

Response to Request for Proposal to serve as Independent Monitor for the Consent Decree regarding the Chicago Police Department

BakerHostetler

September 04, 2018

Submitted by:

Carole S. Rendon
Partner

crendon@bakerlaw.com
T +1 216.861.7420
F +1 216.696.0740

Key Tower, 127 Public Square
Suite 2000
Cleveland, OH 44114-1214

Richard M. Knoth
Partner

rknoth@bakerlaw.com
T +1.216.861.7412
F +1.216.696.0740

Key Tower, 127 Public Square
Suite 2000
Cleveland, OH 44114-1214

191 North Wacker Drive
Suite 300
Chicago, IL 60606-1901

Contents

I. Executive Summary and Overview of Methodology	3
II. Personnel	4
III. Qualifications.....	9
IV. Potential Conflicts of Interest or Bias	13
V. Proposed Activities and Methodology.....	14
VI. Cost Estimates.....	15
VII. Communications	6
Appendix I: Team Member Resumes.....	7

I. Executive Summary and Overview of Methodology

BakerHostetler LLP submits this proposal to serve as the independent monitoring team for the Chicago Division of Police (“CDP”) pursuant to the settlement agreement (“Agreement” or “Consent Decree”) between the State of Illinois (“State”) and the City of Chicago (the “City”) entered and ordered by the United States District Court for the Northern District of Ohio in August, 2018.

We recognize that the Consent Decree is a vehicle that outlines a series of procedural policy revisions that, when properly implemented, will enhance police accountability to the community, increase individual and organizational integrity, and minimize the risk of police misconduct, especially with respect to the use of force. The Agreement calls on the CDP to promote, foster and implement changes in CDP policies and procedures. These changes are designed to improve police community relations with a net effect of improving the delivery of police services to a more trusting and involved community.

The BakerHostetler team has the necessary experience and subject matter expertise to monitor compliance while promoting organizational change in the CDP. As set forth in detail below, the team leaders have direct experience in Consent Decrees. Mrs. Carol Rendon, as a former U.S. Attorney, was responsible for the Cleveland Decree. Mr. Richard Knoth currently presides over the Cleveland Police Commission which assists in execution of that same decree. Our team of professionals offers extensive monitorship experience and decades of experience in hands-on policing strategy. Our team brings together the federal prosecutor with extensive experience in court-ordered monitorships and civil rights prosecution, the leading expert on community policy, a current member of the community police commission addressing the Cleveland Consent Order all supported by a team of attorneys from BakerHostetler.

BakerHostetler has been selected on multiple occasions by DOJ and other governmental entities to serve as an Independent Monitor, Receiver, or Examiner of compliance with the terms of non-prosecution and consent agreements between the government and various public and private entities and brings specialized expertise in civil rights issues and best practices in policing policy. Members of our team have prosecuted and investigated numerous criminal cases as former federal and state prosecutors and law enforcement professionals. Our proposed monitors, Carole Rendon and Richard Knoth, have collectively practiced more than 50 years in related fields. Ms. Rendon and Mr. Knoth have extensive experience handling civil rights and police corruption cases and have supervised multiple government-appointed monitorships of public and private entities.

In addition to Ms. Rendon’s experience as United States Attorney and Assistant United States Attorney positions, BakerHostetler has been selected as an independent monitor on numerous occasions. In addition to having served as the monitor for major financial institutions, a labor union, municipality and others, the firm’s white collar team routinely conduct compliance monitoring work and internal investigations for corporations and other public and private entities. The DOJ selected the BakerHostetler team to serve as the Independent Monitor of Merrill Lynch, the world’s then largest securities firm by capital, stemming from the Enron probe. The DOJ also selected the BakerHostetler lawyers to serve as Ethical Practices Attorney for Local 14-14B of the International Union of Operating Engineers pursuant to a Consent Decree designed to eradicate corruption and the influence of organized crime from the union.

The methodology will be a learn/analyze/execute model. The team will first dedicate all necessary time to explore the entire current CPD environment from police engagement to technology to budget available assets. Those elements are then analyzed as we begin the process of working with the State and City on approaches to policy. This effort will also include community engagement and input. The next step is to put in place and monitor policies and plans to ensure that programs of excellence in policing are in place and working in the City.

II. Personnel

Monitoring the implementation of the requirements set forth in the Consent Decree will necessarily call for a well-rounded team that brings integrated and coordinated resources to the table with diverse skillsets that include experienced project management, investigative, technology, and data analytics capabilities, as well as subject matter and technical expertise. Carole Rendon's experience will enable her to successfully partner with a variety of experts from different fields – who are also recognized as innovative thought leaders themselves.

We have assembled an integrated Monitorship Team that is able to address the oversight of complex and myriad project development, legal, regulatory, and environmental requirements contemplated in connection with the implementation of the Consent Decree.

Attached in Appendix A are the full biographies of the principal monitoring team members.



Carole S. Rendon

Former United States Attorney for the Northern District of Ohio, Carole Rendon possesses a wealth of experience in a range of matters, including criminal prosecution, private defense and civil litigation. As the first woman to serve as the First Assistant U.S. Attorney for the Northern District of Ohio, and later as the United States Attorney, Carole both supervised and personally handled high-profile, crisis-level litigation, much of which involved intense public and media scrutiny. As the chief federal law enforcement officer, Carole enforced a wide range of criminal and civil statutes, including False Claims Act litigation and the prosecution of public corruption, civil rights, consumer fraud and violations of the Foreign Corrupt Practices Act (FCPA). She also oversaw and personally handled high-profile civil litigation, including as lead counsel on the Consent Decree providing comprehensive reform for the Cleveland Division of Police. A passionate advocate for the community, Carole helped establish the Northeast Ohio Business Ethics Coalition, the U.S. Attorney's Heroin and Opioid Task Force, and the Northeast Ohio Cyber Security Consortium.

Carole has significant experience managing crisis-level commercial, regulatory and criminal matters, with a particular depth of knowledge regarding the FCPA, the Racketeer Influenced and Corrupt Organizations Act (RICO), and monitorships, as well as advising clients on structuring compliance programs to help avoid such problems. Previously, Carole served for a decade as a federal prosecutor in the Organized Crime Strike Force and as Chief of the Organized Crime Drug Enforcement Task Force at the U.S. Attorney's Office in Boston, Massachusetts, and for more than a decade as a litigator in private practice. She has represented companies and individuals in high-stakes criminal, civil, internal and congressional investigations.

Admissions: U.S. Court of Appeals, First Circuit; U.S. Court of Appeals, Sixth Circuit; U.S. District Court, Northern District of Ohio; U.S. District Court, District of Massachusetts; Ohio; Illinois [Inactive]; Massachusetts [Inactive]

Education: J.D., Northwestern University School of Law, 1987, *cum laude*
B.A., Northwestern University, 1984, *summa cum laude*



Richard M. Knoth

With more than 30 years of trial experience, Dick Knoth has developed a strong practice in complex commercial litigation and intellectual property law. He has first-chair experience on behalf of national and international companies in jury and bench trials in courts throughout the country. In addition, Dick has argued more than 50 appeals in both state and federal courts throughout the United States. Given his background in corporate governance and his keen strategic sense, Dick is often called upon to represent companies undergoing government investigations.

Admissions: U.S. Supreme Court; U.S. Court of Appeals, Federal Circuit; U.S. Court of Appeals, Fifth Circuit; U.S. Court of Appeals, Sixth Circuit; U.S. Court of Appeals, Seventh Circuit; U.S. Court of Appeals, Eighth Circuit; U.S. Court of Appeals, Eleventh Circuit; U.S. Court of Federal Claims; Texas; Ohio; Illinois; Indiana; New York

Education: J.D., DePaul University College of Law, 1983
A.B., Boston College, 1980, *cum laude*



George J. Tzanetopoulos

George Tzanetopoulos is a widely experienced trial and appellate litigator. He has represented businesses and individuals in trials, arbitrations, administrative hearings and appellate proceedings throughout the country. George places a high value on understanding a client's business and assisting the client in managing resolution of a dispute, whether by trial or settlement, in the context of the client's business imperatives.

