

2015 Board Worksheet

Board	FirstName	LastName	TermExpires	Appointee	Address	TermExpires
Board of Assessment Review	Michael R.	Connell	12/31/2014	Michael R. Connell	6 Gladys Road	12/31/2017
Conservation Commission	Richard	Bauman*	12/31/2014	Jeremy Gabrielson	5 Rocky Knoll Road	12/31/2017
Conservation Commission	John J.	Planinsek	12/31/2014	Mark Fleming	54 Hunts Point Road	12/31/2017
Fort Williams Advisory Commission	William	Brownell *	12/31/2014	Suzanne McGinn	1180 Shore Road	12/31/2017
Fort Williams Advisory Commission	Donald L.	Head	12/31/2014	Joseph Kozlowski	31 Park Circle	12/31/2017
Fort Williams Advisory Commission	William E.	Nickerson *	12/31/2014	Chris Straw	597 Shore Road	12/31/2017
Personnel Appeals Board	Roger A.	Bishop	12/31/2014	Jonathan Sahrbeck	60 Longfellow Drive	12/31/2017
Personnel Appeals Board	VACANT		12/31/2016	Leonard Cole	11 Fieldstone Road	12/31/2016
Planning Board	Josef	Chalat	12/31/2014	Josef Chalot	12 Channel View Road	12/31/2017
Planning Board	Peter L.	Curry	12/31/2014	Peter L. Curry	8 Stonybrook Road	12/31/2017
Recycling Committee	David C.	Ernst *	12/31/2014	Jennifer H. MacDonald	5 Olde Colony Lane	12/31/2017
Recycling Committee	John J.	Kane *	12/31/2014	Tracy Floyd	5 Fairway Drive	12/31/2017
Riverside Memorial Cemetery Trustees	Gerald B.	Sherry	12/31/2014	Gerald B. Sherry	19 Starboard Drive	12/31/2017
Thomas Memorial Library Trustees	Gil	Brennan	12/31/2014	Gl Brennan	4 Baker Road	12/31/2017
Thomas Memorial Library Trustees	Julia	Bassett Schwerin	12/31/2014	Julia Bassett Schwerin	6 Cottage Lane #2	12/31/2017
Zoning Board of Appeals	Josh	Carver	12/31/2014	Josh Carver	40 Stonybrook Road	12/31/2017
Zoning Board of Appeals	John C.	Thibodeau	12/31/2014	Stanley Wisniewski	25 Littlejohn Road	12/31/2017



Google

Debra Lane <debra.lane@capeelizabeth.org>

### Application for Boards and Committees

1 message *Gabrielson*

**Jeremy Gabrielon**  
To: debra.lane@capeelizabeth.org

Thu, Oct 16, 2014 at 6:25 PM

Below is the result of your feedback form. It was submitted by  
Jeremy Gabrielon ) on Thursday, October 16, 2014 at 22:25:29

Date: October 16, 2014

Committee No. 1: Conservation Commission

Committee No. 2: Recycling Committee

Committee No. 3: ZBOA

Address: 5 Rocky Knoll Rd

Home phone:

unlisted: No

Work phone:

Occupation: Conservation Planner

Employer: Maine Coast Heritage Trust

Why these boards?: I have a strong personal and professional interest in conservation and land use.

Skills/Talents: As a Conservation Planner for Maine Coast Heritage Trust, I have a good perspective on conservation issues coast-wide and an interest in conservation locally. I've worked with solid waste districts in eastern Maine as a planner with the Washington COG and have an interest in promoting recycling and responsible waste management. My profession background is in community planning. I've worked to develop several municipal comprehensive plans and zoning ordinances.

Previous Service: Downeast Coastal Conservancy (2009 to present), City of Portland Community Development Block Grant Allocation Committee (2012 to 2014), Machias Planning Board (2009 to 2011).

Employed By Town/School: No

Volunteer For Town/School: No

Flexible Schedule: Yes



Debra Lane <debra.lane@capeelizabeth.org>

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## Application for Boards and Committees

1 message

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**Mark Fleming**

Wed, Nov 5, 2014 at 1:10 PM

To: debra.lane@capeelizabeth.org

Below is the result of your feedback form. It was submitted by  
Mark Fleming ) on Wednesday, November 05, 2014 at 18:10:01

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Committee No. 1: Conservation Commission

Committee No. 2: Recycling Committee

Committee No. 3: Fort Williams Advisory Commission

Address: 54 Hunts Point Road

Home phone:

unlisted: No

Occupation: Integration Consultant

Employer: CoEnterprise LLC

Why these boards?: I am very interested in the preservation of our natural resources and the effect that recycling has on our environment and the town's residents.

Skills/Talents: Good organizational and leadership skills, and a firm commitment to service in our community

Previous Service: Lions Club member for 6+ years, President of the club 2011-2014

Employed By Town/School: No

Volunteer For Town/School: Yes

Town volunteer explanation: Have volunteered and helped at various sporting events including cooking and serving at Football games

Flexible Schedule: Yes

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Google

Debra Lane <debra.lane@capeelizabeth.org>

## Application for Boards and Committees

1 message

**Suzanne McGinn**

Wed, Nov 5, 2014 at 3:16 PM

To: debra.lane@capeelizabeth.org

Below is the result of your feedback form. It was submitted by Suzanne McGinn ) on Wednesday, November 05, 2014 at 20:16:16

Committee No. 1: Fort Williams Advisory Commission

Address: 1180 Shore Rd

Home phone:

unlisted: No

Occupation: mom

Why these boards?: Fort Williams is one of Cape's most visited properties available to the public. I would like to serve my community by helping to preserve and maintain this important treasure, and continue make positive improvements.

Skills/Talents: As a long time CELT board member (education co-chair and executive committee), I have an appreciation for preserving natural spaces within Cape. I have also worked with the Fort Williams Foundation arboretum project (8th grade trail work and cliffside planning).

Previous Service: Shore Road Path Committee for 18 months, CELT for 10 years(currently chair of Stewardship), MSPA grant coordinator for 3 years, Chewonki Foundation for 6 years, Judy's Pantry for 1 year, TML feasibility committee for 6 months.

Employed By Town/School: No

Volunteer For Town/School: No

Town volunteer explanation: I do volunteer with the boys HS soccer and swim team boosters.

Flexible Schedule: Yes



TOWN of CAPE ELIZABETH  
Application for Boards and Commissions

\*REQUIRED FIELDS

Date: 11/10/14

Please list in order of preference those boards and committees in which you are interested: \*

1. Fort Williams Advisory Commission
2. \_\_\_\_\_
3. \_\_\_\_\_

Name: Joseph Korolowski \*  
Address: 31 Park Cr \*

Telephone Numbers: \*Home \_\_\_\_\_ Is your home telephone number unlisted? Yes \_\_\_\_\_ No   
Work \_\_\_\_\_ Fax \_\_\_\_\_

E-mail Address: \* \_\_\_\_\_

Occupation: Self Employed Business owner  
Present Employer: \_\_\_\_\_

Why did you choose the boards(s) or commissions (s) listed above? \*  
My background is Architecture & Business

What talents/skills do you feel you would bring to this position? \*  
Business & Development & Design skills

What municipal boards, volunteer organizations or community service groups have you worked with in the past and for what length of time? \*  
Cape Elizabeth Little League 8-10 yrs  
Started the Cape Elizabeth School Alpine Ski program

Are you employed by the Town of Cape Elizabeth (municipal or school)? \*Yes \_\_\_\_\_ No   
If so, please explain \_\_\_\_\_

Do you serve as a volunteer for the Town of Cape Elizabeth (municipal or school)? \* Yes \_\_\_\_\_ No   
If so, please explain \_\_\_\_\_

Is your schedule flexible enough to allow you to attend meetings regularly? \*Yes  No \_\_\_\_\_

If you have a resume, please feel free to attach it to your application. Please forward application to:

Debra M. Lane, Assistant Town Manager/Town Clerk  
P.O. Box 6260  
Cape Elizabeth, ME 04107  
Phone 799-7665 Facsimile 799-7141 debra.lane@capeelizabeth.org



Debra Lane <debra.lane@capeelizabeth.org>

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## Application for Boards and Committees

1 message

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**Chris Straw**

Fri, Nov 7, 2014 at 8:36 AM

To: debra.lane@capeelizabeth.org

Below is the result of your feedback form. It was submitted by  
Chris Straw on Friday, November 07, 2014 at 13:36:47

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Date: November 7, 2014

Committee No. 1: Fort Williams Advisory Commission

Committee No. 2: Planning Board

Address: 597 Shore Road

Home phone:

unlisted: No

Why these boards?: I am currently on the Fort Williams Foundation board. I want to ensure the progress made at the Fort over the last few years continues even with the turnover on the Commission. As for the Planning Board, the Town really needs to appoint some members to help fix the various problems in the Ordinances -- the poor ordinance drafting is costing the Town and residents excessive time and money.

Skills/Talents: On the FWF.

Previous Service: Fort Williams Foundation -- multiple years  
Zoning Board of Appeals

Employed By Town/School: No

Volunteer For Town/School: No

Flexible Schedule: Yes

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Debra Lane &lt;debra.lane@capeelizabeth.org&gt;

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**Sahrbeck - Zoning Board Application**

1 message

**Jonathan Sahrbeck**

Thu, Nov 6, 2014 at 2:09 PM

To: "debra.lane@capeelizabeth.org" &lt;debra.lane@capeelizabeth.org&gt;

Hi Debra,

I recently filled out an application online for a position with the Zoning Board and wanted to provide you with a copy of my resume. I have attached it to this email. Please let me know if you cannot open it. Thank you for your help.

Sincerely,  
Jonathan Sahrbeck

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Below is what you submitted to debra.lane@capeelizabeth.org on Thursday, November 06, 2014 at 18:43:43

**Committee No. 1:** Zoning Board**Address:** 60 Longfellow Drive**Home phone:****Work phone:****FAX:****unlisted:** No**Occupation:** Attorney**Employer:** Terry Garmey & Associates

**Why these boards?:** Growing up in Cape Elizabeth, I have always appreciated numerous aspects of the town including our sense of community. As an attorney, I understand that zoning laws are the primary method for a town to make decisions on how property is regulated. At the same time, however, I also understand that individuals have a right to use their property as he or she deems fit. The Zoning Board is the body that strikes the balance between interests of private homeowners and the community as a whole. I want to make sure that there is integrity and respect at all levels of the process.

**Skills/Talents:** I would bring both an analytical approach to the position based on my education and experience as an attorney. In addition, I have significant experience in interpretation of ordinances and statutes. I would also bring a unique perspective of growing up in Cape Elizabeth and having a solid perspective of what makes our town tick. Finally, if appointed, I would bring the experience of hearing about zoning laws since I was very young because my father, Bruce, served on the Zoning Board in the 1980s and early 1990s.

**Previous Service:** I have been one of the Assistant Attorney Coaches for the Cape Elizabeth High School Mock Trial Team since Fall 2012.

**Employed By Town/School:** No**Volunteer For Town/School:** Yes**Town volunteer explanation:** My time with the CEHS Mock Trial Team is voluntary (see above).**Flexible Schedule:** Yes

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**Sahrbeck Resume Winter 2014.pdf**  
160K

# **Jonathan Thomas Sahrbeck**

60 Longfellow Drive, Cape Elizabeth, Maine 04107

*Member of the Maine State Bar, June 2006*  
*Member of the Massachusetts Bar, June 2006*

## Experience

### **Terry Garmey & Associates, February 2014 to Present**

Associate Attorney

- Civil Plaintiff Counsel, Portland, Maine
  - Work primarily as a Plaintiff's Attorney in Civil State Superior and Federal Courts handling claims including personal injury, product liability, and medical malpractice; Preparing civil complaints, conducting depositions of witnesses, preparing pleadings, interrogatories and motions for use in complaints, and analyzing facts and the law to assess liability are all parts of the practice

### **Office of the Maine Attorney General, June 2012 to February 2014**

Assistant Attorney General for Office of the Maine Attorney General Criminal Division

- York County Drug Task Force, York County Superior Court, Alfred, Maine
  - Worked as an Assistant Attorney General with the Maine Drug Enforcement Agency and various police departments throughout York County on drug investigations, including reviewing search and arrest warrants, proffers of cooperating witnesses, assisting police departments with legal matters pertaining to prosecuting drug cases; prosecuted criminal cases in York County Superior Court including Grand Jury presentation, arraignments, bail arguments, evidentiary motions to suppress evidence and three jury trials
  - Appellate Oral Argument to the Supreme Judicial Court of Maine in January 2014.

### **Office of the Middlesex & Bristol County District Attorney, February 2007 to June 2012**

Assistant District Attorney for the Commonwealth of Massachusetts

- Middlesex Superior Court Assistant District Attorney, Lowell (November 2011 to Present)
  - Handled Superior Court cases in Middlesex Superior Court in Woburn and Lowell; presented indictments, argued motions, and had trials in Middlesex Superior Court
- Supervising Assistant District Attorney in Framingham District Court (June 2011 to November 2011) and Ayer District Court (January 2011 to June 2011)
- Assistant District Attorney in Concord District Court (September 2010 to January 2011), Waltham District Court (August 2009 to September 2010), Lowell Juvenile Court & Lowell District Court (April 2008 to August 2009) and Fall River District Court (February 2007 to April 2008)
- Tried 60 jury trials and over 80 bench trials in District, Juvenile and Superior Courts
- Investigated and prosecuted five Motor Vehicle Homicides
- Conducted over 150 evidentiary hearings in opposition of motions to suppress evidence

## Education

**American University, Washington College of Law, Washington, D.C.**

**Juris Doctor Degree, May 2005**

**Connecticut College, New London, Connecticut**

**Bachelor of Arts Degree *Cum Laude* with Major in Government and Minor in History, May 2002**

**Cape Elizabeth High School, Cape Elizabeth, Maine**

**High School Diploma, June 1998**





Debra Lane &lt;debra.lane@capeelizabeth.org&gt;

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**Application for Boards and Committees**

1 message

**Leonard Cole**

Sun, Oct 19, 2014 at 7:41 AM

To: debra.lane@capeelizabeth.org

Below is the result of your feedback form. It was submitted by  
Leonard Cole on Sunday, October 19, 2014 at 11:41:46

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Committee No. 1: Zoning Board of Appeals

Committee No. 2: Fort Williams Advisory Commission

Address: 11 Fieldstone Rd

Home phone:

Work phone:

unlisted: No

Occupation: Lawyer

Employer: Cole Nonprofits Law, LLC

Why these boards?: As an attorney, I'm drawn to the subject matter and quasi-judicial nature of the Zoning Board of Appeals. (I also know chair Joshua Carver from our time together at Preti Flaherty.) Fort Williams is wonderful community asset that is quintessential Cape, and participation on its Advisory Commission would be a unique and challenging opportunity to serve the community. (In addition, Town Council member Kathy Ray knows me through our service on a charity board and recommended these committees as a good match for my skills and interests.)

Skills/Talents: For the Zoning Board of Appeals, I have legal training and the ability to understand and balance conflicting interests. For the Fort Williams Advisory Commission, I have many years of experience advising nonprofit clients on matters that require analysis of complex matters, creative problem solving, and the fostering of a shared vision. I've also served in roles (e.g., nonprofit boards) that called for visionary thinking and long-range planning.

Previous Service: The Iris Network ([www.theiris.org](http://www.theiris.org)): current board member (since 2009), chair of program services committee, and member of executive committee and strategic planning team; past chair of the board (currently chaired by Kathy Ray).

Maine Association of Nonprofits ([www.nonprofitmaine.org](http://www.nonprofitmaine.org)): current board member (since 2011) and chair of governance committee; past secretary.

Employed By Town/School: No

Volunteer For Town/School: No

Flexible Schedule: Yes

**LEONARD M. COLE**

11 Fieldstone Road  
Cape Elizabeth, ME 04107

**LEGAL EXPERIENCE**

**COLE NONPROFITS LAW, LLC**, Portland, Maine  
**Sole Member**

October 2012-present

Advise tax-exempt organizations and their directors and officers in a diverse range of transactions and activities with emphasis on tax and corporate planning. Serve as outside general counsel to nonprofits, coordinating and managing legal services provided by other attorneys.

**PRETI FLAHERTY BELIVEAU & PACHIOS, LLP**, Portland, Maine  
**Associate**

June 2008-September 2012

Provided the services described above plus tax advice to the firm's business, health care, estate planning, public finance, and litigation clients.

**GOODWIN PROCTER LLP**, Boston, Massachusetts  
**Associate**

April 2007-June 2008

Analyzed tax issues, developed and implemented transaction structures, and advised clients on tax matters pertaining to private equity and real estate fund formations, operations, and foreign and domestic investments; business and asset acquisitions, dispositions, and joint ventures; corporate financings and reorganizations; and real estate transactions.

**M. ROBINSON & COMPANY, PC**, Boston, Massachusetts  
**Associate**

September 2006-March 2007

Counseled individuals and closely-held businesses on tax and business matters. Represented clients in tax controversies, including matters before the IRS, state revenue departments, and appellate tribunals.

**HURWIT & ASSOCIATES**, Newton, Massachusetts  
**Associate (part time)**

February 2006-September 2006

Represented tax-exempt organizations in a range of matters, including formations and mergers; executive compensation; unrelated business income taxation; preservation of tax-exempt status; and leases, contracts, and other business matters.

**LAW OFFICES OF PAMELA A. MANN LLC**, New York, New York  
**Associate**

November 2003-January 2006

Represented tax-exempt organizations and their directors, officers, and donors in a wide range of matters, including formation and choice of entity type; preservation of tax-exempt status and intermediate sanctions; governance and fiduciary issues; tax-efficient charitable giving; and complex financial transactions involving a tax-exempt participant.

**ORRICK, HERRINGTON & SUTCLIFFE LLP**, New York, New York  
**Associate, Tax Department**  
**Summer Associate, Tax Department**

September 1999-September 2002  
Summer 1999

Conducted research and advised clients on a variety of tax issues, analyzed and developed transaction structures, and drafted tax provisions in disclosure and transaction documents in connection with the following matters: structured finance transactions and related financial instruments, leveraged lease financings, section 529 qualified tuition programs, tax controversies, real estate investment partnerships, tax-exempt mutual funds, and corporate restructurings.

**EDUCATION**

**NEW YORK UNIVERSITY SCHOOL OF LAW**, New York, New York  
LL.M. in Taxation, 2003  
Journal: *Tax Law Review*, Summer Editor

**DUKE UNIVERSITY SCHOOL OF LAW**, Durham, North Carolina  
J.D., *with honors*, 1999

Assistantship: Tax Professor Richard Schmalbeck, Research Assistant, May 1998-May 1999

**BERKLEE COLLEGE OF MUSIC**, Boston, Massachusetts  
B.M., *magna cum laude*, 1987

**BAR ADMISSIONS** Maine, Massachusetts, New York



Debra Lane <debra.lane@capeelizabeth.org>

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## Application for Boards and Committees

1 message

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**Jennifer H. MacDonald**

Tue, Oct 28, 2014 at 2:22 PM

To: debra.lane@capeelizabeth.org

Below is the result of your feedback form. It was submitted by  
Jennifer H. MacDonald on Tuesday, October 28, 2014 at 18:22:20

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Committee No. 1: Recycling Committee

Address: 5 Olde Colony Lane

Home phone:

Work phone:

unlisted: No

Occupation: Marketing Specialist III-Corp Sponsorships

Employer: TD Bank

Why these boards?: Because I am passionate about the environment, and living a more sustainable life.

Skills/Talents: Strong communications and project management skills. Also possess strong inter-personal skills.

Previous Service: Volunteer through work events, such as TD Tree Days (tree planting in urban areas) and Ruth's Renewable Resources, as well as volunteer for the Bullard Memorial Farm Association in Holliston, MA.

Employed By Town/School: No

Volunteer For Town/School: No

Flexible Schedule: Yes

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## Application for Boards and Committees

1 message

**Tracy Floyd**  
To: debra.lane@capeelizabeth.org

Sun, Nov 2, 2014 at 12:38 PM

Below is the result of your feedback form. It was submitted by  
Tracy Floyd on Sunday, November 02, 2014 at 17:38:55

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Committee No. 1: Conservation Commission

Committee No. 2: Recycling Committee

Address: 5 Fairway Drive

Home phone:

Work phone:

unlisted: Yes

Occupation: Business Development

Employer: self

Why these boards?: Taking care to preserve the trails and environment of our town is an obligation of each generation. I am interested in doing my part to preserve for future generations.

Skills/Talents: My talent is bringing people together to obtain consensus on topics of import.

Previous Service: Since moving to Maine 4 years ago I have been on the Board of a non-profit "Painting For A Purpose". Our focus is to bring artist together to paint. We then auction these items to obtain funds for the purpose of providing mini-block grants to the young people within the Portland Public Schools

Employed By Town/School: No

Volunteer For Town/School: No

Flexible Schedule: Yes



Debra Lane <debra.lane@capeelizabeth.org>

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## Application for Boards and Committees

1 message

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**Stanley Wisniewski** <[redacted]>  
To: debra.lane@capeelizabeth.org

Wed, Nov 5, 2014 at 8:01 PM

Below is the result of your feedback form. It was submitted by  
Stanley Wisniewski on Thursday, November 06, 2014 at 01:01:53

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Date: November 5, 2014

Committee No. 1: zoning board of appeals

Address: 25 Littlejohn Road, Cape Elizabeth, ME 04107

Home phone:

unlisted: No

Occupation: Arbitrator

Employer: self-employed

Why these boards?: My professional background as a lawyer and economist are well-suited to dealing with the issues facing the board

Skills/Talents: legal skills/economist skills and experience as a judge and arbitrator presiding over disputed matters

Previous Service: My experience has been at the Federal, state and local levels (please refer to resume' forwarded to Debra Lane)

Employed By Town/School: No

Volunteer For Town/School: No

Flexible Schedule: Yes

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**STANLEY C. WISNIEWSKI, Ph.D., J.D.**

*ECONOMIST - ATTORNEY - JUDGE*

25 Littlejohn Road  
Cape Elizabeth, ME 04107

**WORK EXPERIENCE:** Over thirty-five years total professional work experience as a judge, arbitrator, economist, attorney, entrepreneur, educator and manager. Expert in application and use of sophisticated economic, statistical and technological methods and legal analysis. Highlights of professional accomplishments include:

**LEADERSHIP:** Founder and President of successful economics consulting firm with nationwide clientele. Over twenty years of broad-based management experience in both for-profit and not-for-profit consulting and research environments, plus day-to-day supervision of professional, non-exempt and contract staff. Substantial and varied project management experience throughout career. Three years as Department Chair in academia. Vice-Chair of certification and review committee and member of governing board of Central Maryland Health Systems Agency. Member of Montgomery County Commission on Aging. Member of 1999-2000 Governor's Task Force on Regulatory Reform in the State of Maryland. Appointed by Governor to six-year term on Maryland State Banking Board, July, 2000.

**NEUTRAL DECISIONMAKING AS A JUDGE:** Over six years of service as one of three Federal copyright royalty judges who oversee the copyright law's statutory licenses. This tri-partite panel of judges is responsible for determining and adjusting the rates and terms of the statutory licenses and determining the distribution of royalties from the statutory license pool. As a Copyright Royalty Judge I presided over highly complex commercial litigation in which each major rate or distribution proceeding lasted nearly 11 months, almost exclusively consisting of expert testimony from economists and finance specialists regarding the economic and financial condition of segments of the entertainment industry and the large firms (music recording companies, music publishers, cable TV content providers, internet service providers, satellite radio and satellite TV companies) that make up those segments of the entertainment industry. Most of the litigants were Fortune 100 members. Each of these complex proceedings determined matters in the \$500 million to \$2 billion dollar range.

The judges' determinations are rendered in the form of written judicial opinions following an extensive trial. Four major rate determinations were issued during my first six years of service and I was primarily responsible for drafting the "determination of royalty rates" parts of the opinions. These parts of each respective opinion constitute the major and most complex portion of each decision. These four determinations were: (1) *Digital Performance Right in Sound Recordings and Ephemeral Recordings* (Docket No. 2009-1 CRB Webcasting III), Final rule and order at 76 FR 13026 (March 9, 2011), Final Determination of Rates and Terms, Slip Opinion (January 5, 2011) [Part II, determination of royalty rates for Commercial Webcasters can be found at pp. 5-50 of this 83-page slip opinion]; (2) *Mechanical and Digital Phonorecord Delivery Rate Determination Proceeding* (Docket No. 2006-3 CRB DPRA), Final rule and order at 74 Fr 4510 (January 26, 2009), Final Determination of Rates and Terms, Slip Opinion (November 24, 2008) [Part IV, Determination of Royalty Rates can be found at pp. 20-62 of this 72-page slip opinion]; (3) *Determination of Rates and Terms for Preexisting Subscription Services and Satellite Digital Audio Radio Service* (Docket No. 2006-1 CRB DSTRA), Final rule and order at 73 FR 4080 (January 24, 2008),

**NEUTRAL DECISIONMAKING AS A JUDGE** (continued from previous page):

Final Determination of Rates and Terms, Slip Opinion (January 10, 2008) [Part IV, Determination of Royalty Rates can be found at pp. 17-70 of this 82-page slip opinion]; and (4) *Digital Performance Right in Sound Recordings and Ephemeral Recordings* (Docket No. 2005-1 CRB DTRA), Final rule and order at 72 FR 24084 (May 1, 2007), Final Determination of Rates and Terms, Slip Opinion (April 23, 2007) [Part IV, Determination of Royalty Rates can be found at pp. 17-64 of this 102-page slip opinion]. In addition, I was responsible for drafting the major parts of the most important royalty distribution determination to come before the panel during my tenure. This distribution determination was: *Distribution of the 2004-5 Cable Royalty Funds* (Docket 2007-3 CRB CD 2004-2005), Distribution Order at 75 FR 57063 (September 17, 2010) [Part II, The Governing Distribution Standard and Part III, JSC.CTV,PTV and Program Suppliers Claimants' Awards can be found at pp. 6-30 of this 62-page slip opinion]. These opinions are posted on the Copyright Royalty Board website at [www.loc.gov/crb/](http://www.loc.gov/crb/).

**NEUTRAL DECISIONMAKING AS AN ARBITRATOR:** Over fifteen years of service on the American Arbitration Association (AAA) list of arbitrators who do commercial arbitration. Served as the sole arbitrator or on arbitration panels dealing with domestic and international cases. Experience as commercial arbitrator in contract disputes with respect to employment contract terms, partnership agreements, intellectual property arrangements, and government contracts with concessionaires. Experience as sole arbitrator as well as member of tripartite panel of arbitrators in both simple and complex disputes. Experience in rendering written opinions in advisory arbitrations. Experience with a variety of commercial cases, 1984-present. Also currently serving as a member of the Entertainment Panel, Employment Panel and General Commercial Panel for commercial arbitrations conducted under the auspices of the International Institute for Conflict Prevention & Resolution (CPR).

Alternative Dispute Resolution Training: Exclusive Webinar for Judges: Nuts & Bolts of Delivering Managed and Accountable Care, American Arbitration Association (AAA), 6/18/2014; AAA Roundtable on Recent Changes to Commercial Rules, Boston, MA, 2/26/2014; AAA Webinar: Arbitration Strategy in IP/Tech Disputes, 5/14/2013; The Art of Attorney Advocacy in Complex Energy and Commercial Arbitration, International Institute for Conflict Prevention & Resolution (CPR), Washington, DC, 6/7/2013; Chairing An Arbitration Panel: Managing Procedures, Process & Dynamics, AAA Webinar, 6/10/2012; Dealing With Delay Tactics in Arbitration (AAA), New York, NY, 4/22/2005; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards, San Antonio, TX, 3/5/2004; Annual Arbitrator Update (AAA), San Antonio, TX, 3/5/2004; AAA Webinar: Arbitrator Ethics & Disclosure, 12/12/2003; Annual Arbitrator Update (AAA), Phoenix, AZ, 2/27/2002; Arbitrator II: Advanced Case Management Issues (AAA), Washington, DC, 1/17/2002; Managing An International Case, AAA Neutrals' Retreat, Orlando, 10/10/1998, AAA Commercial Arbitrator Training Workshop (Arbitrator I), AAA Neutrals' Retreat, Orlando, 10/1998 (two days of various courses); AAA Advanced Arbitrator Training, Washington, DC, 5/1992 and AAA Basic Arbitrator Training, Washington, DC, 5/1992.

**LITIGATION:** Represented clients in court litigation, arbitrations, and administrative proceedings. Experience has focused on (1) cases requiring substantial economic and financial analysis, such as complex interest arbitration proceedings following airline or railroad mergers; bankruptcy proceedings and, large interest arbitration hearings; (2) cases dealing with the Merit Pay System and cases arising under the Service Contract Act; and (3) regulatory and administrative proceedings related to or arising under various Federal laws. Also, served as chief spokesperson in collective bargaining for a variety of public sector and private sector clients, with special emphasis on the transportation industry.

**LITIGATION SUPPORT:** Served as an expert economic witness in Federal Court, in administrative proceedings, and before private arbitration panels. Performed analysis of industry trends, analysis of company financial and operating performance, labor cost trends, employment data, cost-of-living adjustments and gauged the impact of changes in government regulations. For institutional clients such efforts were largely related to litigation growing out of a contractual relationship or a collective bargaining dispute; for clients as individuals, such efforts often involved an estimate of damages related to lost earnings, insurance or pensions.

**ECONOMIC ANALYSIS:** Performed economic analysis related to labor economics, the economics of regulated industries, healthcare economics, transportation economics, the analysis and documentation of industry trends, individual company financial performance, labor cost trends, retirement issues, employment data, cost-of-living differentials, education employee and state and local government employee fringe benefit trends and the impact of changes in government regulation. Performed analyses of Federal and local municipal budgets and related data. Design, development and implementation of traditional and alternative compensation systems and structures to align with client strategies while accounting for realities of competitive and legal environment (e.g., development of incentive structures for airline pilots; implementation of joint labor-management job evaluation system in service sector; cost/benefit analysis of professional subcontracting). Design/conduct surveys of compensation, benefits and administrative trends in public and private sectors. Successfully founded and managed a private economics consulting firm with a national clientele which deals primarily with industry and firm analysis, labor market information, compensation issues and public policy issues.

**TEACHING EXPERIENCE:** Over seven years full-time teaching experience at the college and university level (graduate and undergraduate), supplemented by over five years of adjunct teaching experiences and workshop/seminar/continuing education experience. In addition, substantial administrative experience with respect to curriculum development, program management, and professional staff management in higher education. Experience teaching a variety of Economics courses, including Microeconomics and Macroeconomics, Manpower Economics, International Economics, Managerial Economics, Business Fluctuations and Forecasting, Management Case Studies Seminar, Management Intern Seminar and Principles of Management. Also taught Legal Environment modules for Certified Employee Benefits Specialist (CEBS) program.

**INTERNATIONAL EXPERIENCE:** Provided professional lawyer/economist services overseas in undertaking a multi-site evaluation of the performance of grant programs involving the Solidarity trade unions in Poland. Published working paper for the International Labor Organization (Geneva) on multinational companies in the courier service industry in 1997. One of seventy-five participants in program on the International Social Security Crisis co-sponsored by the Harvard Institute for International Development and the World Bank Economic Development Institute. Participated in international proceedings as commercial arbitrator.



**FORMAL EDUCATION:**

J.D. -- University of Maryland School of Law (1982)  
Ph.D. in Economics -- Catholic University of America (1975)  
M.A. in Economics -- Catholic University of America (1971)  
B.A. in Economics -- DeSales University (Allentown College of St. Francis de Sales) (1969)

**BAR ADMISSIONS:**

U.S. District Court for the District of Columbia - 1988  
District of Columbia Court of Appeals - 1988  
U.S. District Court for the District of Maryland - 1986  
Maryland (Court of Appeals of Maryland) - 1982

**PROFESSIONAL ASSOCIATIONS:**

American Economic Association  
Maryland State Bar Association  
District of Columbia Bar Association

**EMPLOYMENT HISTORY:**

1. U.S. Copyright Royalty Judges: Judge
2. Workplace Economics Inc.: President
3. Stanley C. Wisniewski, Attorney-at-Law
4. National Education Association: Manager, Compensation & Collective Bargaining
5. American University: Assistant Professor, Kogod School of Business
6. Howard University: Lecturer, School of Business & Public Administration
7. Connerton, Ray & Simon: Attorney
8. International Association of Machinists and Aerospace Workers: Research Economist
9. Applied Management Sciences, Inc.: Project Manager
10. Service Employees International Union: Research Director
11. DeSales University (formerly, the Allentown College of St. Francis de Sales: Department Chair and Assistant Professor, Economics Department

In addition to the above full-time positions, also served as an adjunct faculty member at the following colleges and universities: University of Maryland Baltimore County, and Howard Community College.

**CONGRESSIONAL TESTIMONY:** Prepared and presented testimony before the following Congressional Committees:

1. Subcommittee on Health of the Committee on Human Resources, U.S. Senate.
2. Subcommittee on Health of the Committee on Finance, U.S. Senate.
3. Subcommittee on Health of the Committee on Ways and Means, U.S. House of Representatives.
4. Subcommittee on Health and Environment of the Committee on Interstate and Foreign Commerce, U.S. House of Representatives.
5. Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, U.S. House of Representatives.
6. Subcommittee on Labor-Management Relations of the Committee on Education and Labor, U.S. House of Representatives.

**SELECTED PUBLICATIONS:**

Directed production of recurring series nationally recognized publications:

1. 20\_\_ State Employee Benefits Survey, published annually by Workplace Economics Inc.: 1987 - 2005.
2. 19\_\_ Municipal Employee Benefits Survey, published by Workplace Economics Inc.: 1990-1993, 1995.

Other publications:

1. "Potential State Government Practices Impact of the New GASB Accounting Standard For Retiree Health Benefits," *Public Budgeting & Finance*, (Spring 2005).
2. *Anticipated GASB Other Postemployment Benefits Standard and State Government Retiree Health Benefits*, (Monograph), AARP, (July, 2004).
3. *State Police Retirement Plans – 2004: A Detailed Study of State Police Retirement Plans in Effect in Each of the 50 States*, Workplace Economics, Inc., 2004.
4. *Fighting Inflation: How Does Your COLA Compare?*, (Monograph), National Retired Teachers Association, A Division of the AARP, 2002.
5. *State Public Education Retirement Systems and Retiree Health Insurance Programs*, (Monograph), National Education Association, 2002.

(Publications continued on next page)

6. *Characteristics of 100 Large Public Pension Plans*, National Education Association, (2002).
7. "Developments in State and Local Pension Plans", co-authored with Olivia S. Mitchell, David McCarthy and Paul Zorn in *Pensions in the Public Sector* edited by Olivia S. Mitchell and Edwin C. Husted, University of Pennsylvania Press, 2001.
8. *State Public Education Retirement Systems and Retiree Health Insurance Programs*, (Monograph), National Education Association, 2001.
9. *Characteristics of 100 Large Public Pension Plans*, National Education Association, (2000).
10. "Informed Pension Choices in a Public Higher Education Institution: Defined Benefit and Defined Contribution Plans", *Employee Benefits Journal*, September 1999, pp.29-36.
11. "Salient Features of Large Public Employee Retirement Systems With Special Emphasis on Systems Covering Education Employees," The Pension Research Council 1999 Symposium: The Wharton School of the University of Pennsylvania, April 26-27, 1999. *The Pension Research Council Working Paper Series*, Wharton (1999).
12. *Characteristics of 100 Large Public Pension Plans*, National Education Association, (1998).
13. *Characteristics of 100 Large Public Pension Plans*, National Education Association, (1996).
14. *Multinational Enterprises in the Courier Service Industry: Some Aspects of Employment and Working Conditions in Selected Enterprises* (ILO Multinational Enterprises Programme Working Paper No. 81), Geneva, Switzerland: International Labor Office (1997).
15. "A Framework for Considering the Contracting Out of Government Services," *Public Personnel Management*, