

ADDENDUM TO UNITED STATES SENATE
QUESTIONNAIREQUESTION I(18):

A1.

Case Description:

Represented Ferrari North America in an administrative hearing, ordered pursuant to a writ of mandate, of dealer's petition challenging the termination of his Ferrari franchise under California's Automobile Franchise Law. I predominantly conducted the hearing before the California New Motor Vehicle Board which confirmed the termination.

Ferrari North America appealed the judgment rendered on the writ, which judgment was reversed on appeal. The appeal addressed the issue whether a Stipulation of Settlement entered into before the California New Motor Vehicle Board could be enforced, without a good cause hearing, to terminate a dealer.

Although not listed as co-counsel for appellant's briefs, I had significant drafting input into the briefs. The appellate case was entitled Ferrari of Sacramento, Inc., Respondent v. New Motor Vehicle Board and Sam Jennings as Secretary, Appellants, and Ferrari North America, Real Party in Interest and Appellant; No. C008840 in the Court of Appeal of the State of California in and for the 3rd Appellate District; Sacramento Superior Court, Case No. 360734. See below for the names, addresses and telephone numbers of co-counsel and adversaries).

ADMINISTRATIVECase Name:

Ferrari of Sacramento, Inc. vs. Ferrari North America.

Agency:

State of California New Motor Vehicle Board
(Appeared *pro hac vice*)

Protest No.:

PR-973-88

**Administrative
Law Judges:**Robert S. Kendall
Marilyn Wong**Dates of Hearing:**10/16/90, 10/17/90, 10/31/90, 11/1/90, and
11/2/90**Co-counsel:**Nicholas Browning, III, Esq.
Herzfeld & Rubin
1925 Century Park East, Suite 600
Los Angeles, California 90067-2783
(213) 553-0451**Adversaries:**Jay-Allen Eisen
Jay-Allen Eisen Law Corporation
1000 G Street, Suite 300
Sacramento, California 95814
(916) 444-6171Donald M. Licker, Esq.
701 University Avenue, Suite 100
Sacramento, California 95825
(916) 924-9600

A2.

Case Description:

Represented Ferrari North America, *pro hac vice*, a franchisor of bankrupt dealer in hearings relating to Ferrari's opposition to the rejection of customer contracts, assumption of the dealer's franchise agreement and confirmation of the proposed sale of dealer's franchise. The Court ruled that the dealer could not reject customer contracts, although financially burdensome, and then assume franchise agreement.

Case subsequently settled with sale of dealership and resolution of claims among dealer, new buyer, Ferrari and customers.

Case Name:

Van Ness Auto Plaza, Inc. a California Corporation, d/b/a Auto Plaza Lincoln Mercury, Auto Plaza Porsche and Auto Plaza Ferrari, Debtors.

Court:

United States Bankruptcy Court, Northern District of California.

Case No: 3-89-03450-TC

Judge: Thomas E. Carlson
U.S. Bankruptcy Court Judge

Dates of Hearing: 1/22/90 and 3/19/90

Co-Counsel: Nicholas Browning, III, Esq.
Herzfeld & Rubin
1925 Century Park East, Suite 600
Los Angeles, California 90067-2783
(213) 553-0451

Adversaries: Henry Cohen, Esq.
Cohen and Jacobson
Attorneys for Debtor
577 Airport Blvd., Suite 230
Burlington, California 94010
(415) 342-6601

William Kelly, Esq.
Graham & James
Attorneys for Buyer, Barry Singh
One Maritime Plaza, Suite 300
San Francisco, California 94111
(415) 954-0200

A3 - A5

General

Description:

Since 1985, my firm has represented Fendi S.a.s. di Paola Fendi e Sorelle ("Fendi") in its national anti-counterfeiting work. Frances B. Bernstein, a deceased partner of my firm, and I created Fendi's program. Since 1988, I have been the partner in charge of that program. I have handled almost all discovery work and substantive court appearances in cases involving Fendi. The following are cases representative of various facets of this work.

A3.

Case Description:

Multiple provisional relief appearances relating to Lanham Act claims against street vendors.

Case Name:

Jane Doe v. John Doe and Various ABC Companies.

Case No.: 89 Civ. 3122 (TPG)
Court: United States District Court
 Southern District of New York
Judge: Thomas P. Griesa
 U.S. District Judge
Adversaries: None have appeared.

or

Case Description: Appearances relating to temporary restraining order, preliminary injunction and seizure order under the Lanham Act and granting of default judgment.
Case Name: Fendi S.a.s. Di Paola Fendi e Sorelle v. Dapper Dan's Boutique et.al.
Court: United States District Court
 Southern District of New York
Case No.: 89 Civ. 0477
Judge: Miriam G. Cedarbaum
 U.S. District Judge
Dates of Hearings: 1/23/89 and 2/17/89
Adversary(s): Defendant appeared pro se and then defaulted.