Admissions: U.S. Court of Appeals, Seventh Circuit; U.S. District Court, Eastern District of Michigan; U.S. District Court, District of Colorado; U.S. District Court, Northern District of Illinois; Illinois

Education: J.D., University of Michigan Law School, 1985, with honors
B.A., University of Chicago, 1982, with honors



Breaden M. Douthett

Brady Douthett is a business litigator with a focus in complex commercial and appellate litigation. He represents banks, factors and private equity firms in matters involving an array of instruments ranging from credit agreements to derivative contracts and equity acquisition agreements. In addition, Brady has extensive experience pursuing and defending claims arising from other complex commercial matters, such as insurance, intellectual property, licensing, real estate and regulatory compliance. Experienced in state, bankruptcy and federal courts, Brady is diligent and enthusiastic in his work, keeping his focus on the details of his clients' needs and their ultimate business goals. Brady is an active member of the firm's diversity committee.

Admissions: U.S. Supreme Court; U.S. Court of Appeals, Sixth Circuit; U.S. District Court, Southern District of Ohio; U.S. District Court, Northern District of Ohio; Ohio

Education: J.D., The Ohio State University Michael E. Moritz College of Law, 1991; Articles Editor, *The Ohio State Law Journal*
B.A., Denison University, 1988



Tera N. Coleman

Drawing from hands-on litigation experience, Tera Coleman represents clients in state and federal court, handling all aspects of litigation from inception to settlement and trial. She utilizes a strategic global approach to matters, understanding that clients' individual needs are unique in all situations.

Admissions: U.S. District Court, Northern District of Ohio; Ohio

Education: J.D., The Ohio State University Michael E. Moritz College of Law, 2013; *Ohio State Journal of Criminal Law, Managing Editor*, Black Law Students Association, Secretary
B.A., The Ohio State University, 2010, *cum laude*

Specific Experience and References

BakerHostetler has consistently produced timely work that is within budgetary caps and in many cases under the projected budget. The team's former federal and state prosecutors and police executives have considerable experience preparing investigative matters for the myriad of court proceedings that comprise criminal and civil litigation.

Members of the monitoring team have produced numerous reports designed for a broad variety of stakeholders. In previous monitorships, BakerHostetler team members have produced written reports to DOJ, federal judges, state agencies and monitored agencies and companies summarizing their oversight of process improvements and remediation efforts in compliance with consent decrees and non-prosecution or deferred prosecution agreements. The BakerHostetler team is experienced in preparing actionable reports of monitoring observations and routinely prepares reports for law departments, senior management, internal audit committees, and boards of directors of corporate clients. As police executives, our team members have written reports to city officials, senior police management and other constituents.

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

Our police practice experts have dealt with institutional transformation and change management, and have evaluated the breadth and depth of organizational change, including the development of outcome measurements within police departments and other municipal organizations. They are experienced in dealing with government agencies, police labor unions, and the budgetary constraints that every law enforcement agency faces.

Prior Experience and References

The BakerHostetler team's monitorship related appointments have included:

Ethical Practices Attorney for Local 14-14B of the International Union of Operating Engineers to eliminate corruption and ensure integrity of union practices.

References:

Richard Hayes
U.S. Attorney's Office for the Eastern District of New York 271 Cadman Plaza
Brooklyn, New York 11722
(718) 254-7000

James Steinberg
Counsel to Local 14-14B
Brady McGuire & Steinberg, P.C.
303 South Broadway – Suite 234
Tarrytown, New York 10591
(914) 478-4142

Independent Monitor for Merrill Lynch reviewing procedures around complex structured finance transactions.

References:

Andrew Weissmann
Senior Deputy to Special Counsel Robert S. Mueller III
1400 New York Ave., NW
Washington, DC 20530
Email: andrew.weissman@usdoj.gov

Independent Examiner for Bank of New York assessing anti-money laundering program and SAR filing compliance.

Reference:

Matthew L. Biben
Debevoise & Plimpton LLP
919 Third Avenue
New York, New York 10022
(212) 909-6606

Independent Monitor for Mellon Bank N.A. assessing compliance policies and practices.

Reference:

Matthew L. Biben
Debevoise & Plimpton LLP
919 Third Avenue
New York, New York 10022
(212) 909-6606

Monitor for Town of Brookhaven waste disposal and landfill practices.

Reference:
Matthew Miner
Commissioner, of Waste Management Town of Brookhaven One Independence Hill
Farmingville, New York 11738
(631) 451-8696

Independent Reviewer of Siemens Medical Services procurement and government contract procedures.

Reference:

Joel Kirsch
Associate General Counsel, Siemens Corporation
527 Madison Avenue – Eighth Floor
New York, New York 10022
(212) 258-4376

Counsel to the court-appointed trustee under SIPA in the liquidation of Bernard L. Madoff Investment Securities LLC.

Reference:

Irving H. Picard
BakerHostetler LLP
45 Rockefeller Plaza
New York, New York 10111 (212) 589-4688

Additional Statements

At least one member of the leadership of the team will be based in the Chicago office at all times. This insures immediate access to the parties for on-site collaboration. This is a critical piece. There will no doubt on many occasions emerge emergency circumstances that demand significant on-site activity. BakerHostetler is committed without additional cost to parties to commit to such access. Moreover, while there will be detailed regular reports, weekly executive summaries of activity should be implemented to note issues and progress on short term issues. This promotes cost-effective results.

III. Qualifications

Policing and Law Enforcement Practices

Both Ms. Rendon and Mr. Knoth have hands on direct involvement in each of these matters. The police technical expert, Thomas C. Frazier, has decades of experience in this very subject matter.

Monitoring

Moreover, as Assistant United States Attorney and the United States Attorney for Northern District of Ohio, Ms. Rendon has directly engaged in revising and overseeing policy on all fronts. BakerHostetler, one of the nation's largest law firms, represents clients around the globe. With offices coast-to-coast, the firm's more than 940 lawyers litigate cases and resolve disputes that potentially threaten clients' competitiveness, navigate the laws and regulations that shape the global economy, and help clients develop and close deals that fuel their strategic growth. BakerHostetler has served in a variety of independent and quasi-independent roles under the supervision of boards, courts, government agencies and other authorities. The firm has been selected to serve in these sensitive roles, in high stakes matters, because it brings both deep substantive expertise as well as a reputation for fairness and independence that it has earned through decades of service in important cases.

BakerHostetler is routinely engaged to serve as government-appointed monitors and examiners of financial institutions and other entities. The firm has designed and implemented compliance programs, advised on preventive measures and served as independent attorneys both monitoring and carrying out court-imposed or court-sanctioned activities and requirements. BakerHostetler has been selected numerous times by the DOJ as a monitor – for Merrill Lynch, the Bank of New York, Mellon Bank and Local 14-14B of the International Union of Operating Engineers. The BakerHostetler team brings a recognized reputation for integrity, fairness, thorough analysis and sound judgment, giving the firm unique insight into business operations, compliance procedures and crisis response. So too have members of BakerHostetler's team been involved from the government side, gaining a deep understanding of how monitorships can be efficiently and fairly administered.

In addition to BakerHostetler's experience with monitorships, the firm has substantial experience serving as an independent third party as court-appointed receivers or trustees, roles that are similar to that of a monitor in many respects. One of the firm's most notable representations is as court-appointed counsel to Securities Investor Protection Act (SIPA) Trustee Irving H. Picard, working to unravel, deconstruct, and litigate one of the largest and most complex financial frauds in U.S. history – Bernard L. Madoff's decades-long global Ponzi scheme. With more than \$13 billion traced and recovered for victims to date, the BakerHostetler Madoff team has exceeded all expectations for recovery, utilizing their diverse experience in complex business litigation, bankruptcy law, white collar criminal investigation, securities litigation, e-discovery and corporate finance.

BakerHostetler understands the role of a monitor and believes that monitoring, itself, is an expertise. The firm has the sophistication and experience to deal with the toughest legal problems, and the perspective and gravitas to be fair and honest to the agreement of the parties and the will of the court or other supervisory authority. There is no other firm that can match BakerHostetler's experience in achieving those goals in such a wide array of substantive areas.

Finally, BakerHostetler has a deep bench of legal experts in subject matter areas relevant to the NYCHA monitorship who Ms. Rendon and Mr. Knoth would draw upon in their role as monitor.

Experience

- **Merrill Lynch & Co** – As part of its investigation into the collapse of Enron, the DOJ appointed BakerHostetler to serve as the outside independent Monitor of a non-prosecution agreement between the DOJ and Merrill Lynch & Co., at the time the largest firm in the world by capital. Our team reviewed Merrill Lynch's implementation of policies and procedures governing the integrity of complex structured finance transactions and, in close

consultation with both senior management, the Board of Directors and DOJ, made recommendations to optimize policies, controls and training across Merrill Lynch.

