

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name:** State full name (include any former names used).

Tristram J. Coffin

2. **Position:** State the position for which you have been nominated.

United States Attorney for the District of Vermont

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office:

Paul Frank & Collins P.C.

1 Church Street

P.O. Box 1307

Burlington, Vermont 05402-1307

Residence:

Hinesburg, Vermont

4. **Birthplace:** State date and place of birth.

1963. Camp Lejeune, North Carolina

5. **Education:** List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Columbia University School of Law, 1986-1989, J.D. received June 1989

Wesleyan University, 1981-1985, B.A. received June 1985

6. **Employment Record:** List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

Paul Frank & Collins P.C.

1 Church Street

P.O. Box 1307

Burlington, Vermont 05402-1307

December 2006 to Present

Of Counsel, Director

**United States Attorney's Office
District of Vermont
P.O. Box 570
Burlington, Vermont 05402**

**October 1994 to December 2006
Assistant United States Attorney**

**Mad River Ski Club (non-profit)
Mad River Glen Ski Area
Fayston, Vermont**

**2005 to present
Board Member and Treasurer**

**Lake Champlain Yacht Club (non-profit)
Harbor Road
Shelburne, Vermont**

**2002-2005
Member of Board of Governors**

**Recycle North (non-profit)
Pine Street
Burlington, Vermont 05402**

**1996 to 1998
Board Member**

**United States Senate
Committee on the Judiciary
Subcommittee on Technology and the Law
815 Hart Senate Office Building
Washington, D.C. 20510**

**August 1991 to October 1994
Counsel**

**Hale and Dorr
60 State Street
Boston, Massachusetts 02116**

**August 1990 to August 1991
Litigation Associate**

**The Honorable Albert W. Coffrin
United States District Court Judge
District of Vermont
P.O. Box 928
Burlington, Vermont 05402**

**August 1989 to August 1990
Judicial Law Clerk**

**Howrey & Simon
Pennsylvania Avenue
Washington, D.C.**

**June 1989 to July 1989
Summer Associate**

**Akin Gump Strauss Hauer & Feld
1333 New Hampshire Avenue
Washington, D.C.**

**June 1988 to August 1988
Summer Associate**

**Barrett Smith Schapiro Simon & Armstrong
26 Broadway
New York, New York**

**July to August 1987
Summer Associate**

**United States Senate
Committee on the Judiciary
Subcommittee on Technology and the Law
815 Hart Senate Office Building
Washington, D.C. 20510**

**June to July 1987
Law Clerk**

Barrett Smith Schapiro Simon & Armstrong
26 Broadway
New York, New York

August 1985 to August 1986
Litigation Paralegal

Pequod Offshore Marine
Mystic Avenue
Somerville, Massachusetts

June to August 1985
Salesperson

Boston Sailing Center
Lewis Wharf
Boston, Massachusetts

June to August 1985
Sailing Instructor

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. Military. I have registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Director's Award for Superior Performance as an Assistant United States Attorney,
2003

New England Organized Crime and Drug Taskforce Award for Outstanding Work,
2001

New England Organized Crime and Drug Taskforce Award for Outstanding Work,
2003

New England Organized Crime and Drug Taskforce Award for Outstanding Work,
2003

Royal Canadian Mounted Police Toronto West Drug Section Appreciation For
Support, 2002

U.S. Food and Drug Administration For Recognition of Prosecutorial Support, 2000

U.S. DEA Certificate of Appreciation For Outstanding Contribution in Drug
Enforcement, 2002

Harlan Fiske Stone Scholar, Columbia School of Law

Columbia Journal of Law and Social Problems, Writing and Research Editor

Semi-Finalist, Harlan Fisk Stone Moot Court Competition

Graduated with Honors, Wesleyan University

Awarded two Philosophy Preceptorships, College of Social Studies, Wesleyan
University

Wesleyan Varsity Crew, Elected Team Captain and Awarded Founders Oar

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Vermont Bar Association

Chittenden County Bar Association, Vice President, 2007 to Present

Massachusetts Bar Association

American Bar Association

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Vermont, 1989 to present. No lapses in membership.