A4.

Case Description: Lanham Act claim which was settled during trial.
Case Name: Fendi S.a.s. di Paola Fendi e Sorelle vs. Burlington Coat Factory Warehouse Corp., et al.
Court: United States District Court
 Southern District of New York
Case No.: 86 Civ. 0671 (LBS)
Judge: Leonard B. Sand
 U.S. District Judge

Date of Trial: May 18 and 19, 1987

Adversaries: Stacy J. Haigney, Esq.
Herbert S. Kasner, Esq.
Attorneys for Burlington Coat Factory
Warehouse and Monroe G. Milstein
Burlington Coat Factory Warehouse, Corp.
263 West 38th Street
New York, New York 10018
(212) 221-0010

Dennis C. Kreiger, Esq.
Cuddy & Fedder
Attorneys for Firestone Mills, Inc. and Leo
Freund
90 Maples Avenue
White Plains, New York 10601
(914) 761-1300

A5.

Case Description: Motion for summary judgment granted and
damages and attorneys fees referred to
magistrate. Judgment after hearing entered.
(Decision on motion reported at 642 F. Supp.
1143 (S.D.N.Y. 1986)).

Case Name: Fendi S.a.s. di Paola Fendi e Sorelle vs.
Cosmetic World, Ltd., Loradan Imports, Inc.,
Linea Prima, Inc. a/k/a Lina Garbo Shoes,
Daniel Bensoul, Michael Bensoul a/k/a Nathan
Benedel, Paolo Vincelli and Mario Vincelli.

Court: United States District Court
Southern District of New York

Case No.: 85 Civ. 9566

Judges: Leonard B. Sand
U.S. District Judge

Joel J. Tyler
Magistrate, U.S. District Court

Date of Hearing: 1/6/88

Adversary: Stanley Yaker, Esq.
Attorney for Paolo Vincelli and
Mario Vincelli
114 East 32nd Street

Suite 1104
New York, New York 10016
(212) 983-7241

No attorneys appeared for other defendants
who settled pro se.

A6.

Case Description: Represented Bulgari Corporation of America on its appeal of the District Court's Denial of a Motion to Modify a Preliminary Injunction (I had extensive participation in the drafting of appellant's brief and reply and I predominantly drafted all motion papers and argued below). The order below was affirmed on appeal.

Case Name: Republic of the Philippines vs. New York Land Co., et al. (the "Philippines Case") and Security Pacific Mortgage and Real Estate Service Inc. v. Canadian Land Company, et al. (the "Security Pacific Case").

Court: United States Court of Appeals for the Second Circuit.

Case Nos: 90-7322 and 90-7398

Panel: Thomas J. Meskill
Lawrence W. Pierce
George C. Pratt
U.S. Circuit Judges

Date of Argument: June 15, 1990 (Argued by Roy L. Reardon, Esq. of Simpson, Thacher & Bartlett)

Co-Counsel: Roy L. Reardon, Esq. (455-2840)
David E. Massengill, Esq. (455-3555)
Simpson Thacher & Bartlett
425 Lexington Avenue
New York, New York 10017
(212) 455-2000

Adversary(s): Jeffrey J. Greenbaum, Esq.
James M. Hirschhorn, Esq.
Sills, Cummis, Zuckerman, Radin,
Tischman, Epstein & Gross
Attorneys for the Republic of the
Philippines
Legal Center
1 Riverfront Plaza
Newark, New Jersey 07102
(201) 643-7000

Case Description: Order to Show Cause for Approval of Sublease
by Bulgari Corporation of America.

Case Name: Republic of the Philippines vs. New York Land
Co., et al. (the "Philippines Case") and
Security Pacific Mortgage and Real Estate
Service Inc. v. Canadian Land Company, et al.
(the "Security Pacific Case")

Court: United States District Court
Southern District of New York

Case Nos.: The Philippines Case - 86 Civ. 2294
The Security Pacific Case - 87 Civ. 3629

Judge: Pierre N. Leval
U.S. District Judge

Date of Argument: 2/12/90

Co-Counsel: David A. Botwinik
Pavia & Harcourt
600 Madison Avenue
New York, New York 10022
(212) 980-3500

**Participating
Adversaries
Opposing Motion:**

Jeffrey J. Greenbaum, Esq.
James M. Hirschhorn, Esq.
Sills, Cummis, Zuckerman, Radin,
Tischman, Epstein & Gross
Attorneys for the Republic of the
Philippines
Legal Center
1 Riverfront Plaza
Newark, New Jersey 07102
(201) 643-7000

Michael Stanton, Esq.
Weil, Gotshal & Manges
Attorneys for Security Pacific
767 Fifth Avenue
New York, New York 10153
(212) 310-8000

A7.

Case Description: Represented claimant Nidera Handelscompagnie, B.V. in a novel claim in NAEGA arbitration which sought indemnification from a seller for the attorneys fees and costs expended in defending against an action in London by Nidera's buyer. A partial award was rendered in favor of Nidera.

Case Name: Nidera Handelscompagnie, B.V. vs. Continental Grain Company.

Tribunal: American Arbitration Association
New York County

Arbitration No: 13-161-1038086

Arbitrators: Fred C. Ashner
Bunge Corporation
11720 Borman Drive
St. Louis, Missouri 63146
(314) 872-3030

Theo Joseph
147-36 Charter Road
Jamaica, New York 11435
(718) 969-3721
Henri C.A. Van Stolk
Van Stolk Company, Inc.

30 Bay Street, Room 600
Staten Island, New York 10301
(718) 448-8113

Dates of Hearings: 9/27/88 and 3/2/89 - More hearings were held, but dates have been difficult to locate because case spanned over three years.

ADVERSARY: Gerald P. Lepp, Esq.
General Counsel
Continental Grain Company
277 Park Avenue
New York, New York 10172
(212) 207-5686

As.

Case Description: Represented claimant Alfred C. Toepfer International, G.m.b.H. in arbitration and in opposing motion to stay arbitration. Motion was denied and cross motion to compel arbitration granted. Case involved issue of whether an alter ego of an entity who signed an arbitration agreement could be compelled to arbitrate. The motion was argued by David A. Botwinik of my office, but I prepared the motion papers.

A Notice of Appeal of the Order of the District Court and a Motion for Stay of Arbitration Pending Appeal was brought before the Second Circuit. I argued the motion to stay, which motion was denied and the appeal dismissed at the conclusion of the argument on the motion.

Arbitration resulted in award in favor of claimant against party who signed agreement and alter ego.

Case Name: Miserocchi & C., S.p.A. vs. Alfred C. Toepfer International, G.m.b.H.

Court: United States Court of Appeals for the Second Circuit

Case No. 85 - 7734

Panel: J. Edward Lumbard

James L. Oakes
George C. Pratt
U.S. Circuit Judges

Date of Argument: September 17, 1984

Adversary: Stephen P. Sheehan
Wistow & Barylick
56 Pine Street
Providence, Rhode Island 02903
(401)831-2700

District Court Case:

Case Name: Miserocchi & C., S.p.A. vs. Alfred C. Toepfer
International, G.m.b.H.

Court: United States District Court
Southern District of New York

Case No: 84 Civ. 6112 (KTD)

Judge: Kevin Thomas Duffy
U.S. District Judge

Date of Argument: September 5, 1984
(argued by David A. Botwinik of Pavia &
Harcourt)

Adversary: Stephen P. Sheehan
Winstow & Barylick
56 Pine Street
Providence, Rhode Island 02903
(401)831-2700

A9.

Case Description: Represented the State of New York in its prosecution of the first child pornography case in New York State after the U.S. Supreme Court upheld the constitutionality of New York's laws. Defendants convicted after trial and sentenced, respectively to 3-1/2 to 7 and 2 to 6 years.

Case Name: The People of the State of New York vs.
Clemente D'Alessio and Scott Hyman.

Court: Supreme Court of the State of New York,
County of New York.

Indictment No.: 4581/82

Judge: Thomas B. Galligan
Acting Justice Supreme Court, 1st Jud. Dist.

Dates of Trial: 2/2/83 to 3/2/83

Associate Counsel: Karen Greve Milton
General Counsel
N.Y.S. Commission of Investigation
270 Broadway
26th Floor
New York, New York 10007
(212) 577-0737

Adversaries: Steven Kimelman, P.C.
Attorney for Scott Hyman
110 East 59th Street, 33rd Floor
New York, New York 10022
(212) 682-4200

James Bernard, Esq.
Attorney for Clemente D'Alessio
150 Broadway
New York, New York 10038
(212) 233-0260

A10.

Case Description: Represented the State of New York, with co-counsel, in a consolidated trial of multiple murders, attempted murders, burglaries, robberies and related crimes by the same defendants. Defendant was convicted after trial and sentenced, consecutively, to 67-1/2 years to life. I prepared and argued, before Justice Harold Rothwax, the applicability of New York State's consolidation criteria to crimes of violence which were spread over a year's period of time and which had different modes of entry for each burglary.

Case Name: The People of the State of New York v. Richard Maddicks.

Court: Supreme Court of the State of New York,
County of New York.

Indictment No.: 886/82

Judge: James J. Leff
Justice, Supreme Court

Dates of Trial: Almost all of January 1983

Lead Counsel: Hugh H. Mo, Esq.
Whitman & Ransom
200 Park Avenue, 27th Floor
New York, New York 10166
(212) 351-3448

Adversary: Peter A. Furst, Esq.
2136 Funston Place
Oakland, California 94602
(415) 531-3904

Schedule K-1 (Form 1065)
 Department of the Treasury Internal Revenue Service

Partner's Share of Income, Credits, Deductions, Etc.
 See separate instructions.
 For quarterly year 1990 or full year 1990, and ending 1990, and ending 1990

OMB No. 1545-0048
1990

Partner's identifying number **>092-44-0639** Partnership's identifying number **>13-5604022**

Partner's name, address, and ZIP code
SONIA SOTOKAYOR
51 THIRD ST
NEW YORK, NY

Partnership's name, address, and ZIP code
PAVIA & HARCOURT
600 MADISON AVE
NEW YORK, NY 10022

A Is this partner a general partner? Yes No

B Partner's share of liabilities (see instructions):
 Nonrecourse \$
 Qualified nonrecourse financing \$
 Other \$ **30,158**

C What type of entity is this partner? **INDIVIDUAL**

D Is this partner a domestic or a foreign partner?

E Enter partner's percentage of:
 Profit sharing % **4.4583**
 Loss sharing % **4.4583**
 Ownership of capital % **1.714**

F IRS Center where partnership filed return **>HOLTSVILLE**

G (1) Tax shelter registration number **>0**
 (2) Type of tax shelter **0**

H (1) Did the partner's ownership interest in the partnership change after Oct. 22, 1989? Yes No
 If "Yes," attach statement. (See Form 1065 instructions.)
 (2) Did the partner(s) start or acquire a new activity after Oct. 22, 1989? Yes No
 If "Yes," attach statement. (See Form 1065 instructions.)

I Check here if this partnership is a publicly traded partnership as defined in section 480(h)(2)
 Check applicable boxes: (1) Final K-1 (2) Amended K-1

K Reconciliation of partner's capital account:

| (a) Capital amount at beginning of year | (b) Capital contributions during year | (c) Income (loss) to partner (1, 2, 3, 4 & 5a) w | (d) Loans no net included in column (d) plus net taxable income | (e) Loans net included in column (d) plus net taxable deductions | (f) Withdrawals and distributions | (g) Capital amount at end of year (do not include (a) through (f)) |
|---|---------------------------------------|--|---|--|-----------------------------------|--|
| 15,694 | | 11,308 | 142,390 | 1,527 | 142,249 | 25,616 |

(a) Distributive share item **(b) Amount** **(c) 1040 filers enter the amount in column (b) on:**

| | | | |
|---|------|---------|---|
| 1 Ordinary income (loss) from trade or business activities..... | 1 | 8,189 | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| 2 Net income (loss) from rental real estate activities..... | 2 | | |
| 3 Net income (loss) from other rental activities..... | 3 | | |
| 4 Portfolio income (loss): | | | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| a Interest..... | 4a | 2,102 | |
| b Dividends..... | 4b | 406 | |
| c Royalties..... | 4c | | |
| d Net short-term capital gain (loss)..... | 4d | 1,185 | |
| e Net long-term capital gain (loss)..... | 4e | -574 | |
| f Other portfolio income (loss)..... | 4f | | |
| 5 Guaranteed payments to partner..... | 5 | 142,390 | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| 6 Net gain (loss) under section 1221 (other than due to casualty or theft)..... | 6 | 3 | |
| 7 Other income (loss) (attach schedule)..... | 7 | | } (Enter on applicable line of your return) |
| 8 Charitable contributions..... | 8 | 205 | |
| 9 Section 179 expense deduction..... | 9 | 446 | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| 10 Deductions related to portfolio income..... | 10 | | |
| 11 Other deductions (attach schedule)..... | 11 | 52 | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| 12 a Interest expense on investment debts..... | 12a | 66 | |
| b (1) Investment income included on lines 4a through 4f above..... | b(1) | 3,219 | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| (2) Investment expenses included on line 10 above..... | b(2) | | |
| 13 a Credit for income tax withheld..... | 13a | | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| b Low-income housing credit: | | | |
| (1) From section 42(b) partnerships for property placed in service before 1990..... | b(1) | | |
| (2) Other than on line 13b(1) for property placed in service before 1990..... | b(2) | | |
| (3) From section 42(e) partnerships for property placed in service after 1990..... | b(3) | | |
| (4) Other than on line 13b(3) for property placed in service after 1990..... | b(4) | | |
| c Qualified rehabilitation expenditures related to rental real estate activities (see instructions)..... | 13c | | } Form 8580, line 8 |
| d Credits (other than credits shown on lines 13b and 13c) related to rental real estate activities..... | 13d | | |
| e Credits related to other rental activities..... | 13e | | |
| 14 Other credits (see instructions)..... | 14 | | } (See Partner's instructions for Schedule K-1 (Form 1065)) |
| | | | |

PARTNER 10

Schedule K-1 (Form 1065) 1990

| | | (a) Distributive share item | (b) Amount | (c) 1940 item enter the amount in column (b) on: | | |
|--------------------------------------|---|---|-------------|--|---|--|
| Self-Employment | 15 a | Net earnings (loss) from self-employment | 15a 150,579 | Sch. SE, Section A or B (See Partner's instructions for Schedule K-1 (Form 1065)) | | |
| | b | On farming or fishing income | 15b | | | |
| | c | Gross nonfarm income | 15c | | | |
| Adjustments and Tax Preference Items | 16 a | Accelerated depreciation of real property placed in service before 1967 | 16a | (See Partner's instructions for Schedule K-1 (Form 1065) and Form 8251 instructions) | | |
| | b | Accelerated depreciation of leased personal property placed in service before 1967 | 16b | | | |
| | c | Depreciation adjustment on property placed in service after 1966 | 16c 873 | | | |
| | d | Depletion (other than oil and gas) | 16d | | | |
| | e (1) | Gross income from oil, gas, and geothermal properties | e(1) | | | |
| | e (2) | Deductions allocable to oil, gas, and geothermal properties | e(2) | | | |
| f | Other adjustments & tax preference items | 16f | | | | |
| Foreign Taxes | 17 a | Income type | 17a | Form 1118, Check boxes Form 1118, Part I Form 1118, Part I Form 1118, Part I Form 1118, Part II Form 1118, Part III See Form 1118 instructions | | |
| | b | Foreign country/U.S. possession name | 17b | | | |
| | c | Total gross income from source outside U.S. | 17c | | | |
| | d | Total applicable deductions and losses | 17d | | | |
| | e | Total foreign taxes (check one): <input type="checkbox"/> Paid <input type="checkbox"/> Accrued | 17e | | | |
| | f | Reduction in taxes available for credit | 17f | | | |
| | g | Other foreign tax information | 17g | | | |
| Other | 18 a | Total expenditures to which a section 50(c) election may apply | 18a | (See Partner's instructions for Schedule K-1 (Form 1065)) | | |
| | b | Type of expenditures | | | | |
| Recapture of Tax Credits | 19 Recapture of low-income housing credit: | | | Form 8411, line B | | |
| | a | From section 42(j)(3) partnerships | 19a | | | |
| | b | Other than on line 19a | 19b | | | |
| | 20 Investment credit properties: | | A | B | C | Form 4255, top Form 4255, line 2 Form 4255, line 3 Form 4255, line 4 Form 4255, line 5 |
| | a | Description of property (State whether recovery or nonrecovery property. If recovery property, state whether regular percentage method or section 48(q) election used.) | | | | |
| | b | Date placed in service | | | | |
| c | Cost or other basis | | | | | |
| d | Class of recovery property or original estimated useful life | | | | | |
| e | Date from cessation to be investment credit property | | | | | |
| Supplemental Information | 21 Supplemental information required to be reported separately to each partner (attach additional schedules if more space is needed.) | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

PARTNER 10

PARTNER 10

STATEMENT 4 - FORM 1065, SCHEDULE X-1
FAVIA & MARCOURT
23-5604022

PAGE 10

SONIA SOTOMAYOR
092-44-0639

LINE 9 - SECTION 179 EXPENSE REDUCTION

| | |
|--------------|-------|
| OFFICE EQUIP | 446 |
| | ----- |
| TOTAL | 446 |

LINE 11 - OTHER DEDUCTIONS

| | |
|-------------------------|-------|
| POLITICAL CONTRIBUTIONS | 52 |
| | ----- |
| TOTAL | 52 |

FD-10
Rev. 1/78

FINANCIAL DISCLOSURE REPORT

Report Required by the Ethics
Reform Act of 1981, Pub. L. No.
101-116, November 20, 1988
(5 U.S.C.A. App. 6, §§101-113)

| | | |
|---|--|--|
| 1. Person Reporting (Last name, first, middle initial) Sonia Sotomayor | 2. Court or Organization U.S. District Court for the Southern District of New York | 3. Date of Report December 2, 1991 |
| 4. Title (Article III Judges indicate active or senior status; Legislative Judges indicate Full or part-time) Judicial Nominee | 5. Report Type (check appropriate type) <input checked="" type="checkbox"/> Dominant, Date <u>11/27/91</u> <input type="checkbox"/> Initial <input type="checkbox"/> Annual <input type="checkbox"/> Final | 6. Reporting Period December 2, 1991 |
| 7. Chambers or Office Address Pavia & Harcourt 600 Madison Avenue New York, N.Y. 10022 | | |
| IMPORTANT NOTES: The instructions accompanying this form must be followed. Complete all parts, checking the NONE box for each section where you have no reportable information. Sign on last page. | | |

I. POSITIONS. (Reporting individual only; see pp. 7-8 of Instructions.)

| POSITION | NAME OF ORGANIZATION/ENTITY |
|---|---|
| <input type="checkbox"/> NONE (No reportable positions) | |
| Partner | <u>Pavia & Harcourt</u> |
| Member, Board of Directors | <u>New York City Campaign Finance Board</u> |
| Member, Board of Directors | <u>New York State Mortgage Agency</u> |

II. AGREEMENTS. (Reporting individual only; see p. 8-9 of Instructions.) (Continued; please see ATTACHMENT A)

| DATE | PARTIES AND TERMS |
|--|--|
| <input type="checkbox"/> NONE (No reportable agreements) | |
| | <u>As a partner in Pavia & Harcourt, I have a 1.5% of 106% interest in the firm which interest is currently valued at \$25,616. The partners are currently discussing a redistribution of the percentage interest in the firm of deceased and retired partners. This redistribution may increase my interest and its value. The liquidation of a partner's interest is generally negotiated at the time of a resignation but the partnership has two years to pay the interest. My partners have advised me that they will attempt to liquidate my interest prior to my resignation of my public position.</u> |

III. NON-INVESTMENT INCOME. (Reporting individual and spouse; see pp. 9-12 of Instructions.)

| DATE (Honorary only) | SOURCE AND TYPE | GROSS INCOME (yours, not spouse's) |
|---|--|---------------------------------------|
| <input type="checkbox"/> NONE (No reportable non-investment income) | | |
| 1 | <u>Pavia & Harcourt Income 1990</u> | <u>\$151,761. (gross)</u> |
| 2 | <u>In 1991 to date, I have received distributions from my firm in the amount of \$133,544 (gross), but until Schedule E-1, Form 1065 is prepared for my tax filing in April, 1992, I will not know my exact gross income based on partnership allocations of income, credits, deductions, etc.</u> | <u>\$</u> |
| 3 | <u>State of New York Mortgage Agency</u> | <u>300.</u> |
| 4 | <u>New York City Campaign Finance Board</u> | <u>\$ 1,000.</u> |

*Payment of \$100 per diem for service on Boards of Directors.

FINANCIAL DISCLOSURE REPORT (cont'd)

| | |
|--------------------------|-----------------|
| Name of Person Reporting | Date of Report |
| Ronia Rotemayor | December 2, 199 |

IV. REIMBURSEMENTS and GIFTS - transportation, lodging, food, entertainment.
(Includes those to spouse and dependent children; use the parentheticals '(S)' and '(DC)' to indicate reportable reimbursements and gifts received by spouse and dependent children, respectively. See pp.13-15 of Instructions.)

| SOURCE | DESCRIPTION |
|---|-------------|
| <input checked="" type="checkbox"/> NONE (No such reportable reimbursements or gifts) | |
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |
| 6 | |
| 7 | |
| 8 | |

V. OTHER GIFTS. (Includes those to spouse and dependent children; use the parentheticals '(S)' and '(DC)' to indicate other gifts received by spouse and dependent children, respectively. See pp.15-16 of Instructions.)

| SOURCE | DESCRIPTION | VALUE |
|---|-------------|-------|
| <input checked="" type="checkbox"/> NONE (No such reportable gifts) | | |
| 1 | | \$ |
| 2 | | \$ |
| 3 | | \$ |
| 4 | | \$ |

VI. LIABILITIES. (Includes those of spouse and dependent children; indicate where applicable, person responsible for liability by using the parenthetical '(S)' for separate liability of spouse, '(J)' for joint liability of reporting individual and spouse, and '(DC)' for liability of a dependent child. See pp.16-18 of Instructions.)

| CREDITOR | DESCRIPTION | VALUE CODE* |
|--|---|-------------|
| <input checked="" type="checkbox"/> NONE (No reportable liabilities) | | |
| | As a member of Pavia & Harcourt, I am contingently liable for the debts and obligations of the firm incurred during my partnership. The firm, however, has paid its debts in the ordinary course of business and no claims against individual partners have been made or are anticipated. | |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |

* VALUE CODES: F = \$11,000 or less G = \$11,001 to \$50,000 H = \$50,001 to \$100,000 I = \$100,001 to \$250,000
 J = \$250,001 to \$500,000 K = \$500,001 to \$1,000,000 L = more than \$1,000,000

FINANCIAL DISCLOSURE REPORT (cont'd)

| | |
|--|---|
| Name of Person Reporting Scott Sotomayor | Date of Report December 2, 1991 |
|--|---|

VII. INVESTMENTS AND TRUSTS - Income, value, transactions. (Includes those of spouse and dependent children; see pp. 1B-27 of Instructions.)

| 1. Name of Asset (including trust assets) <small>Indicate name of trust or other entity if it is not owned by you. If the asset is owned by a trust, indicate the name of the trust and the name of the trustee. If the asset is owned by a partnership, indicate the name of the partnership and the name of the partner. If the asset is owned by a joint tenancy, indicate the name of the joint tenancy.</small> | 2. Income during reporting period <small>Indicate the type of income received during the reporting period.</small> | 3. Gross Value at end of Reporting period | | 4. Transactions during reporting period | | | | | |
|--|---|---|-----------------|---|----------|-------------------|----------------|---|--|
| | | (1) Value (J-3) | (2) Value (Q-W) | If not exempt from disclosure | | | | (5) Identity of counterparty (if private transaction) | |
| | | | | (3) Type of transaction | (4) Date | (6) Value (J-3) | (7) Gain (L-8) | | |
| <input type="checkbox"/> NONE (No reportable income, assets, or transactions) | | | | | | | | | |
| 1 Citibank, WA, N.Y., N.Y. | F Sav. Acct. Bal. | | | | | | | | |
| 2 Citibank, WA, N.Y., N.Y. | C Int. Sav. | | | | | | | | |
| 3 Citibank, WA, N.Y., N.Y. | None Check's Acct. | | | | | | | | |
| 4 Cobble Hill Laundry, Bklyn. N.Y. | None | | | | | Loan to Bns. 8/91 | K | N/A | Personal interest free loan to Bus. repaid in three) |
| 5 Cobble Hill Laundry, Bklyn. N.Y. | B Loan repay | | | | | | | | |
| 6 Paria & Harcourt | None PARTNERSHIP | | | | | | | | |
| 7 | except see III | | | | | | | | |
| 8 | | | | | | | | | |
| 9 | | | | | | | | | |
| 10 Paria & Harcourt as a firm has bank accounts, a mutual fund account, and some stock. I do not manage and do not have signatory power over any of those accounts or stocks, and have never participated in any decision making with respect to those accounts. My K-1, 1065 for 1990 is attached hereto for purposes of reflecting my allocation of partnership income and transactions. (Until the close of the calendar year when the K-1 is prepared for my firm, I will not know my allocations for 1991, since I have only a limited interest in my firm, 1.5% of 1068, and do not control or manage the firm or its assets, information relating to the firm's assets has not been included. | | | | | | | | | |
| 11 | | | | | | | | | |
| 12 | | | | | | | | | |
| 13 | | | | | | | | | |
| 14 | | | | | | | | | |
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| 16 | | | | | | | | | |
| 17 | | | | | | | | | |
| 18 | | | | | | | | | |
| 19 | | | | | | | | | |
| 20 | | | | | | | | | |

1 Income/Gain Codes: A-\$1,000 or less; B-\$1,001 to \$2,500; C-\$2,501 to \$5,000; D-\$5,001 to \$15,000; E-\$15,001 to \$25,000; F-\$25,001 to \$50,000; G-\$50,001 to \$100,000; H-\$100,001 to \$250,000; I-\$250,001 to \$500,000; J-\$500,001 to \$1,000,000; K-Other (real estate only); L-Exempt; M-Excluded; N-Not Reported; O-None

2 Value Codes: A-\$1,000 or less; B-\$1,001 to \$2,500; C-\$2,501 to \$5,000; D-\$5,001 to \$15,000; E-\$15,001 to \$25,000; F-\$25,001 to \$50,000; G-\$50,001 to \$100,000; H-\$100,001 to \$250,000; I-\$250,001 to \$500,000; J-\$500,001 to \$1,000,000; K-Other (real estate only); L-Exempt; M-Excluded; N-Not Reported; O-None

3 Value Method Codes: A-Cash/Market; B-Other

FINANCIAL DISCLOSURE REPORT (cont'd)

Name of Person Reporting
Sonia Sotomayer

Date of Report
December 2, 1991

VIII. ADDITIONAL INFORMATION or EXPLANATIONS. (Indicate part of Report.)

IX. CERTIFICATION.

In compliance with the provisions of 28 U.S.C. § 455 and of Advisory Opinion No. 57 of the Advisory Committee on Judicial Activities, and to the best of my knowledge at the time after reasonable inquiry, I did not perform any adjudicatory function in any litigation during the period covered by this report in which I, my spouse, or my minor or dependent children had a financial interest, as defined in Canon 3C(3)(c), in the outcome of such litigation.

I certify that all information given above (including information pertaining to my spouse and minor or dependent children, if any) is accurate, true, and complete to the best of my knowledge and belief, and that any information not reported was withheld because it met applicable statutory provisions permitting non-disclosure.

I further certify that earned income from outside employment and honoraria and the acceptance of gifts which have been reported are in compliance with the provisions of 5 U.S.C.A. app. 7, § 501 et. seq., 5 U.S.C. § 7353 and Judicial Conference regulations.