- **Bank of New York** – The DOJ appointed BakerHostetler to serve as Independent Examiner of a non-prosecution agreement between the DOJ and the Bank of New York. Our attorneys collaborated with forensic auditors in monitoring the bank’s suspicious activity, reporting practices and anti-money-laundering procedures, as well as its compliance with related laws and regulations. In addition to the bank, BakerHostetler reported directly to the United States Attorneys’ Offices for the Southern and Eastern Districts of New York, the Federal Reserve Bank of New York and the New York State Banking Department on the bank’s anti-money laundering compliance program.
- **Mellon Bank, N.A.** – We were appointed and served as the outside independent monitor of Mellon Bank, N.A. (Mellon), by the United States Attorney’s Office. BakerHostetler was responsible for oversight of Mellon’s global compliance on data privacy, government contracts, FCPA and other regulatory compliance matters in accordance with the terms and conditions of a settlement agreement with the U.S. Attorney’s Office. This monitorship continued after Mellon’s subsequent merger with the Bank of New York.
- **Local 14-14B of the International Union of Operating Engineers** – In an effort to eradicate organized crime’s decades-long infiltration and control of Local 14-14B of the International Union of Operating Engineers, BakerHostetler was appointed by the U.S. District Court for the Eastern District of New York to serve as the Ethical Practices Attorney for the Local 14-14B for a period of five years. We were responsible for monitoring the labor union’s job referral procedures, governance and practices in order to eradicate corruption and organized crime’s influence from union business activities. This engagement included the investigation of corruption allegations, prosecution of disciplinary actions, updating union policy and procedures and supervision of union votes and a general election. BakerHostetler’s efforts lead to the permanent expulsion of 30 corrupt union members, sanctions against other members who engaged in corruption and incorporation of anti-corrupt job referral and election rules into the union’s operating procedures. We also litigated, in the U.S. District Court for the Eastern District of New York and the Second Circuit, concerning the scope of our power under the appointing Consent Decree and Judgment and against lawsuits brought against us by members and non-members and a subpoena seeking disclosure of our privileged legal and investigatory files. The EPA’s successful motion to quash the subpoena on attorney-client and investigatory privilege grounds is currently on appeal in the Second Circuit.
- **Town of Brookhaven** – BakerHostetler was selected by the Town of Brookhaven’s Board to investigate the operation of Brookhaven’s landfill and continues to serve as the Monitor for the Town of Brookhaven’s Waste Management Department. BakerHostetler reviews applications for access to the landfill and approves haulers and vendors to mitigate the risk of corruption or illegal dumping and prevent fraud.
- **Securities Investor Protection Act (SIPA) Trustee Irving H. Picard/Madoff Recovery** – As court-appointed counsel to Securities Investor Protection Act (SIPA) Trustee Irving H. Picard, BakerHostetler has been working since December of 2008 to unravel, deconstruct, and litigate one of the largest and most complex financial frauds in U.S. history – Bernard L. Madoff’s decades-long Ponzi scheme. We were selected to lead this global investigation and ongoing litigation based on the excellence and diverse experience of BakerHostetler attorneys in complex business litigation, bankruptcy law, white collar criminal investigation, securities litigation, e-discovery and corporate finance.
- **Receiver of Michael Kenwood Capital Management, LLC** – BakerHostetler was selected by the SEC to serve as federal court-appointed Receiver of the MK Group, a complex family of hedge funds operating a Ponzi scheme through numerous investment companies and affiliates in the Cayman Islands, United States and Latin America. We recovered more than \$300 million of misappropriated assets for defrauded offshore financial institutions and private investors, and directed the management and liquidation of more than a dozen private equity investments and other financial assets of the Receivership.
- **Siemens** – As monitor to Siemens, one of the world’s largest engineering and electronics conglomerates, BakerHostetler provided an independent report to the New York State Comptroller’s Office regarding the corporation’s internal controls with regard to compliance, government contracting and procurement systems. Our team provided reports and recommendations for action after conducting interviews and testing systems of the organization’s medical business.
- **Fair Finance Company** – BakerHostetler serves as Trustee in the chapter 7 bankruptcy of the Fair Finance Company. Seeking recovery against former owner and others who received fraudulent transfers, aided, and abetted a massive Ponzi scheme that was prosecuted by the U.S. Attorney’s Office in Indianapolis, Indiana. BakerHostetler applied unique aspects of the workings of fraudulent transfer laws to structured financings in the consumer financial receivables industry.

Communication

BakerHostetler has the technology available to gather materials and prepare reports in the most complex matters, including the Madoff engagement. Most recently, Ms. Rendon and Mr. Knoth frequently present to community groups on its very subject of Consent Orders.

Demonstrated Ability to Collaborate with Government Entities, the City, CPD, and the State

Team members frequently confer with governmental entities in a variety of capacities. This included representation of governmental units as well as consultation.

Law and Civil Rights

BakerHostetler has had a presence in the Chicago area for nearly a decade.

Prior to joining BakerHostetler, Ms. Rendon served in the U.S. Attorney's Office for seven and a half years as the First Assistant U.S. Attorney and, since Feb. 6, 2016, as the United States Attorney, a position in which she was a nationally recognized leader in confronting cybersecurity challenges and the opioid epidemic. As the chief federal law enforcement officer for the Northern District of Ohio, Ms. Rendon enforced a wide range of criminal and civil statutes, including the prosecution of public corruption, civil rights, drug trafficking, consumer fraud, human trafficking, firearms crimes and other violations. She also oversaw the U.S. Attorney's Office's high-profile civil litigation and served as lead counsel on several significant civil matters, including the consent decree with the City of Cleveland providing comprehensive reform for the Cleveland Division of Police. Ms. Rendon has established roots in the Chicago area, having earned her J.D. from the Northwestern School of Law, cum laude, in 1987, and her B.A. from Northwestern University, summa cum laude, in 1984. Immediately following law school, she served as a law clerk for the Honorable Joel M. Flaum of the United States Court of Appeals for the Seventh Circuit.

With more than 30 years of trial experience, Mr. Knoth has developed a strong practice in complex commercial litigation. He has first-chair experience on behalf of national and international companies in jury and bench trials in courts throughout the country. In addition, Mr. Knoth has argued more than 50 appeals in both state and federal courts throughout the United States. Given his background in corporate governance and his keen strategic sense, Dick is often called upon to represent companies undergoing government investigations. On Dec. 21, 2017, Mr. Knoth was sworn in by Mayor Frank Jackson as a new member of the Cleveland Police Commission. The Cleveland Police Commission was created as part of the consent order issued by Federal District Judge Solomon Oliver. The Commission is charged with overseeing the implementation of the consent order as it relates to the community policing effort of the city of Cleveland. Mr. Knoth also has Chicago roots. His family were long time residents of Chicago's Westside and most siblings were born at St. Ann's Hospital. Given those ties, he returned to Chicago and received his J.D. from DePaul University College of Law in 1983. He is a member of the Illinois Bar and Northern District Trial Bar. He maintains an office in Chicago and regularly practices in the jurisdiction.

The BakerHostetler team is comprised of former prosecutors, police executives and consultants who understand Illinois law enforcement practices and the issues confronting the Chicago community. Our team's Chicago connections afford BakerHostetler a unique awareness and understanding of the issues confronting the Chicago community and the Chicago Police Department.

Experience Working with Various Constituencies

All members of the team regularly interact with diverse groups from all sectors. Most recently, Mr. Knoth, as CPC Commissioner, convenes monthly with neighborhood groups in developing responses to CPC policy.

Knowledge of Chicago Communities

From her position as former U.S. Attorney, Mrs. Rendon is readily aware of Chicago's policing environment. Mr. Knoth has direct knowledge of the relevant Chicago communities; team members that reside in Chicago are likewise are familiar with the issues.

Project and Change Management

Most matters handled by the team are large engagement requiring complex analyses at all levels. This includes working with consultants and data analytics in complex matters.

Budgeting

As former U.S Attorney and AUSA, Mrs. Rendon has years of experience in governmental budgeting. Mr. Knoth was former member and Vice Chair of Cleveland Port Authority and had direct responsibility for budgeting for eight years.

Data Analysis and Information Technology

A critical element in the effective monitoring of the CPD's compliance with the anticipated Consent Decree is the availability and reliability of the information critical to the measurement of progress. For this reason, access to trustworthy data from various operational sources and information systems is essential to overseeing the CPD's compliance efforts.

In addition, once engaged, the team will work toward deployment of community consultants from local institutions to provide necessary additional expertise. This will move forward once all systems of the City and CPD are identified so that appropriate consultants are retained.

We will work with technology experts from the CPD and City in the design and implementation of the information management sharing system. The structure we design to manage data and share information will serve as the foundation for the monitoring team's ability to plan and develop strategies to ensure that the CPD is making progress towards the goals and requirements of the anticipated Consent Decree.

IV. Potential Conflicts of Interest or Bias

We are aware of no conflicts of interest or potential conflicts of interest that would compromise any team member's ability to perform the work required of the independent monitor for the Chicago Police Department.

V. Proposed Activities and Methodology

Effective monitoring in this matter will require experienced leadership capable of integrating project management, investigative resources, technology capabilities, data analytics, and subject matter and technical expertise. In addition, it will require unique perspectives to work collaboratively with diverse stakeholders, facilitate progress, report objectively, and help renew public trust.

Once relevant systems are identified, downloads of data will be accomplished with assistance by internal technologists. Actual time spent is estimated in the budget.

Ms. Rendon and Mr. Knoth will coordinate, through assistants, the logistics of relevant stakeholders. Initially, this will include the State Attorney General, the Mayor, Police Superintendent and high level designees of all offices. A calendar will be established and will require on-site meetings with stakeholder representatives no less than monthly.

Teams will be established to oversee the first priority policy development. This presumably will include use of force, search and seizure and community policing. Those teams will meet weekly to develop a time frame for issuance of draft policies. Once review begins, stakeholder meetings will ramp up on each policy.

VI. Cost Estimates

Year 1

Estimated Fees***	Policy Review			Technical Assistance			Training Assessment			Incident Review			Report Writing			Base Year Total
	R	H	F	R	H	F	R	H	F	R	H	F	R	H	F	
Monitors & Legal Counsel Thomas Frazier Police	\$550	525.00	\$288,750.00	\$550.00	575.00	\$316,250.00	\$550.00	300.00	\$165,000.00	\$550.00	600.00	\$330,000.00	\$550.00	500.00	\$275,000.00	
Practice Experts	\$250	225.00	\$56,250.00	\$250.00	100.00	\$25,000.00	\$250.00	200.00	\$50,000.00	\$250.00	240.00	\$60,000.00	\$250.00	75.00	\$18,750.00	
Academic Experts	\$250	100.00	\$25,000.00	\$250.00	150.00	\$37,500.00	\$250.00	200.00	\$50,000.00	\$250.00	100.00	\$25,000.00	\$250.00	100.00	\$25,000.00	
Data Analysts	\$150	100.00	\$15,000.00	\$150.00	650.00	\$97,500.00	\$150.00	265.00	\$39,750.00	\$150.00	175.00	\$26,250.00	\$150.00	100.00	\$15,000.00	
Total Hours****		950			1,475			965			1,115			775		5,280
Total Estimated Fees		\$385,000.00			\$476,250.00			\$304,750.00			\$441,250.00			\$333,750.00		\$1,941,000.00
Other Expenses																
Office Space		n/a*			n/a*			n/a*			n/a*			n/a*		
Travel		\$2,500.00*****			\$2,500.00*****			\$2,500.00*****			\$0.00			\$0.00		\$7,500.00
Sub-consultant		<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>		
Overhead		n/a*			n/a*			n/a*			n/a*			n/a*		\$0.00
Supplies		n/a*			n/a*			n/a*			n/a*			n/a*		
Total Price**		\$387,500.00			\$478,750.00			\$307,250.00			\$441,250.00			\$333,750.00		\$1,948,500.00
R = Rate																
H = Hours																
F = Fees (Rate x Hours = Fees)																
*This budget element is incorporated in the commercial rates being offered by the monitoring team.																
** All figures are estimates.																
***Hourly rates reflect discounts from standard commercial rates.																
****The allocation of hours are estimates, and may be adjusted based on the detailed work plan to be prepared with the parties. BakerHostetler understands fees and expenses expect to be capped at \$2.85 million annually.																
***** Travel expenses of the consultant are anticipated to vary by quarter. There are no other travel expenses anticipated.																

Year 2

Estimated Fees***	Policy Review			Technical Assistance			Training Assessment			Incident Review			Report Writing			Base Year Total
	R	H	F	R	H	F	R	H	F	R	H	F	R	H	F	
Monitors & Legal Counsel Thomas Frazier Police	\$550	600.00	\$330,000.00	\$550.00	525.00	\$288,750.00	\$550.00	300.00	\$165,000.00	\$550.00	600.00	\$330,000.00	\$550.00	500.00	\$275,000.00	
Practice Experts	\$250	200.00	\$50,000.00	\$250.00	100.00	\$25,000.00	\$250.00	200.00	\$50,000.00	\$250.00	240.00	\$60,000.00	\$250.00	40.00	\$10,000.00	
Academic Experts	\$250	270.00	\$67,500.00	\$250.00	75.00	\$18,750.00	\$250.00	150.00	\$37,500.00	\$250.00	100.00	\$25,000.00	\$250.00	125.00	\$31,250.00	
Data Analysts	\$150	200.00	\$30,000.00	\$150.00	475.00	\$71,250.00	\$150.00	100.00	\$15,000.00	\$150.00	125.00	\$18,750.00	\$150.00	75.00	\$11,250.00	
Total Hours****		1,270			1,175			750			1,065			740		5,000
Total Estimated Fees		\$477,500.00			\$403,750.00			\$267,500.00			\$433,750.00			\$327,500.00		\$1,910,000.00
Other Expenses																
Office Space		n/a*			n/a*			n/a*			n/a*			n/a*		
Travel		\$2,500.00****			\$2,500.00*****			\$2,500.00*****			\$0.00			\$0.00		\$7,500.00
Sub-consultant		<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>		
Overhead		n/a*			n/a*			n/a*			n/a*			n/a*		\$0.00
Supplies		n/a*			n/a*			n/a*			n/a*			n/a*		
Total Price**		\$480,000.00			\$406,250.00			\$270,000.00			\$433,750.00			\$327,500.00		\$1,917,500.00
R = Rate																
H = Hours																
F = Fees (Rate x Hours = Fees)																
*This budget element is incorporated in the commercial rates being offered by the monitoring team.																
**All figures are estimates.																
***Hourly rates reflect discounts from standard commercial rates.																
****The allocation of hours are estimates, and may be adjusted based on the detailed work plan to be prepared with the parties. BakerHostetler understands fees and expenses expect to be capped at \$2.85 million annually																
***** Travel expenses of the consultant are anticipated to vary by quarter. There are no other travel expenses anticipated..																

Year 3

Estimated Fees***	Policy Review			Technical Assistance			Training Assessment			Incident Review			Report Writing			Base Year Total
	R	H	F	R	H	F	R	H	F	R	H	F	R	H	F	
Monitors & Legal Counsel Thomas Frazier Police	\$550	525.00	\$288,750.00	\$550.00	448.00	\$246,400.00	\$550.00	275.00	\$151,250.00	\$550.00	600.00	\$330,000.00	\$550.00	500.00	275,000.00	
Practice Experts	\$250	170.00	\$42,500.00	\$250.00	50.00	\$12,500.00	\$250.00	180.00	\$45,000.00	\$250.00	220.00	\$55,000.00	\$250.00	25.00	\$6,250.00	
Academic Experts	\$250	240.00	\$60,000.00	\$250.00	55.00	\$13,750.00	\$250.00	120.00	\$30,000.00	\$250.00	90.00	\$22,500.00	\$250.00	110.00	\$27,500.00	
Data Analysts	\$150	200.00	\$30,000.00	\$150.00	500.00	\$75,000.00	\$150.00	150.00	\$22,500.00	\$150.00	150.00	\$22,500.00	\$150.00	100.00	\$15,000.00	
Total Hours****		1,135			1,053			725			1,060			735		4,708
Total Estimated Fees		\$421,250.00			\$347,650.00			\$248,750.00			\$430,000.00			\$323,750.00		\$1,771,400.00
Other Expenses																
Office Space		n/a*			n/a*			n/a*			n/a*			n/a*		
Travel		\$2,500.00*****			\$2,500.00*****			\$2,500.00*****			\$0.00			\$0.00		\$7,500.00
Sub-consultant		<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>		
Overhead		n/a*			n/a*			n/a*			n/a*			n/a*		\$0.00
Supplies		n/a*			n/a*			n/a*			n/a*			n/a*		
Total Price**		\$423,750.00			\$350,150.00			\$251,250.00			\$430,000.00			\$323,750.00		\$1,778,900.00
R = Rate																
H = Hours																
F = Fees (Rate x Hours = Fees)																
*This budget element is incorporated in the commercial rates being offered by the monitoring team.																
**All figures are estimates.																
***Hourly rates reflect discounts from standard commercial rates.																
****The allocation of hours are estimates, and may be adjusted based on the detailed work plan to be prepared with the parties. BakerHostetler understands fees and expenses expect to be capped at \$2.85 million annually																
***** Travel expenses of the consultant are anticipated to vary by quarter. There are no other travel expenses anticipated..																

Year 4

Estimated Fees***	Policy Review			Technical Assistance			Training Assessment			Incident Review			Report Writing			Base Year Total
	R	H	F	R	H	F	R	H	F	R	H	F	R	H	F	
Monitors & Legal Counsel Thomas Frazier Police	\$550	525.00	\$288,750.00	\$550.00	434.00	\$238,700.00	\$550.00	200.00	\$110,000.00	\$550.00	600.00	\$330,000.00	\$550.00	500.00	\$275,000.00	
Practice Experts	\$250	180.00	\$45,000.00	\$250.00	50.00	\$12,500.00	\$250.00	180.00	\$45,000.00	\$250.00	190.00	\$47,500.00	\$250.00	40.00	\$10,000.00	
Academic Experts	\$250	200.00	\$50,000.00	\$250.00	75.00	\$18,750.00	\$250.00	200.00	\$50,000.00	\$250.00	100.00	\$25,000.00	\$250.00	75.00	\$18,750.00	
Data Analysts	\$150	175.00	\$26,250.00	\$150.00	410.00	\$61,500.00	\$150.00	125.00	\$18,750.00	\$150.00	100.00	\$15,000.00	\$150.00	75.00	\$11,250.00	
Total Hours****		1,080			969			705			990			690		4,434
Total Estimated Fees		\$410,000.00			\$331,450.00			\$223,750.00			\$417,500.00			\$315,000.00		\$1,697,700.00
Other Expenses																
Office Space		n/a*			n/a*			n/a*			n/a*			n/a*		
Travel		\$2,500.00*****			\$2,500.00*****			\$2,500.00*****			\$0.00			\$0.00		\$7,500.00
Sub-consultant		<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>		
Overhead		n/a*			n/a*			n/a*			n/a*			n/a*		\$0.00
Supplies		n/a*			n/a*			n/a*			n/a*			n/a*		
Total Price**		\$412,500.00			\$333,950.00			\$226,250.00			\$417,500.00			\$315,000.00		\$1,705,200
R = Rate																
H = Hours																
F = Fees (Rate x Hours = Fees)																
*This budget element is incorporated in the commercial rates being offered by the monitoring team.																
**All figures are estimates.																
***Hourly rates reflect discounts from standard commercial rates.																
****The allocation of hours are estimates, and may be adjusted based on the detailed work plan to be prepared with the parties. BakerHostetler understands fees and expenses expect to be capped at \$2.85 million annually.																
***** Travel expenses of the consultant are anticipated to vary by quarter. There are no other travel expenses anticipated.																

Year 5

	Policy Review			Technical Assistance			Training Assessment			Incident Review			Report Writing			Base Year Total
Estimated Fees***	R	H	F	R	H	F	R	H	F	R	H	F	R	H	F	
Monitor & Legal Counsel Thomas Frazier Police	\$550	525.00	\$288,750.00	\$550.00	434.00	\$238,700.00	\$550.00	150.00	\$82,500.00	\$550.00	600.00	\$330,000.00	\$550.00	480.00	\$264,000.00	
Practice Experts	\$250	160.00	\$40,000.00	\$250.00	50.00	\$12,500.00	\$250.00	150.00	\$37,500.00	\$250.00	150.00	\$37,500.00	\$250.00	25.00	\$6,250.00	
Academic Experts	\$250	180.00	\$45,000.00	\$250.00	75.00	\$18,750.00	\$250.00	150.00	\$37,500.00	\$250.00	100.00	\$25,000.00	\$250.00	75.00	\$18,750.00	
Data Analysts	\$150	150.00	\$22,500.00	\$150.00	300.00	\$45,000.00	\$150.00	125.00	\$18,750.00	\$150.00	100.00	\$15,000.00	\$150.00	75.00	\$11,250.00	
Total Hours****		1,015			859			575			950			655		4,054
Total Estimated Fees		\$396,250.00			\$314,950.00			\$176,250.00			\$407,500.00			\$300,250.00		\$1,595,200.00
Other Expenses																
Office Space		n/a*			n/a*			n/a*			n/a*			n/a*		
Travel		\$2,500.00*****			\$2,500.00*****			\$2,500.00*****			\$0.00			\$0.00		\$7,500.00
Sub-consultant		<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>			<i>see estimated fees above</i>		
Overhead		n/a*			n/a*			n/a*			n/a*			n/a*		\$0.00
Supplies		n/a*			n/a*			n/a*			n/a*			n/a*		
Total Price**		\$398,750.00			\$317,450.00			\$178,750.00			\$407,500.00			\$300,250.00		\$1,602,700.00
R = Rate																
H = Hours																
F = Fees (Rate x Hours = Fees)																
*This budget element is incorporated in the commercial rates being offered by the monitoring team.																
**All figures are estimates.																
***Hourly rates reflect discounts \from standard commercial rates.																
****The allocation of hours are estimates, and may be adjusted based on the detailed work plan to be prepared with the parties. BakerHostetler understands fees and expenses expect to be capped at \$2.85 million annually.																
***** Travel expenses of the consultant are anticipated to vary by quarter. There are no other travel expenses anticipated.																

VII. Communications

No such communications outside of this application has transpired.

Appendix A: Team Member Resumes

Below are the full-length resumes for the proposed team members as detailed in Section II.

Carole S. Rendon

Partner

Cleveland

Key Tower, 127 Public Square
Suite 2000
Cleveland, OH 44114-1214

T +1 216.861.7420 F +1 216.696.0740

crendon@bakerlaw.com



Services

- White Collar, Investigations and Securities Enforcement and Litigation
- Foreign Corrupt Practices Act (FCPA)
- Commercial Litigation
- Privacy and Data Protection
- Compliance
- Securities and Governance Litigation

Industries

- Life Sciences

Prior Positions

- United States Attorney's Office, Northern District of Ohio
 - United States Attorney (2016 to 2017)
 - First Assistant United States Attorney (2010 to 2016)
 - Executive Assistant United States Attorney (2009 to 2010)
- Private Practice in Boston, Massachusetts, and Cleveland, Ohio (1997 to 2009)
- United States Attorney's Office, District of Massachusetts
 - Chief, OCDETF Unit (1994 to 1997)
 - Organized Crime Task Force: Assistant U.S. Attorney and Trial Attorney (1988 to 1994)
- Law Clerk for the Honorable Joel M. Flaum, United States Court of Appeals for the Seventh Circuit (1987 to 1988)

Admissions

- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Northern District of Ohio
- U.S. District Court, District of Massachusetts
- Ohio

Former United States Attorney for the Northern District of Ohio, Carole Rendon possesses a wealth of experience in a range of matters, including criminal prosecution, private defense and civil litigation. As the first woman to serve as the First Assistant U.S. Attorney for the Northern District of Ohio, and later as the United States Attorney, Carole both supervised and personally handled high-profile, crisis-level litigation, much of which involved intense public and media scrutiny. As the chief federal law enforcement officer, Carole enforced a wide range of criminal and civil statutes, including False Claims Act litigation and the prosecution of public corruption, civil rights, consumer fraud and violations of the Foreign Corrupt Practices Act (FCPA). She also oversaw and personally handled high-profile civil litigation, including as lead counsel on the Consent Decree providing comprehensive reform for the Cleveland Division of Police. A passionate advocate for the community, Carole helped establish the Northeast Ohio Business Ethics Coalition, the U.S. Attorney's Heroin and Opioid Task Force, and the Northeast Ohio Cyber Security Consortium.

Carole has significant experience managing crisis-level commercial, regulatory and criminal matters, with a particular depth of knowledge regarding the FCPA, the Racketeer Influenced and Corrupt Organizations Act (RICO), and monitorships, as well as advising clients on structuring compliance programs to help avoid such problems. Previously, Carole served for a decade as a federal prosecutor in the Organized Crime Strike Force and as Chief of the Organized Crime Drug Enforcement Task Force at the U.S. Attorney's Office in Boston, Massachusetts, and for more than a decade as a litigator in private practice. She has represented companies and individuals in high-stakes criminal, civil, internal and congressional investigations.

Experience

In her 30-year career, Carole has been involved in nearly every type of criminal, civil and regulatory investigation, in many circumstances with experience serving as counsel on different sides. Representative matters and areas of experience include:

FCPA

- In conjunction with the Fraud Section of the Criminal Division of the Department of Justice and the SEC, served as lead counsel for the U.S. Attorney's Office on an FCPA investigation in which the target

Response to Application to serve as Independent Monitor 8

- Illinois [Inactive]
- Massachusetts [Inactive]

Education

- J.D., Northwestern University School of Law, 1987, *cum laude*
- B.A., Northwestern University, 1984, *summa cum laude*

company entered into a Deferred Prosecution Agreement, paid \$25 million in fines and agreed to a monitorship to resolve its FCPA violations.

- Represented the controller of a target company in an FCPA investigation.

Healthcare

- Supervised multiple civil and criminal investigations of a large pharmaceutical distribution company involving violations of the False Claims Act and the Controlled Substances Act, resulting in fines totaling more than \$150 million.
- Supervised civil and criminal investigations of medical professionals, hospitals and nursing homes for violations of the False Claims Act, wire fraud, mail fraud, Medicare fraud, money laundering and related violations.
- Successfully defended the owner and operator of a group of nursing homes in a prosecution for Medicaid fraud.

Criminal Litigation and Corruption

- Lead counsel on the investigation and prosecution of Suarez Corporation Industries, Chief Executive Officer Benjamin Suarez and Chief Financial Officer Michael Giorgio for violations of the campaign finance laws and obstruction of justice.
- Prosecuted a series of cases and appeals involving corruption in the Boston Police Department resulting in the convictions of more than 30 defendants for paying and receiving bribes in exchange for information and favorable treatment.
- Represented the largest American manufacturer and distributor of explosives in two separate matters involving criminal investigations regarding the company's federally mandated record keeping.
- Lead defense counsel in a case charging false statements in the context of a submission to the SEC in response to a Wells notice. Following extensive briefing and a contested hearing, the judge dismissed the indictment in its entirety on statute of limitations grounds.
- Co-counsel defending a former Cuyahoga County probation officer charged with multiple counts of kidnapping, gross sexual imposition and related offenses.

Civil Rights

- As lead counsel for the United States Attorney's Office, in partnership with the Civil Rights Division of Main Justice, engaged in an extensive investigation of the Cleveland Division of Police's excessive use of force, and negotiated a consent decree with the city of Cleveland for comprehensive reform of the Cleveland Division of Police.
- As lead counsel for the United States Attorney's Office, in partnership with the Voting Rights Section of the Civil Rights Division of the Department of Justice, negotiated a consent decree with the Cuyahoga County Board of Elections requiring the adoption of bilingual ballots, bringing Cuyahoga County into compliance with the Voting Rights Act.

Assisted in the negotiation of a similar agreement with the Lorain County Board of Elections the following year.

Cybersecurity

- Oversaw the formation of the Northeast Ohio Cyber Security Consortium, a unique, regional cross-sector information-sharing organization that combines leading private sector institutions, public entities and federal law enforcement in a joint effort to identify and mitigate ongoing cyber threats. Planned the kickoff conference to announce the consortium's creation, at which the FBI director was a keynote speaker.
- Oversaw nearly a dozen national and international cyber prosecutions.

Commercial Litigation

- Co-counsel for Park Corporation in eminent domain litigation between the city of Brook Park and the Brook Park Community Urban Redevelopment Corporation over the planned expansion of Cleveland Hopkins International Airport. Following a three-week bench trial, the judge ruled in favor of the client.
- Represented major corporations and financial institutions in employment, contract and commercial litigation.

Financial Services

- Oversaw the investigation of the largest credit union failure in United States history. The investigation resulted in convictions of more than 20 businesspeople, bank officials and organized crime figures for bank bribery, fraud and obstruction of justice.
- Oversaw a civil False Claims Act enforcement action involving a large bank for its actions leading up to the mortgage meltdown, resulting in a \$200 million fine.

Testimony

- Testimony before the Senate Committee on Homeland Security and Government Affairs Hearing titled "Examining the Impact of the Opioid Epidemic," April 22, 2016.
- Appearance with City of Cleveland Law Director Barbara Langhenry before the Cleveland City Council on the Consent Decree for comprehensive reform of the Cleveland Division of Police, June 3, 2015.
- Testimony before the Ohio Civil Rights Commission on Human Trafficking, June 5, 2013.

Recognition

- The Legal 500 United States (2018)
 - Recommended in Dispute Resolution - Corporate Investigations and White-Collar Criminal Defense
- Northeast Ohio Chapter of the American Constitution Society: Congresswoman Stephanie Tubbs Jones Award for Public Service (2017)

Memberships

- Litigation Counsel of America: Senior Fellow
- Women's White Collar Defense Association
- National Association of Former United States Attorneys
- Federal Bar Association: Board of Directors (2017 to present)
- American Bar Association (1998 to 2017)
- Cleveland Metropolitan Bar Association (1998 to 2017)
 - Trustee (2005 to 2008 and 2013 to 2017)
 - 3Rs Program (2006 to 2017)
 - Membership Committee (2013 to 2015)
 - Citizens' Legal Academy: Co-Chair (2012 to 2013)
 - Minority Clerkship Committee (2007 to 2009)
 - Women in the Law Section: Chair (2007 to 2008)
 - Trustee (2005 to 2008, 2013 to 2017)
 - Criminal Law Section: Chair (2005 to 2006)
- Cleveland Metropolitan Bar Foundation: Fellow (2005 to 2017)
- John M. Manos Inn of Court: Barrister (2000 to 2017)
- Eighth District Judicial Conference Executive Committee
 - Life Member
 - Co-Chair (2018)
 - Delegate (2007 to 2010)
- Federal Magistrate Judge for the Northern District of Ohio: Selection Panel (2016)
- Toledo Women's Bar Association (2011 to 2014)
- Cleveland Marshall College of Law: Visiting Advisory Committee (2008 to 2011)
- Litigation Associates of America (2008 to 2010)
- Federal Defender for the Northern District of Ohio: Selection Panel (2007)
- National Association of Criminal Defense Lawyers (2005 to 2009)

Community

- Memorial Elementary School: Tutor (2012 to 2017)
- Cuyahoga County Justice System Reform Project
 - Member (2005 to 2010)
 - Community Council: Chair (2007 to 2009)
- Park Synagogue
 - Education Committee (2000 to 2003)
 - Mitzvah Day Committee (2000 to 2003)
 - Mitzvah Day Site Coordinator (2000 to 2017)

- Trinity Cathedral Sunday Lunch Ministry: Team Captain (1999 to 2012)
- Pardes High School Board of Trustees: Vice President (1999 to 2000)
- Cleveland Municipal School System: Mock Trial Volunteer
- Case Western Reserve University School of Law: First Amendment Advisory Board

Richard M. Knoth

Partner

Cleveland

Key Tower, 127 Public Square
Suite 2000
Cleveland, OH 44114-1214

T +1.216.861.7412 F +1.216.696.0740

rknoth@bakerlaw.com



“[Dick Knoth] has broad capabilities across the dispute resolution spectrum, and is noted as a proficient and recognized advocate at the trial and appellate levels.”

— *Chambers USA 2013*

Services

- Commercial Litigation

Industries

- Software
- Energy Industry
- Healthcare Industry

Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Federal Claims
- Texas
- Ohio
- Illinois
- Indiana
- New York

Education

- J.D., DePaul University College of Law, 1983

With more than 30 years of trial experience, Dick Knoth has developed a strong practice in complex commercial litigation and intellectual property law. He has first-chair experience on behalf of national and international companies in jury and bench trials in courts throughout the country. In addition, Dick has argued more than 50 appeals in both state and federal courts throughout the United States. Given his background in corporate governance and his keen strategic sense, Dick is often called upon to represent companies undergoing government investigations.

Dick is ranked in *Chambers USA: America's Leading Lawyers for Business* in the area of General Commercial Litigation and is listed in *The Best Lawyers in America*®.

Experience

- Prosecuted software conversion/misappropriation claims and obtained a favorable seven-figure jury verdict, punitive damages and permanent injunction in a California multifaceted enterprise resource planning (ERP) litigation.
- Lead counsel in trial of environmental case concerning governmental imposition of contested requirements to operate energy facility.
- Defended patent claims and pursued third-party contribution/indemnity in federal court involving developing technology in the field of digital satellite transmission.
- Represented a client in long-term shipping disputes concerning trade practices of navigable waters. Included pursuing claims and defenses before a jury and successful resolution of third-party claims.
- Represented corporate clients in government investigations relating to trade practices in fields including the technology, healthcare and energy industries.
- Pursued trade secret/unfair competition claims in microfilm technology and innovations regarding the state-of-the-art processing of health and hygiene products.
- Defended patent claims related to display media technology, including transmission mediums, in several jurisdictions.

- A.B., Boston College, 1980, *cum laude*
- Prosecuting multifaceted actions relating to copyrighted software and license agreements in the ERP field with the ongoing monitoring of claims.
- Prosecutes property interests in the oil and gas industry.

Recognition

- Chambers USA: General Commercial Litigation in Ohio (2012 to 2014)
- Litigation Counsel of America: Trial Fellow
- *The Best Lawyers in America*® (2011 to 2018)
 - Cleveland: Commercial Litigation
 - Cleveland: Litigation – Intellectual Property
 - Cleveland: Litigation – Patent
- Martindale-Hubbell: AV Preeminent

Memberships

- American Bar Association
- Ohio State Bar Association
- Cleveland Metropolitan Bar Association

Community

- Cleveland Police Commission
 - Appointed by Mayor Frank Jackson to Commission overseeing a Consent Decree issued by District Judge Solomon Oliver directing reformation of Cleveland Police Department.
- Cleveland/Cuyahoga County Port Authority
 - Director, appointed and re-appointed by Cuyahoga County, Ohio, Commissioners
 - Former Vice Chair
- Case Western Reserve University School of Nursing: Board of Advisors
- Boys and Girls Club of Cleveland: Trustee/Strategic Planning
 - Financial Advisor
 - Trustee
- Beaumont School for Girls
- Visiting Nurse Association of Ohio, Cleveland
 - Board of Trustees
 - Former Board Chair
 - Former Treasurer/Director of Finance
- Opera Cleveland: Board of Trustees

George J. Tzanetopoulos

Partner

Chicago

191 North Wacker Drive
Suite 3100
Chicago, IL 60606-1901

T +1.312.416.6225 F +1.312.416.6265

gtzanetopoulos@bakerlaw.com



Services

- Class Action Defense
- Commercial Litigation
- Environmental

Industries

- Energy Industry

Admissions

- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, District of Colorado
- U.S. District Court, Northern District of Illinois
- Illinois

Education

- J.D., University of Michigan Law School, 1985, with honors
- B.A., University of Chicago, 1982, with honors

George Tzanetopoulos is a widely experienced trial and appellate litigator. He has represented businesses and individuals in trials, arbitrations, administrative hearings and appellate proceedings throughout the country. George places a high value on understanding a client's business and assisting the client in managing resolution of a dispute, whether by trial or settlement, in the context of the client's business imperatives.

Experience

Class action defense

- Defended class actions that have alleged consumer fraud, residential lease ordinance violation, large data breach, and misuse and wrongful acquisition of proprietary information claims.

Commercial Litigation

- Represented clients in numerous supply contract, trade secret, noncompete and partnership disputes.

Construction

- Represented owners and contractors in construction failure, construction bond and subcontractor default insurance cases.

Consumer Regulation Counseling

- Provided advice on TCPA, Truth in Lending Act, state telemarketing regulation, and home warranty and service contract sales compliance.

Energy

- Represented public utilities, pipeline companies and their unregulated affiliates in commercial, land use, tort and eminent domain disputes.

Environmental Litigation

- Represented clients in suits alleging unlawful discharge or disturbance of hazardous materials.

Redistricting

- Represented members of Congress and county boards in redistricting.

Tort Defense

- Represented clients in major fires, explosions, carbon monoxide exposure and industrial accident cases.

Recognition

- *The Best Lawyers in America*© (2012 to 2018)
 - Chicago: Arbitration
 - Chicago: Product Liability Litigation – Defendants
 - *Best Lawyers*® 2012 “Lawyer of the Year”
- Martindale-Hubbell: AV Preeminent

Memberships

- American Bar Association
- Illinois State Bar Association
- Chicago Bar Association

Breaden M. Douthett

Counsel

Cleveland

T +1.216.861.7891 F +1.216.696.0740

bdouthett@bakerlaw.com



Services

- Commercial Litigation

Industries

- Financial Services Industry
- Energy Industry

Prior Positions

- Law Clerk for the Honorable Sam Bell, U.S. District Court for the Northern District of Ohio

Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Ohio
- Ohio

Education

- J.D., The Ohio State University Michael E. Moritz College of Law, 1991; Articles Editor, *The Ohio State Law Journal*
- B.A., Denison University, 1988

Brady Douthett is a business litigator with a focus in complex commercial and appellate litigation. He represents banks, factors and private equity firms in matters involving an array of instruments ranging from credit agreements to derivative contracts and equity acquisition agreements. In addition, Brady has extensive experience pursuing and defending claims arising from other complex commercial matters, such as insurance, intellectual property, licensing, real estate and regulatory compliance. Experienced in state, bankruptcy and federal courts, Brady is diligent and enthusiastic in his work, keeping his focus on the details of his clients' needs and their ultimate business goals.

Experience

- First-chair trial lawyer in a lender's case against a former CEO of a publicly traded company. Involved numerous legal and equitable defenses revolving around a nearly decade-long corporate line of credit. Resulted in a \$33 million verdict in favor of the client.
- Lead attorney in multiple cases brought against insiders of a lending institution that was tainted by fraud, seeking and obtaining millions of dollars in judgments against executives and insider borrowers on claims of malfeasance and interlocking credit defaults.
- Coordinated the successful defense of a national retail company in nationwide consumer litigation.
- Coordinated strategic multidistrict and international litigation regarding trademark disputes between two publicly traded companies, resulting in satisfactory resolution of cross-border issues.
- Counseled energy providers and marketers regarding deregulation, business practices and real estate appropriation.

Memberships

- American Bar Association
- Federal Bar Association
- Ohio State Bar Association
- Cleveland Metropolitan Bar Association

Tera N. Coleman

Associate

Cleveland

Key Tower, 127 Public Square
Suite 2000
Cleveland, OH 44114-1214

T +1.216.861.7582 F +1.216.696.0740

tcoleman@bakerlaw.com



Services

- Commercial Litigation

Prior Positions

- Ohio House of Representatives: Intern to State Representative Barbara H. Boyd

Admissions

- U.S. District Court, Northern District of Ohio
- Ohio

Education

- J.D., The Ohio State University Michael E. Moritz College of Law, 2013; *Ohio State Journal of Criminal Law*, *Managing Editor*; Black Law Students Association, Secretary
- B.A., The Ohio State University, 2010, *cum laude*

Drawing from hands-on litigation experience, Tera Coleman represents clients in state and federal court, handling all aspects of litigation from inception to settlement and trial. She utilizes a strategic global approach to matters, understanding that clients' individual needs are unique in all situations.

Experience

- Obtained a defense verdict in a state jury trial for a client as second-chair attorney to the trial team. Handled all pretrial litigation matters and conducted direct and cross-examinations at trial.
- Defended a public housing association in a construction contract dispute involving Davis-Bacon and related acts. Resulted in a favorable settlement for the client.
- Represents public and private companies in state and federal court in various tort, contract and public law litigation matters.

Memberships

- American Bar Association
- Ohio State Bar Association
- Cleveland Metropolitan Bar Association

Community

- Recovery Resources
 - Associate Board
 - Member (2014 to 2017)
 - Secretary (2015 to 2016)
 - Bronze Key Planning Committee (2015 to 2016)
- Maple Heights High School Mock Trial Team: Legal Advisor (2014 to 2015)
- The Ohio State University
 - Alumni Association (2010 to 2017)
 - African American Heritage Festival

- Co-Chair
 - Scholarship Committee Chair
- Cleveland Metropolitan Bar Association
 - 3R Program: Volunteer
- Central Ohio Buckeye Leadership Conference: Planning Committee
- Miss America Organization
 - Miss Greater Cleveland
 - Miss Heart of Ohio

Subcontractors and Consultants

THOMAS C. FRAZIER

31 Elizabeth Way
Novato, CA, 94945



Curriculum Vitae of Thomas C. Frazier

Professional Experience

2001-present	Frazier Group LLC	President
--------------	-------------------	-----------

Founder and CEO of a consulting firm providing customized services to clients in both government and corporate sectors. We provide both plaintiff and defense expert witness analysis and testimony that has included cases involving NYPD, City of Chicago, City of Columbus, City of San Jose and US Border Patrol among many others. Frazier Group also provides and performs advisory, analytical, and management coaching regarding departmental operations and administrative assessment, and review of civil rights compliance. We develop innovative, cost-efficient programs, proposals, and curricula. We have established and developed a nationally recognized team of subject matter experts. Frazier Group, LLC, has served clients including the Department of Homeland Security, NASA, Johns Hopkins University, U.S. Department of Justice, State of Sao Paulo (Brazil), National Association of Public Administrators, and the Cities of Philadelphia, Boston, and Louisville among many others. Served as a Federal Monitor of the Consent Decrees of both the Cities of Los Angeles and Detroit, leading the assessment of Training and Use of Force encounters.

From 2001 to 2010, served as Executive Director of the Major Cities Chiefs Association (MCCA), one of the nation's oldest and most influential law enforcement organizations. This association represents the chief executives of the 70 largest law enforcement agencies in the United States and Canada. Supported the

Board of Directors of MCCA in responding to critical issues, coordinated MCCA activities and promoted relationships among member agencies, the National Sheriffs Association, the Major County Sheriffs Association, the International Association of Fire Chiefs, DHS Grants Administration, DHS Intelligence and Analysis, the Department of Justice, and represented MCCA in matters before Congress and the White House.

Served as the MCCA representative to policy councils on Intelligence Led Policing, Suspicious Activity Reporting, the Senior Law Enforcement Interagency Advisory Group, ODNI Partners Group, the Fusion Center Management Group, the Criminal Intelligence Coordinating Council, the Global Intelligence Working Group, and the MCC Intelligence Commanders Group. Responsible for leading delivery of the Chief Executive Officers Briefings to State and Regional Chiefs and Sheriffs on Suspicious Activity Reporting, and the value of the nation’s Fusion Center network. Held face-to-face issue meetings with Attorney General Eric Holder, Secretary of DHS Janet Napolitano, White House and Congressional staff, and former attorneys general and Presidential appointees.

1999-2001 Office of Community Oriented Policing Services Director
 U.S. Department of Justice

As a Presidential appointee, directed all administration and operations of one of the primary granting agencies of the Department of Justice. Established new initiatives and policies to foster community oriented policing as the foundation on which to advance law enforcement’s involvement in sustaining viable communities. Implemented one of the largest grant programs in the history of the Justice Department, an \$8.8 billion dollar allocation to hire and support 100,000 new police officers nationwide. Identified key national issues in crime and order maintenance, law enforcement ethics, support of Indian Country, and providing funding support to public safety agencies to address current issues. Provided guidance and technical support to the Attorney General of the United States and Associate Attorney General in matters related to public safety and community oriented policing. Served as liaison to federal agencies, state and local law enforcement agencies, private foundations, and nonprofit organizations on behalf of the COPS Office, White House, Attorney General, and Associate Attorney General.

1994-1999 Baltimore Police Department Police Commissioner

Directed all administration and operations of the nation's ninth largest police department, with over 3,100 officers and 600 civilian personnel serving an urban population of over 650,000. Decreased the crime rate every year. Established an organizational commitment to community policing. Led the modernization of department technology and support systems. Significantly increased the number of women and minority officers throughout the ranks and in every specialty unit. Established innovative programs in domestic violence, crime prevention, patrol, and training. Streamlined the agency and reduced the hierarchy by eliminating three ranks. Increased federal grant funding for departmental activities. Developed new partnerships and community initiatives with the faith, business, and nonprofit communities. Established the nation's second largest Police Athletic League, serving 10,000 young people. Established the Baltimore Police Foundation.

1994-present Johns Hopkins University Executive in Residence
Division of Public Safety Leadership

Senior Lecturer in the Johns Hopkins University, School of Education, Division of Public Safety Leadership, which provides graduate and undergraduate curricula for senior public safety personnel. Provide instruction in courses relating to community development, leadership and organizational behavior, case studies, crisis communication and management, and intelligence collection and fusion. Serve as a member of the Division's program development and design team.

1967-1994 San Jose Police Department Deputy Chief of Police

Promoted through the ranks from patrol officer to Deputy Chief of Police in 33rd largest police department in the nation, with over 1,400 officers. (San Jose is the nation's 10th largest city.) Served as Commander in each of the department's four bureaus including Field Operations, Investigations, Administration, and Technical Services. Established community oriented policing as a foundation for all services. Served as commander of the Special Operations Division, Mobile Emergency Response Group, and the Research and Development Unit. Served as Special Assistant to the City Manager, including an extended assignment to investigate a large investment fund loss.

Education

Master of Science - Administration of Criminal Justice - San Jose State University

Bachelor of Science - Social Sciences - San Jose State University

National Executive Institute - Federal Bureau of Investigation

Advanced Certificate - California Police Officers Standards & Training

Military

U.S. Army Intelligence Officer, 1st Lieutenant, Vietnam

Commanded the 501st Military Intelligence Detachment, Fort Hood, TX

Awarded the Bronze Star, the Air Medal, and the Combat Infantryman's Badge

Boards, Appointments

President, Board of Directors, Police Executive Research Forum

DHS Fusion Center Management Group

ODNI Partners Group

DHS Senior Law Enforcement Interagency Advisory Group

DOJ/BJA Criminal Intelligence Coordinating Council

Executive Committee, Interagency Threat Assessment and
Coordination Group, National Counter-Terrorism Center.

Global Justice Advisory Committee, USDOJ

Chair, Executive Committee, Baltimore/Washington High Intensity Drug Trafficking Area
(HIDTA)

National Community Oriented Policing Resource Board (COPS)

Board Member, Mid-Atlantic Regional Community Policing
Institute

Member, MD. Lt. Governor's and Attorney General's Family
Violence Council

Former Chair, MD. Governor's Community Oriented Policing
Subcommittee

Former Chair, MD. Governor's Juvenile Justice Subcommittees
Co-Chair, MD. Governor's Council on Criminal and Juvenile
Justice

Professional Organizations

International Association of Chiefs of Police
FBI National Executive Institute Association
Police Executive Research Forum National Organization of Black
Law Enforcement Executives
Maryland Chiefs of Police
Texas Chiefs of Police Association
Texas Sheriffs Association

Awards and Honors

2001 - Edmund J. Randolph Award for Outstanding Service, United
States Department of Justice
2000 - Brigadeiro Tobias Honor Medal, Police of the State of Sao
Paulo, Brazil
1999 - IACP Webber-Seavey Award for Quality in Law
Enforcement
1998 - John Jay College Man of the Year
1996 - President's Award, Fullwood Foundation
1996 - Make a Difference Award, Baltimore Chamber of Commerce
1996 - Outstanding Citizenship Award, Baltimore Commission on
Aging and Retirement

Community Service

Commissioner, Los Gatos PAL Soccer, 500 Youth Players
Vestry, Episcopal Church of the Redeemer, Baltimore, MD.
President, Blythewood Neighborhood Association, Baltimore, MD.
Vestry, St. Luke's Episcopal Church, Los Gatos, CA.
Rector Search Committee, St. Luke's Episcopal Church, Los Gatos, CA.
Towson Recreation Girls' Soccer, Baltimore, MD.

Advisor, Baltimore Police Athletic League
Board of Directors, Baltimore Municipal Employees Credit Union
Advisor, Signal 13 Foundation, Baltimore Police Department
Board of Directors, Baltimore Council, Boy Scouts of America
Board of Directors, Baltimore Substance Abuse System
Board of Directors, Chesapeake Bay Outward Bound

Testimony in past five years

Delphine Allen v. City of Oakland, case no. C00-4599TEH (2012)

Baldasano v. County of San Benito, case no. CV-00331 JST (2018)f