Massachusetts, 1991 to 1995 (took inactive and then retired status because I no longer planned to practice in Massachusetts).

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Vermont Supreme Court (1989 to present). No lapses in membership.

Supreme Judicial Court of Massachusetts (1991 to 1995) (took inactive and then retired status because I no longer planned to practice in Massachusetts).

United States District Court for the District of Vermont (1994 to present). No lapses in membership.

United States Court of Appeals for the Second Circuit (1995 to present). No lapses in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Recycle North, Board of Directors 1996 to 1998

Lake Champlain Yacht Club, Board of Governors, 2003 to 2006

Mad River Ski Club, Board Member and Treasurer, 2005 to present.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

These organizations do not and have not discriminated.

12. **Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

The New York Ethics in Government Act of 1987, A Critical Evaluation, 22 Colum. J. of Law and Social Problems 169 (1989).

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

None.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

On three occasions, I believe in 2002, 2003 and 2005, I made presentations to the United States-Canada Cross Border Crime Forum. This was a meeting of federal prosecutors and investigators from the United States and Canada that focused on cross border law enforcement issues such as joint investigations, evidence sharing under the mutual legal assistance treaty and extradition. I have no notes of these presentations which were not from prepared texts. The general point of each of these presentations was that the United States and Canada need to be better at working together in law enforcement efforts and sharing information with each other in a time effective and expeditious process.

In July of 2007, I gave a presentation to the Medical Mutual of Maine insurance company on issues relating to litigation involving federally qualified health centers. I have no notes of this presentation.

In February 2009, I gave a presentation at the OB-GYN department grand rounds of Fletcher Allen Health Care, Inc. (the University of Vermont's teaching hospital) along with the risk manager and deputy general counsel of the hospital. I do not have any notes of that presentation. The general topic was what to do if an adverse medical event occurs.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I have done my best to identify all items called for in this question, including a thorough review of my personal files and searches of publicly available

databases. I have located the following list of articles in which I have been quoted:

The Burlington Free Press, Sam Hemingway, "Coffin tapped for U.S. attorney", 1/24/09
The Burlington Free Press, Sam Hemingway, "Coffin a finalist for U.S. attorney", 1/6/09
The Gazette, Jan Ravensbergen, "Extradition refused in Bedford pot case: 11 residents wanted in U.S. after bust", 8/4/06
The Burlington Free Press, Adam Silverman, "Border pot ring busted", 6/9/05
AP State and Local Wire, Wilson Ring, "Two arrested at Vermont border crossing", 12/21/99

Sometime in 2002, WCAX television did a story on large scale marijuana smuggling in which I was interviewed. A video copy of this story is not available.

13. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

None.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

In the fall of 1992 I worked as a campaign volunteer on Senator Leahy's Senate reelection campaign and President Clinton's presidential election campaign. I had no formal position in these campaigns.

14. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I was a judicial law clerk for the Honorable Albert W. Coffrin, United States District Judge, District of Vermont, from August 1989 to August 1990.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

**Hale and Dorr, 60 State Street, Boston Massachusetts, litigation associate,
1990-1991**

**United States Senate Committee on the Judiciary, Subcommittee
On Technology and the Law, 815 Hart Senate Office Building,
Washington, D.C., Counsel, 1991 to 1994**

**United States Attorney's Office, District of Vermont, 11 Elmwood Avenue,
Burlington, Vermont, Assistant United States Attorney, 1994-2006**

**Paul Frank & Collins, P.C., 1 Church Street, Burlington, Vermont, Of
Counsel (2006-2008) and Director (2008-present).**

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

My legal career has generally focused on litigation of various types. During my clerkship with Judge Coffrin, 1989-1990, my primary responsibilities consisted of assisting the judge in the research of legal issues, review of parties' written submissions, drafting of bench memoranda and opinions, preparation of jury charges and other related tasks.