Signature Sonia Sotomayer

Date 12/2/91

NOTE: ANY INDIVIDUAL WHO KNOWINGLY AND WILFULLY FALSIFIES OR FAILS TO FILE THIS REPORT MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS (5 U.S.C.A. APP. 6, § 104, AND 18 U.S.C. § 1001.)

FILING INSTRUCTIONS:

Mall signed original and 3 additional copies to:

Judicial Ethics Committee
Administrative Office of the
United States Courts
Washington, DC 20544

| | |
|---|------------------------------------|
| Name of Person Reporting Sonia Sotomayor | Date of Report December 2, 1991 |
|---|------------------------------------|

ATTACHMENT A

| | |
|----------------------------|---|
| Member, Board of Directors | Puerto Rican Legal Defense and Education Fund |
| One of three Trustees for | Ortiz 1989 Family Trust |
| One of three Trustees for | Candido Ortiz Trust for the benefit of Azanda Maria Valdes |
| One of three Trustees for | Candido Ortiz Trust for the benefit of Cher Lopez |
| One of three Trustees for | Candido Ortiz Trust for the benefit of Christina Citron |
| One of three Trustees for | Candido Ortiz Trust for the benefit of David Thompson |
| One of three Trustees for | Candido Ortiz Trust for the benefit of Christopher Thompson |
| One of three Trustees for | Candido Ortiz Trust for the benefit of Christopher Valdes |

I have no beneficial interest in the trusts.

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 | 35,000 | (1) | Notes payable to banks—secured | 0 | |
| U.S. Government securities—add schedule | 0 | | Notes payable to banks—unsecured | 0 | |
| Listed securities—add schedule | 0 | | Notes payable to relatives | 0 | |
| Unlisted securities—add schedule | 0 | | Notes payable to others | 0 | |
| Accounts and notes receivable: | 0 | | Accounts and bills due | 2,000 | (5) |
| Due from relatives and friends | | | Unpaid income tax | 0 | |
| Due from others | 27,000 | (2) | Other unpaid tax and interest | 0 | |
| Doubtful | 0 | | Real estate mortgages payable—add schedule | 82,500 | (6) |
| Real estate owned—add schedule | 105,000 | (3) | Chattel mortgages and other liens payable | | |
| Real estate mortgages receivable | 0 | | Other debts—itemize: | | |
| Autos and other personal property | 45,000 | (4) | LEASE ON CAR | 1,538 | 83 (7) |
| Cash value—life insurance | --- | | | | |
| Other assets—itemize: | | | | | |
| Partnership interest in | 25,616 | | | | |
| Davis & Harcourt | | | Total liabilities | 86,038 | 83 |
| | | | Net worth | 151,577 | 17 |
| Total assets | 227,616 | | Total liabilities and net worth | 227,616 | 00 |
| CONTINGENT LIABILITIES | None | (8) | GENERAL INFORMATION | | |
| As endorser, cosigner or guarantor | --- | | Are any assets pledged? (Add schedule.) | Yes - Co | Op Shares |
| On leases or contracts | --- | | Are you defendant in any suits or legal actions? | No (9) | |
| Legal claims | --- | | Have you ever taken bankruptcy? | No | |
| Provision for Federal income tax | --- | | | | |
| Other special debt | --- | | | | |

For notes (1) thru (9) see attached Schedule A.

SCHEDULE A

1. A Citibank N.A. joint checking and savings account.
2. This represents an interest free loan I made on August 23, 1991 to Cobble Hill Laundry Dry Cleaning Plant, Ltd., a company owned by a friend. The money is being paid to me over a three year period.
3. I own the cooperative shares for my residence, 51 3rd Street, Apt. 1L, Brooklyn, New York 11231, which I have valued at my purchase price.
4. I own a 1984 Honda Civic and the remainder of this evaluation includes furnishing, clothing, jewelry, etc., at cost.
5. Citibank Visa and Barrie Pace Ltd. credit card debt.
6. This is a mortgage at Apple Bank for Savings for my personal residence. The shares for my cooperative apartment are pledged to the Bank for that mortgage.
7. I have and pay a lease for my mother's Honda Civic with GE Capital Auto Lease, Inc. at the rate of \$219.69 per month. The lease terminates in June 1992.
8. As a member of Pavia & Harcourt, I am contingently liable for the debts and obligations incurred by the firm prior to my withdrawal as a partner. The firm has paid its debts in the ordinary course of business. There is no reason to believe it would not do so upon my withdrawal as a partner. No claim against me individually has ever been made and none is anticipated.
9. My firm has been sued by former clients since I have been a partner but not for any matter in which I participated. The firm has insurance which it believes is adequate to cover any potential liability.