Medals; Combat
Infantryman Badge; Campaign and Service Ribbons;
Ranger Tab; Parachutist Badge; Ranger Combat Badge

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BIO SHEET

Personal

Name: K. William O'Connor Age: 50

Marital Status: Married, 4 adult children

Professional

Attended college on NROTC scholarship 1949-52; Graduated from University of Virginia (BA) in 1952 and commissioned Second Lieutenant, USMC; served in Marine Corps as infantry officer in Japan and Korea, discharged in May 1955 as First Lieutenant, USMCR.

Attended law school at University of Virginia; passed bar exam 1957, graduated (LLB) in 1958; law clerk to Chief Judge, U.S. District Court, Western District of Virginia 1958-1959; private practice in Washington, D.C. 1959-1961.

Appointed as trial attorney, Criminal Tax Section, Tax Division, 1961-1964; detailed to Civil Rights Division, 1964-1965; and then to OEO/Job Corps in 1965.

Transferred to Job Corps as Chief of Survey and Review (an inspector general like function) 1966; promoted to Deputy Director, Men's Centers, Job Corps.

Reappointed to Justice Department, Civil Rights Division as Assistant for Title VII litigation, 1967; Chief of Criminal Section, Civil Rights Division, 1970; Principal Deputy Assistant Attorney General for Civil Rights, 1971-75; Special Counsel for Intelligence Coordination, 1975.

Left government service August, 1975, to become Vice President and Counsel to AMPTP, Los Angeles, California, 1975-76.

Appointed Associate Justice and then Chief Justice of American Samoa, 1976-78; returned to United States in 1978.

Reappointed at Department of Justice as a senior trial attorney, GSA Task Force, Criminal Division, 1978-80; Appointed Special Counsel, Interagency Coordination and Staff Director, President's Executive Group, 1980-81.

Appointed Inspector General of Community Services Administration, 1981.

Member of Bars of Virginia, District of Columbia, California, American Samoa; and of various Federal courts and boards.

Received various awards and commendations from DOJ for trial work and management and from Judges of the U.S. District Courts, for exceptional trial presentations.

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K. William O'Connor - Attorney/Manager

SUMMARY OF BACKGROUND

Federal Sector

- o Inspector General of CSA, appointed by President Reagan
 - Member, President's Council on Integrity and Efficiency in Government
 - Member, Law Enforcement Committee of President's Council
- o Special Counsel/Interagency Coordination (for Presidential Council on Inspector General Program)
- o Federal Prosecutor - White Collar Fraud and Tax Racketeering (six years)
- o Territorial Chief Justice (Appointed by Secretary Kleppe) (two years)
- o Special Counsel for Intelligence Coordination (Appointed by Attorney General Levi)
- o Principal Deputy Assistant Attorney General, CRD/DOJ (Appointed by Attorney General Mitchell) (four years)
- o Section Chief, Criminal Section, CRD/DOJ (Appointed by Attorney General Mitchell) (one year)
- o Senior Law Clerk to Honorable Roby Thoupson, Chief, U.S. District Judge for Western District of Virginia

Private Sector

- o Vice President and Counsel, Association of Motion Picture and Television Producers, Hollywood, California
- o Private practice of law - Washington, D.C. and Virginia (1959 - 61)

Political

- o Attorney Volunteer, Nixon-Lodge Campaign (1960)

Other

- o Member of Virginia, Washington, D.C., California, American Samoa, Bars
- o Two foreign languages (Samoan and French)
- o U.S. Marine Corps Officer; Korea-1952-55 (two years overseas)

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RESUME OF

JOHN C. WEISTART
Professor of Law
School of Law, Duke University

Personal Information: 37 years old; married; two children

Office Address: School of Law, Duke University,
Durham, North Carolina 27706

Telephone: Office (919) 684-3493 Home

Education:

Law School: J.D., School of Law, Duke University, 1968.
Order of the Coif; Editor-in-Chief, Duke Law Journal

Undergraduate: B.A., Illinois Wesleyan University, 1965.
Salutatorian; Student Body President; academic
honorary

Bar Admission: Illinois, 1968; North Carolina 1970

Other Teaching
Positions: Visiting Professor at the law schools of the
University of Michigan (Summer 1980); Harvard
University (1979); University of Virginia
(1978); University of California at Los Angeles
(1974)

Judicial Clerkship: Walter V. Schaeffer
Justice, Supreme Court of Illinois (1968)

Law Firm: Sidley & Austin, Chicago, Illinois (1968)

Areas of Teaching
& Research: Commercial Law; Regulation of Business; Con-
sumer Transactions; Labor Law (also contracts,
labor and antitrust issues in the sports in-
dustry)

Publications:

Commercial Law -- Contracts

The Allocative Effects of Commercial Law: Comments on *Butner v. United States* (monograph, Center for Law & Economics, Emory University)

The Costs of Bankruptcy, 41 Law and Contemporary Problems 107 (1977)

Requirements and Output Contracts Under the UCC: Limitations on Quantity Variations, 1973 Duke Law Journal 599

Consumer Protection in the Credit Card Industry: Federal Legislative Controls, 70 Michigan Law Review 1475 (1972)

The Interactions of Constitutional Privilege and Statutory Immunity in Bankruptcy Examinations, 53 Minnesota Law Review 29 (1968)

Athletics Industry

Book, The Law of Sports (1979, with Cym H. Lowell) (1200 pp.)

Antitrust Issues in the Regulation of College Sports, in Symposium on Postsecondary Athletics and the Law, 5 Journal of College & University Law 77 (1978-79)

Player Discipline in Professional Sports: The Antitrust Issues, 18 William & Mary Law Review 703 (1977)

Labor

Cases and Materials on Internal Union Affairs (Mimeo)

Employer Uses of Labor's Antitrust Exemption: The Learning of the Sports Cases (forthcoming, Law & Contemporary Problems)

Book Review, Wellington, Labor and the Legal Process, 1969 Duke Law Journal 1313

Selected Professional Activities:

Editor, Law & Contemporary Problems (1969-73); American Developments
Editor, Journal of Business Law (London, 1969-73)

Participant, First Summer Institute on Law & Economics, University of Rochester, 1971

Paper, Conference on the Economics of Bankruptcy Reform, Center for Law & Economics, University of Miami, 1976

Panelist, Seminar on the Economics of Electronic Funds Transfer, Center for Law & Economics, University of Miami, 1977

Consultant, Federal Reserve Board concerning FRB regulations under the Fair Credit Billing Act (1975-76)

Testimony Before Federal Trade Commission on Proposed Rule on Preservation of Consumer Defenses in Credit Transactions, March 12, 1973

Testimony on the Fair Credit Billing Act (S. 914 & S. 1630) before the Committee on Consumer Credit, United States Senate Committee on Banking, Housing & Urban Affairs, May 21, 1973

Consultant with Federal Reserve Board concerning litigation on new FRB rule to extend federal credit card statute to business credit cards (January 1973)

Background paper for North Carolina Bar Association Consumer Education Project: "Credit Cards in Consumer Transactions" (June 1973)

Student materials on sales warranties for North Carolina Bar Association Consumer Education Project (August 1973)

Speeches:

American Bar Association Forum on Entertainment and Sports Law; North Carolina Bar Association; South Carolina Bar Association; local bar association; Symposium, Syracuse University

References:

A. Kenneth Pye
Chancellor, Duke University
Durham, North Carolina 27706

Terrance Sandalow
Dean, School of Law
University of Michigan
Ann Arbor, Michigan 48109

The Honorable Joseph T. Sneed
United States Court of Appeals
Post Office Box 547
San Francisco, California 94101

1. Full name and social security number.

Robert Nelson Ford


2. Office and home addresses, zip codes, telephone numbers and area codes. (Name of law firm, if associated.)

Office: Room 3143
U.S. Department of Justice
Civil Division
(202) 633-3333

Home: 

3. Date and place of birth.

January 20, 1929
Washington, D.C.

4. Are you a naturalized citizen? If so, give date and place of naturalization.

No.

5. Family status:

a) State whether you are single, married, widowed, or divorced. If married, state the date of marriage and your spouse's full name.

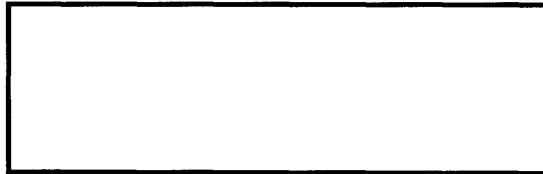
Married to former Ann Eleanor Graninger
on April 26, 1951 in Rockville, Maryland.

b) If divorced, state the date, the name of the moving party, the court, and the grounds.

Not applicable.


c) Names of your children, with age, address and present occupation of each.





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6. Have you had any military service? If so, give dates, branch of service, rank, serial number and present status. If discharged, state character of discharge.

Aviation Cadet - 
U.S. Navy, Pensacola, Florida
From April-December, 1951
Honorably Discharged

For about two years, I was a member of the 163rd Military Police Battalion of the District of Columbia National Guard (Serial No. 22-919-184) from which I was honorably discharged on September 1, 1950.

7. List each college and law school you attended, including dates of attendance, the degrees awarded and, if you left any institution without receiving a degree, the reason for leaving. Include the following:

a) College - major academic achievements and other significant activities:

The George Washington University from summer 1946 until June, 1949. I was suspended for poor scholarship. I then attended Montgomery Junior College to make up the subjects I failed at George Washington and was re-admitted to George Washington in September, 1949. In May, 1950, I received my A.A. from George Washington. After returning from the Navy, I enrolled in night school and received my A.B. in November, 1952.

b) Law School - major academic and other activities (e.g., Coif, Law Review, moot court, etc.)

I entered night law school at George Washington in the fall of 1963, attended class five nights a week, year round, and graduated with honors, sixth in my class of eighty, on February 22, 1967. I was inducted into the Order of the Coif on April 15, 1967.

While in law school, I participated in the Van Vleck moot court appellate arguments.

8. List all courts in which you have been admitted to practice, with dates of admission. Give the same information for administrative bodies which require special admission to practice.

Court of Appeals of Maryland	November 17, 1967
U.S. Tax Court	November 29, 1967
District of Columbia Court of General Sessions (now D.C. Superior Court)	January 29, 1968*
U.S. District Court for the District of Columbia	May 20, 1968
U.S. Court of Appeals for the D.C. Circuit	November 27, 1968
U.S. District Court for the Eastern District of Kentucky	December 22, 1969
U.S. Court of Claims	July 9, 1971
U.S. Supreme Court	May 30, 1972

*Under the D.C. Court Reorganization Act, all members of the bar of the Court of General Sessions were automatically admitted to practice before the newly created District of Columbia Court of Appeals effective April 1, 1972. See Title II, D.C. Code, § 2501.

9. Describe chronologically your legal and other experience since your graduation from law school, including:

- a) whether you served as law clerk to a judge, and if so, the name of the judge, the court, and the dates of the period you were a clerk.

Not applicable.

- b) whether you practiced law alone, and if so, the addresses and the dates.

Not applicable.

- c) the dates, names and addresses of law firms or offices, companies, governmental agencies, or other organizations with which you have been connected, and the nature of your connection with each.

Graduated from law school on February 22, 1967, and joined the U.S. Department of Justice through the Attorney General's Honor Law Graduate Program on April 4, 1967. I was assigned to the General Litigation Section of the Civil Division as a Legal Assistant Attorney Trainee until I was admitted to the bar. After passing the Maryland and District of Columbia bar examinations and being admitted to practice in Maryland and the District of Columbia, I became a "General Attorney" on November 20, 1967.

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On July 25, 1971, I was reassigned to the Civil Division's Renegotiation Unit to try cases against defense contractors under the Renegotiation Act of 1951. When jurisdiction over renegotiation cases was transferred from the Tax Court to the Court of Claims, I was reassigned to the Court of Claims Section.

On November 10, 1974, I was promoted to the position of Assistant Chief of the Civil Division's General Litigation Section. I served there until June 20, 1975, when I was hired by U.S. Attorney Earl J. Silbert to be the Chief of his Civil Division in the District of Columbia.

In October of 1978, then Associate Attorney General Michael J. Egan asked me to return to Main Justice as Counselor to the Associate Attorney General and I did so. When John H. Shenefield became Associate Attorney General, he selected me to serve as his principal Deputy. When a Deputy Assistant Attorney General vacancy occurred in the Civil Division, I asked the Deputy Attorney General if I could apply for that job and he gave it to me subject to concurrence by the incoming Assistant Attorney General.

d) law teaching experience, including name of law school, dates, courses, and faculty rank.

For the last three years, I have taught Evidence to paralegal students for the Conferences and Institutes Division of the University of Maryland University College.

10. a) If you have practiced law, what was or has been the general character of your practice, dividing it into periods with dates if its character has changed over the years?

From April, 1967, when I joined the Department of Justice until 1971 when I began to specialize in renegotiation cases, I practiced a wide variety of civil law for the United States. In addition to normal civil litigation, I argued several Constitutional cases before three judge district courts and appeared before the Judicial Panel on Multidistrict Litigation.

In 1970, I was assigned to try three major Renegotiation Act cases against Grumman Aerospace Corp., North American Aviation and McDonnell Douglas Corp. All three settled before trial with multi-million dollar recoveries for the U.S. (the McDonnell settlement alone

was for \$42 million), and I continued to try renegotiation cases. I tried the first such case ever tried in the Court of Claims, A.C. Ball Co. v. U.S., 531 F.2d 993 (Ct. Cl. 1976).

In June, 1974, then Assistant Attorney General Carla A. Hills promoted me to be the Assistant Chief of the Civil Division's General Litigation Section. In this capacity, I supervised a dozen trial attorneys who handled a wide variety of civil litigation and monitored civil cases being handled by Assistant U.S. Attorneys all over the country. In addition to supervisory litigation, I participated in training seminars for young attorneys such as the Attorney General's Advocacy Institute and helped write the first editions of the Civil Division Practice Manual.

In July, 1975, I became Chief of the Civil Division in the Office of the United States Attorney for the District of Columbia. Here I supervised an office of up to 34 trial attorneys and 20 support personnel, one of the largest Civil Divisions in any U.S. Attorney's Office. I handled personally or supervised some of the most complex and significant civil litigation brought by or against the United States. The cases included litigation under the Federal Tort Claims Act, Freedom of Information Act, Privacy Act, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, challenges to the constitutionality of various statutes, "Bivens" type suits against federal officials in their individual capacities, contract cases, etc.

- b) Describe your typical clients or former clients, and mention the areas, if any, in which you have specialized.

My clients have been the United States, its Agencies and Departments and officials or former officials thereof who have been sued in either their official or personal capacities.

For several years, I specialized in litigation under the Renegotiation Act of 1951 against government contractors found by the Renegotiation Board to have made "excessive profits" on their government contracts. These cases were tried in the Tax court until jurisdiction over the Act was transferred to the Court of Claims in 1971.

11. With respect to the last five years (or the last five years in which you practiced law):

- a) Did you appear in court regularly, occasionally or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof.

Since I joined the staff of the Associate Attorney General in October of 1978, I have not appeared in court. My job was to advise and counsel the Associate Attorney General, and the Attorney General upon request, on the legal merits and policy problems of cases being handled by the litigating divisions and U.S. Attorneys. I was called upon to recommend litigation strategy and policy concerning the cases in which the Department is representing the United States, its agencies, departments or officials.

When I was Chief of the Civil Division in the U.S. Attorney's Office in the District of Columbia, I regularly appeared in court every week, either on cases of my own or to advise and support the Assistant U.S. Attorneys I supervised. During my tenure in this office, I was involved in some degree in almost all of the civil litigation. To illustrate the variety and volume of litigation I handled and supervised, I have attached a copy of my final annual report to the U.S. Attorney. (See Tab A.)

As Deputy Assistant Attorney General in the Civil Division, I hope to be able to handle major civil arguments from time to time.

- b) What percentage of these appearances was in

- 1) Federal courts.

100%

- 2) State courts of record.

0%

- 3) Other courts.

0%

- c) What percentage of your litigation was

- 1) Civil

100%

- 2) Criminal

0%

NAME: David M. Cohen

POSITION: Branch Director (Customs)
ES-4 - Career

LOCATION: Commercial Litigation Branch, Civil Division

EDUCATION: A.B., University of Illinois, 1962
J.D., University of Illinois, 1964

Mr. Cohen has served as one of the Branch Directors of the Commercial Litigation Branch since 1978. He is the litigative specialist in the area of customs litigation, which involves challenges by importers (and, in some cases, American manufacturers, producers and wholesalers) to the appraisement or classification of imported merchandise and the resulting duties. He directs the attorneys under his supervision concerning all aspects of their work and advises them regarding new program orientations and directives. Mr. Cohen personally handles the most difficult and precedent-setting cases. He also assists in the formulation of the Department's position concerning legislation which affects the ~~Federal Programs~~ ^{Commercial Litigation} Branch and in proposing legislation for submission to the Congress. He confers with and advises the officials of the agencies connected with ~~Federal Programs~~ ^{Commercial} litigation. In addition, Mr. Cohen participates in the planning and implementation of new policies and organizational changes which affect the Branch and the Division. This position also requires participation in collegial decisions involving the management processes of personnel, budget resources and professional development of approximately 185 employees.

After graduating from law school, Mr. Cohen served from 1964 to 1970 as an Assistant Professor and Professor of Law at the University of Pittsburgh. He left that position to serve for a year as a Legislative Assistant to Senator Charles H. Percy and a year as an Administrative Assistant to Representative James H. Scheuer. He worked for a short period in 1972-1973 as an attorney for the National Senior Citizens Law Center. Mr. Cohen entered the Appellate Section of the Civil Division as a Trial Attorney in June 1973 and was promoted to Chief of the Customs Section (New York) in 1976. In 1978, he was reassigned to the position of Branch Director (Customs), Federal Programs Branch. In 1979, because of organizational changes in the Division, the position was transferred to the Commercial Litigation Branch. Mr. Cohen has been the recipient of various honors, including numerous letters of commendation and appreciation regarding his casework with the Department of Justice. He was instrumental in proposing legislation designed to modernize and reform the jurisdictional provisions affecting the Customs Court, which led to the passage of S.1654 and the establishment of the Court of International Trade.

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Jane A. Restani

Admitted to practice in California December 28, 1973



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Office - (202) 724-7179

Personal Data

Born: February 27, 1948
Health: Excellent
Marital Status: Single

Education

J.D. University of California at Davis, June 1973; Order of the Coif; 5th in class; Law Review Staff Writer (1971-1972); Articles Editor (1972-1973).

A.B. with honors in Political Science, University of California at Berkeley, September 1969; Tower and Flame Honor Society; Education Credential, June 1970.

Graduated from Mercy High School, San Francisco, California, June 1966, 1st in class.

Professional Experience

Director, Commercial Litigation Branch, Civil Division, Department of Justice, Washington, D.C. 20530, from April 1980 to present.

Assistant Director, Commercial Litigation Branch, Civil Division, Department of Justice, Washington, D.C. 20530, from September 1976 to April 1980 (formerly, position was entitled "Assistant Chief, Commercial Litigation Section").

Trial Attorney, Commercial Litigation Section (formerly, General Claims Section), Civil Division, Department of Justice, Washington, D.C. 20530, from September 1973 to September 1976.

Professional Honors and Activities

Member, Bankruptcy-Consumer and Commercial Subcommittee of the Corporation, Banking and Business Law Committee of the American Bar Association; Senior Executive Service Outstanding Performance

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Rating, September 1981; Civil Division Performance Award, May 1980; Meritorious Award, December 1979; Outstanding Performance Rating, March 1979; Department of Justice Special Achievement Award, October 1976; Attorney General's Special Commendation, December 1975; Guest Lecturer on Debtor-Creditor Law, Antioch Law School; Author, "Bankruptcy," Civil Division Practice Manual.

Description of Work Experience

Supervisory and direct responsibility for cases in litigation in the fraud, bankruptcy and contract areas; office management; hiring, promotion and training of attorneys; coordination of nationwide litigation programs, specifically, civil fraud litigation, railroad reorganization litigation, HEW student loan default claims and VA educational assistance claims. Supervision of part of the work of various attorneys dealing with affirmative and defensive contract litigation in Federal District Court, Court of Claims cases, foreclosures, bankruptcy, railroad reorganization, renegotiation, customs, grant programs and various other Government programs. Presently supervise 20 attorneys full time specializing in civil fraud, also supervise part of the work of approximately 50 attorneys. Federal Court cases for which I have or had direct responsibility include:

- (1) Litigation before the Special Court established by the Regional Rail Reorganization Act of 1973 dealing with valuation of rail properties transferred to the United States;
- (2) Reorganization proceedings of Penn Central Corp., Lehigh Valley Railroad, Reading Railroad and Erie Lackawanna Railroad;
- (3) Government National Mortgage Association v. Scanlon (D. Miss.), which involved a bankruptcy trustee's claim to \$69,000,000 in Government mortgages;
- (4) General Trust v. New England Merchants Bank (D. Mass.), a suit for damages and to enjoin issuance of \$50,000,000 of Government securities;
- (5) Defense Department bankruptcy matters including In Re Murdock Machine and Engineering Company (D. Utah), and Morweld Steel Products Corporation (W.D. Mich.);
- (6) U.S. v. Peoples Temple (N.D. Cal.), a suit to recover costs of State and Defense Department activities in Guyana in November 1978;
- (7) WPPSS AND U.S. v. Arkwright-Boston (E.D. Wash.), a suit to recover damages for loss of power arising out of massive electric generating turbine failures.

Jane A. Restani

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My practice has involved trials in State and Federal courts, Court of Claims briefs, appellate briefs, numerous motions and arguments, extensive discovery and pretrial practice, and settlement negotiation. I have also provided advice to various Government agencies on bankruptcy and bond questions.

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ROBERT L. BOMBAUGH

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Education

A.B., 1957, Harvard University (Economics - cum laude)

J.D., 1960, University of Michigan Law School
Order of Coif; Assistant Editor, Michigan Law Review;
Clarence M. Burton Memorial Award; Research Assistant
to Professors Marc Plant and Alfred Conard

Bar Admission

Illinois

Application pending in the District of Columbia

Prior Experience

Vice President, Richard J. Barber Associates, Inc.
(Economic Counsel) 1979-1980

Partner, Jenner & Block, Chicago, Illinois, 1970-1979

Special Counsel, U.S. Department of Transportation,
Auto Insurance Study, 1969-1970

Associate, Jenner & Block, 1960-1969

Government Consultancies

U.S. Department of Transportation, Auto Insurance
Study, 1968-1969 and 1970-1971

Project Manager, Special Committee on Uniform Motor
Vehicle Accident Reparations Act, National Conference
of Commissioners on Uniform State Laws, 1971-1973

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Publications

Conard, Morgan, Pratt, Voltz and Bombaugh, Automobile Accident Costs and Payments: Studies in the Economics of Injury Reparation, University of Michigan Press (1964)

U.S. Department of Transportation, "Auto Personal Injury Claims," (1970)

"Economic Significance of Loss Shifting," 28 Journal of Insurance, No. 4, p. 13 (December, 1961)

"The Department of Transportation's Auto Insurance Study and Auto Accident Compensation Reform," 71 Colum. L. Rev. 207 (1971)

Smith-Hurd Ill. Ann. Stats., Historical Practise Notes to Articles 3,4,5 and 7 of the Illinois Uniform Commercial Code

"U.M.V.A.R.A.: Key to Reform of Accident Reparations, 59 A.B.A.J. 45 (1973)

"Article 5 - Letters of Credit," 50 Ill. B.J. 600 (1962)

"Representing the Lender in a Commercial Transaction," Attorney's Guide to Negotiations (Ill. Inst. for CLE, 1979)

Principal Legal Experience

Business litigation including antitrust and securities litigation
Bankruptcy and Railroad Reorganizations
Banking and Commercial Law
Commercial Real Estate Development
Corporate Acquisitions
Public Utilities
Insurance

Professional Associations

American Bar Association
Illinois State Bar Association

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Chicago Bar Association
American Economic Association
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