From 1990 to 1991, I was employed as a litigation associate at Hale and Dorr. Responsibilities included all phases of complex litigation. Significant assignments included representation of a former savings and loan president in a suit by the Resolution Trust Corporation for breach of fiduciary duties, assisting in drafting sections of a brief for capital re-sentencing to the Arizona Supreme Court on remand from the United States Supreme Court, representation of a newspaper in a defamation suit and representation of a health care provider in an investigation by the United States for Medicare fraud and abuse.

From 1991 to 1994, I worked as counsel to the Senate Judiciary Committee, Subcommittee on Technology and the Law. My responsibilities consisted of providing legal counsel to the chief counsel and subcommittee chairman on a wide range of legislative matters before the subcommittee, the full Judiciary Committee and the Senate. Emphasis was in criminal law, federal courts and civil rights legislation and judicial branch and Justice Department nominations. Responsibilities included legal counsel, policy analysis, drafting and negotiating legislation; preparing the Senator for hearings, public appearances and votes; drafting statements and speeches; and acting as liaison to constituents on issues within the Judiciary Committee's jurisdiction.

In October 1994, I was appointed as an Assistant United States Attorney. I worked as an AUSA in the Civil Division from 1994 to 1998. I was in the Criminal Division from 1998 to 2006. As an AUSA, I represented the United States in federal

court on a broad range of criminal and civil matters. I performed all manner of pre-indictment/pre-charge investigations, pretrial discovery and motions practice, trial by jury, sentencings, appeals and settlement negotiations. During my time as an AUSA in the criminal division, I appeared in federal court representing the United States on a near-daily basis. Civil division cases included representation of federal agencies as either plaintiff or defendant in cases ranging from torts, constitutional claims, employment discrimination and or environmental matters to defense and health care fraud and qui tam investigations and suits.

As an AUSA in the criminal division, I prosecuted from initial investigation to conviction and sentencing a broad range of criminal offenses including narcotics distribution and smuggling, fraud cases, firearms offenses, violent crimes and immigration offenses. Toward the end of my time at the U.S. Attorney's Office, I developed expertise in handling large, cross-border cases working with Canadian law enforcement authorities, primarily the RCMP, Surete Quebec and Justice Canada, relating primarily to narcotics and alien smuggling. Some of my more significant cases are described below.

In December 2006, I became of counsel to Paul Frank & Collins, P.C. My practice at Paul Frank & Collins consists largely of civil litigation. In particular, I handle a variety of commercial litigation and also devote a significant portion of my practice to representing health care providers in medical malpractice litigation. I also practice criminal law and do some immigration work. In September 2008, I was elected a Director of Paul Frank & Collins, effective January 1, 2009.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

See above.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

Aside from my time as a counsel in the Senate, my practice has focused almost entirely on litigation and in particular litigation in federal court. At Paul Frank & Collins, I have had substantial practice in Vermont state courts as well. From 1998 to 2006, my practice was predominantly federal criminal prosecution. During my time at Hale and Dorr and Paul Frank & Collins, my practice has been mostly civil with a much smaller component of criminal work. During my tenure as a federal criminal prosecutor, I appeared in federal court on a near daily basis. During my time as a civil litigator, both at the United States Attorney's Office and at Paul Frank & Collins, I still appear in court on a regular basis, although it is not nearly as frequently than when I was a criminal AUSA.

- i. Indicate the percentage of your practice in:
 - 1. federal courts;
 - 2. state courts of record;
 - 3. other courts;
 - 4. administrative agencies

**1990-1991: 50% federal and 50% state
1994-2006: 100% federal**

2006-present: 25% federal and 75% state

- ii. Indicate the percentage of your practice in:
 - 1. civil proceedings;
 - 2. criminal proceedings.

1990-1991: 90% civil and 10% criminal

1994-1998: 90% civil and 10% criminal

1998-2006: 5% civil and 95% criminal

2006 to present: 85% civil and 15% criminal

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried five cases to verdict, all in federal court, and all to juries. In one of these cases I was sole counsel, in two others I was chief counsel, in another I was co-counsel, and in one I was an associate counsel.

- i. What percentage of these trials were:
 - 1. jury;
 - 2. non-jury

100% jury trials.

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the United States Supreme Court.

15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

United States v. George Lammers, a/k/a Johnny Blaze et al., Dkt. No. 2:99-CR-109. Lead prosecutor in large-scale Ecstasy and cocaine importation and distribution investigation with 17 defendants convicted from the Netherlands, Spain, Canada and the United States. This case began with the arrest at the border of a courier traveling from the Netherlands with 10,000 doses of Ecstasy taped to her body. Working with DEA and

Customs agents, I led the investigation working the case up to large scale suppliers in the Netherlands. Search warrants and arrests were made in Boston, Chicago, Toronto, the Netherlands and Spain. After the arrests in the United States, Lammers fled to Spain. Working with an informant, we were able to develop information to obtain a search warrant for an email address which Lammers was using under an alias. The search of the email account obtained in an attachment to one email a street address near Barcelona at which Lammers was residing under an alias. Working with the DEA, we were able to obtain assistance from the Spanish National Police in surveilling the address, which led to Lammers' arrest. I led successful efforts to extradite Lammers from Spain and another primary organizer, Franklin Zwiers, from the Netherlands. Upon their arrival in the United States, I was responsible for litigating the cases of Lammers and Zwiers to conviction by means of guilty pleas. I also was responsible for litigating the cases of the numerous co-conspirators convicted. I handled the sentencings of all the defendants. The primary organizers were sentenced to terms of imprisonment.

Date: 1999 to 2004.

Judge and Court: Chief Judge William K. Sessions III, United States District Court, District of Vermont

Counsel:

The Honorable Thomas Zonay (Defendant George Lammers)
Vermont Superior Court Judge, Rutland County
83 Center Street, Suite 3
Rutland, Vermont 05701
(802) 775-4394

Mary Kehoe, Esq. (Defendant Franklin Zwiers)
Lisman Webster & Leckerling
P.O. Box 728
Burlington, VT 05402-0728
(802) 864-5756

John Sartore, Esq. (Defendant Ryan Hause)
Paul Frank & Collins PC
P.O. Box 1307
Burlington, Vermont 05402
(802) 658-2311

Karen Shingler, Esq. (Defendant Jason Bowman)
74 Main Street
Burlington, VT 05401
(802) 865-0654

United States v. Richard Sullivan, Dkt. No. 2:04-CR-00011. Lead prosecutor in sexual abuse case involving years of sexual assault on a minor throughout the country by a long haul trucker. Worked with Vermont State Police to integrate the Federal Bureau of Investigation in a joint federal-state investigation. Led investigation which included extensive debriefings of victim and other witnesses and grand jury investigation to prove interstate travel to perform sex acts on a minor. Worked with victim and agents to develop an undercover plan leading to highly incriminating monitored telephone calls between the victim and the defendant. Developed arrest plan. Indicted case and prosecuted to guilty

plea and sentencing. The defendant pled guilty and was sentenced to a term of imprisonment.

Date: 2003-2004

Judge and Court: Chief Judge William K. Sessions III, United States District Court, District of Vermont

Counsel:

**Former Federal Public Defender Barbara O'Connor, Esq. (counsel for Defendant Sullivan)
O'Connor & Kirby
174 Battery Street
Burlington, Vermont 05401
(802) 863-0112**

United States v. Edwin Laboy et al., Dkt. No. 2:01-CR-00096. Lead prosecutor in investigation, trial and conviction of significant heroin trafficker charged with leaving 18-year-old girl for dead in local hotel. Worked with state and local investigators and DEA to develop case targeted at substantial heroin trafficker who had been suspected of being the largest heroin trafficker in Vermont for approximately two years. Defendant was selling very potent heroin of an extremely high purity level. One part of the case centered on a girl discovered in a comatose state lying in a bathtub by hotel cleaning staff who were cleaning up a hotel room during the afternoon after the defendant and co-conspirators had inhabited the room under an alias the prior evening. Developed DNA and other evidence linking the three primary suspects to the hotel room incident. Organized and led grand jury investigation of Laboy and co-conspirators in the hotel room overdose incident and broader heroin trafficking conspiracy. Laboy went to trial and pled guilty part way through trial. Laboy and several other co-conspirators who were convicted by guilty plea were sentenced to terms of imprisonment.

Date: 2000-2002

Judge and Court: Chief Judge William K. Sessions III, United States District Court, District of Vermont

Counsel:

**Paul Volk, Esq. (Defendant Laboy)
Blodgett Watts & Volk
P.O. Box 8
Burlington, VT 05402
(802) 862-8919**

**Richard Bothfeld, Esq. (Defendant Laboy)
Bothfeld & Volk
P.O. Box 465
Burlington, Vermont 05402
(802) 860-1027**

George Nassar, Esq. (Defendant Laboy)
1350 Main Street
10th Floor
Springfield, MA 01103
(413)781-1235

United States v. W. Lyman Jenkins, Dkt. No. 2:99-CR-00045. Co-trial counsel in criminal fraud trial on charges connected to maple sugar adulteration. Defendant was a leading maple industry researcher who had developed a method of dehydrating maple syrup which provided a cost effective means for shipping and adding pure maple flavoring to various food products. Defendant began substituting brown cane sugar for pure dehydrated maple sugar in shipments being made to domestic and international customers. The amount of adulteration measured in the tons of product and the fraud involved over a million dollars of unlawful gain to the defendant. I joined the prosecution team in approximately the middle of the case after indictment and before trial and worked on the case extensively up to and through trial and sentencing. The defendant was convicted at trial and sentenced to a term of imprisonment.

Date: 1999-2000

Judge and Court: Chief Judge William K. Sessions III, United States District Court, District of Vermont

Co-counsel:

**Assistant United States Attorney Paul Van de Graaf
United States Attorney's Office, District of Vermont
P.O. Box 570
Burlington, VT 05402
(802) 951-6725**

Counsel:

**Mark Kaplan, Esq. (counsel for Defendant Jenkins)
Jarvis and Kaplan
P.O. Box 902
Burlington, VT 05402
(802) 658-9411**

United States v. Lucia Garofalo et al., Dkt. No. 2:00-CR-00001. Lead prosecutor in investigation and prosecution of alien smuggling case. Due to timing, information from a trusted foreign government and other circumstances, connection to attempted Millenium bombing plot involving Ahmed Ressam was suspected but not proven. Led the prosecution from time of arrest to sentencing with the assistance of Assistant U.S. Attorney David Kirby. Worked with prosecutors and agents in other districts as well as Canadian law enforcement. Conducted grand jury investigation and handled case through indictment, guilty plea and sentencing. Defendant pled guilty to alien smuggling and was sentenced to a period of 5 months imprisonment (time served).

Date: 1999 to 2000

Judge and Court: Chief Judge William K. Sessions III, Magistrate Judge Jerome J. Niedermeier, United States District Court, District of Vermont

Co-counsel:

**Former Assistant United States Attorney David V. Kirby
O'Connor & Kirby
174 Battery Street
Burlington, Vermont 05401
(802) 863-0112**

Counsel:

**Maryanne Kampmann, Esq. (counsel for Defendant Garofalo)
Stetler Allen & Kampmann
95 St. Paul Street
Burlington, VT 05401
(802) 660-8646**

**Former Federal Public Defender Barbara O'Connor, Esq. (counsel for
Defendant Chamchi)
O'Connor & Kirby
174 Battery Street
Burlington, Vermont 05401
(802) 863-0112**

United States ex rel. Prindle v. General Electric Aircraft Engines, Dkt. No. 1:95-CV-00097. Lead prosecutor in complex False Claims Act, qui tam and breach of contract investigation relating to failure to inspect military jet engine fan blades. Led team of investigators from the Defense Criminal Investigative Service, the Naval Criminal Investigative Service and the Air Force Office of Special Investigations. Reviewed substantial document productions from contractor and interviewed numerous witnesses from the production facility in Rutland, Vermont and the engineering facility in Evendale, Ohio. Worked with military technical personnel. Developed evidence that important dimension of Stage 3 fan blades on engines used in F-16s, B2s and other military aircraft were not inspected as required by the contract. The case settled for \$3.5 million.

Date: 1995 to 1998

**Judge and Court: Judge J. Garvan Murtha, United States District Court,
District of Vermont**

Co-counsel:

**Mary Beth Rinaldi
Trial Attorney
Civil Fraud Section
U.S. Department of Justice
Washington, D.C.**

Counsel:

Robert Conlan, Esq. (Defendant GE Aircraft Engines)
Sidley & Austin
15021 K Street, NW
Washington, D.C.
(202) 736-8000

David Shaw, Esq. (Counsel for Relator Prindle)
P.O. Box 1736
Rutland, Vermont 05702
(802) 747-4744

United States v. Earl Greenwood et al., Dkt. No. 2:00-CR-00109. Lead prosecutor in long-term investigation into multi-ton, multi-million dollar, high grade marijuana smuggling and distribution. Over 10 defendants convicted in connected indictments by guilty plea. Over a million dollars in cash seized as well as other assets. Worked closely with DEA to develop an investigative plan that would use undercover sting operations, long term grand jury investigation, financial investigation and coordination with Vermont State and Canadian authorities to break up a prolific high grade Canadian marijuana smuggling ring. I handled the case from the first arrests of conspiracy members, which were followed by ongoing defendant-witness debriefings, grand jury investigation and undercover operations. I also handled all prosecutions of co-conspirators from the time of arrest or indictment, through guilty plea and sentencing.

Date: 2002 to 2005

Judge and Court: Chief Judge William K. Sessions III, United States District Court, District of Vermont

Counsel:

Peter Langrock, Esq. (Defendant Greenwood)
Langrock Sperry & Wool
P.O. Drawer 351
Middlebury, Vermont 05753
(802) 388-6356

Bradley Stetler, Esq. (Defendant Ricciardiello)
Stetler Allen & Kampmann
95 St. Paul Street
Burlington, Vermont 05401
(802) 660-8646

Mark Kaplan, Esq. (Defendant Desrochers)
Jarvis and Kaplan
P.O. Box 902
Burlington, Vermont 05402
(802) 658-9411

James Murdoch, Esq. (Defendant Shane Bevins)
Murdoch & Hughes
P.O. Box 363
Burlington, Vermont 05402
(802) 864-9811

United States v. Ronald Aldrich et al., Dkt. No. 2:03-CR-00147. Large scale, high grade marijuana smuggling and distribution conspiracy. Numerous defendants convicted by guilty plea. One defendant acquitted at trial. Over a million dollars in cash seized. Worked closely with Vermont State Drug Task Force and Drug Enforcement Administration investigators to break up a ring smuggling 700 pound loads of marijuana, worth over a million dollars a load, into the United States from Canada hidden in grain trucks. Worked the case from the initial search warrants executed by the Vermont State Police through grand jury presentment, to arrest and prosecution of lead conspirators in the United States. One alleged Canadian organizer was arrested upon entry into the United States. He was acquitted at trial. Over ten other members of the conspiracy were convicted by guilty plea.

Date: 2004-2006

Judge and Court: Chief Judge William K. Sessions III, United States District Court, District of Vermont

Counsel:

Kurt Hughes, Esq. (Defendant Aldrich)
Murdoch & Hughes
P.O. Box 363
Burlington, Vermont 05402
(802) 864-9811

The Honorable Thomas Zonay (Defendant Aldrich)
Vermont Superior Court Judge, Rutland County
83 Center Street, Suite 3
Rutland, Vermont 05701
(802) 775-4394

Maryanne Kampmann (Defendant Patterson)
Stetler Allen & Kampmann
95 St. Paul Street
Burlington, Vermont 05401
(802) 660-8646

James Budreau (Defendant Benoit Voghell)
20 Park Plaza, Suite 905
Boston, Massachusetts 02116
(617) 227-8558

United States v. Northeast Medical Supplies, Dkt. No. 1:98-CV-00305. False Claims Act and Medicare fraud investigation of medical equipment telemarketer. Worked with Assistant United States Attorney in the criminal division to develop evidence through search warrant and witness interviews that durable medical equipment supplier was defrauding Medicare. The scheme involved telemarketing to elderly people typically

residing in socio-economically deprived urban areas about their need for back braces. If the customer expressed suffering from back pain to any degree, the medical supplier would send them a cheap back brace which cost a few hundred dollars and then bill Medicare using a code for a specialized body-cast type of back brace for which Medicare reimbursed approximately \$1,300. Also, the company would provide Medicare beneficiaries cheap foam pads for wheel chairs over the telephone and then bill Medicare for expensive gel-filled pads. The case settled for approximately \$300,000.

Date: 1997-1998

Judge and Court: Judge J. Garvan Murtha, United States District Court, District of Vermont

Co-counsel:

Assistant United States Attorney Paul Van de Graaf
United States Attorney's Office, District of Vermont
P.O. Box 570
Burlington, VT 05402
(802) 951-6725

Counsel:

R. Jeffrey Behm (Defendant Northeast Medical Supplies)
Sheehey Furlong & Behm
P.O. Box 66
Burlington, VT 05402
(802) 864-9891

Eveready Battery Company v. Department of Defense et al., Dkt. No. 2:94-CV-00235. Contribution action brought by military contractor against U.S. Army and U.S. Navy and others to contribute to cleaning up a dump site at which a contractor disposed of waste from manufacturing torpedo batteries in southern Vermont. Case settled.

Date: 1994-1998

Judge and Court: Chief Judge William K. Sessions III, United States District Court, District of Vermont

Co-counsel:

Natalie Duval
Trial Attorney
Environmental Defense Section
U.S. Department of Justice
10th and Pennsylvania, N.W.
Washington, D.C. 20530
(I do not know Attorney Duval's phone number)

Counsel:

**Stephen J. Owens, Esq. (counsel for Plaintiff Eveready Battery Company)
Stinson Mag & Fizzell
Kansas City, Kansas
(816) 691-3495**

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

As counsel for the Senate Judiciary Committee, Subcommittee on Technology and the Law, my work included the following significant matters:

- **Violent Crime Control and Law Enforcement Act of 1993**
- **National Cooperative Production Amendments of 1993**
- **Civil Rights Act of 1991**
- **Northeast Interstate Dairy Compact**
- **Nomination of Stephen Breyer to be Associate Justice of the U.S. Supreme Court**
- **Nomination of Ruth Bader Ginsburg to be Associate Justice of the U.S. Supreme Court**
- **Nomination of Clarence Thomas to be Associate Justice of the U.S. Supreme Court**
- **Nomination of Janet Reno to be U.S. Attorney General**
- **Nomination of William Barr to be U.S. Attorney General**

I have not performed lobbying activities.

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have not taught.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I anticipate receiving a lump sum payment in an amount to be determined pursuant to the directorship agreement and practices of Paul Frank + Collins, P.C. I also have a 401k type of profit sharing plan with Paul Frank + Collins to which I will cease making contributions upon confirmation but from which I would receive retirement funds upon retirement. The balance is approximately \$7,400 currently. I also have a Thrift Savings

Plan account from my prior federal service from which I would receive retirement payments upon retirement, and anticipate receiving federal pension payments from my federal service of approximately 17 years upon my retirement.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None.

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see attached financial disclosure form.

21. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

Please see attached net worth statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

I understand a company I previously represented has an investigation pending by the United States Attorney's Office for the District of Vermont. With the client's consent, I have transferred this matter to an attorney at an outside firm. If confirmed, I would consult with the Ethics Officials for the Executive Office for United States Attorneys, U.S. Department of Justice, and recuse myself from these matters.

Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

In the event of a potential conflict of interest, I will consult with the Ethics Officials for the Executive Office for United States Attorneys, Department of Justice.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

During my time as a judicial law clerk, Senate Judiciary Committee counsel and Assistant United States Attorney, I have considered my employment to be for the

benefit of the public and have not done additional pro bono work. When I worked for Hale and Dorr, I did pro bono work which included representation of an El Salvadoran national seeking temporary protected immigration status and an indigent criminal defendant. During 2006 and 2007, I assisted the Mad River Ski Club in obtaining 501(c)(3) tax exempt status. Although not pro bono legal work, I have been active in my community by coaching countless boys and girls in soccer for many years in our town recreation department and local town soccer club.

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

| ASSETS | | | | LIABILITIES | | | |
|---|--|------|-----|--|------|-----|--|
| Cash on hand and in banks | | \$5 | 300 | Notes payable to banks-secured | \$95 | 000 | |
| U.S. Government securities-add schedule | | | 0 | Notes payable to banks-unsecured | | 0 | |
| Listed securities-add schedule | | \$13 | 100 | Notes payable to relatives | | 0 | |
| Unlisted securities--add schedule | | | 0 | Notes payable to others | | 0 | |
| Accounts and notes receivable: | | | 0 | Accounts and bills due | | 0 | |
| Due from relatives and friends | | | 0 | Unpaid income tax | | 0 | |
| Due from others | | | 0 | Other unpaid income and interest | | 0 | |
| Doubtful | | | 0 | Real estate mortgages payable-add schedule | 197 | 000 | |
| Real estate owned-add schedule | | 425 | 000 | Chattel mortgages and other liens payable | | 0 | |
| Real estate mortgages receivable | | | 0 | Other debts-itemize: | | | |
| Autos and other personal property | | 32 | 000 | Burke Mountain Academy – tuition | 28 | 000 | |
| Cash value-life insurance | | 1 | 000 | Bank of America Visa | 3 | 500 | |
| Other assets itemize: | | | | Bank of America Visa | 6 | 900 | |
| Paul Frank + Collins 401(k) account * | | 7 | 400 | | | | |
| Thrift Savings Plan | | 184 | 000 | | | | |
| TIAA CREF * | | 43 | 700 | Total liabilities | 330 | 400 | |
| Raymond James 529(c) accounts * | | 58 | 200 | Net Worth | 439 | 300 | |
| Total Assets | | 769 | 700 | Total liabilities and net worth | 769 | 700 | |
| CONTINGENT LIABILITIES | | | | GENERAL INFORMATION | | | |
| As endorser, comaker or guarantor | | | 0 | Are any assets pledged? (Add schedule) | | No. | |
| On leases or contracts | | | 0 | Are you defendant in any suits or legal actions? | | No. | |
| Legal Claims | | | 0 | Have you ever taken bankruptcy? | | No. | |
| Provision for Federal Income Tax | | | 0 | | | | |
| Other special debt | | | 0 | | | | |

* Itemized in SF-278 financial disclosure.

FINANCIAL STATEMENT

NET WORTH SCHEDULES

Listed Securities

| | |
|--------------------------------|---------|
| Scudder International Fund | \$1,800 |
| Fidelity Magellan Fund | \$2,200 |
| Fidelity Asset Manager SEP-IRA | \$9,100 |

Total: \$13,100

Real Estate Owned

| | |
|---|-----------|
| Personal Residence (Hinesburg, Vermont) | \$425,000 |
| Mortgagee: Bank of America | |

Real Estate Mortgages Payable

| | |
|---|-----------|
| Personal Residence (Hinesburg, Vermont) | |
| Mortgagee: Bank of America | \$197,000 |

AFFIDAVIT

I, Tristram J. Coffin, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

5/15/09
(DATE)

[Signature]
(NAME)

Joyce A. Coombs
(NOTARY)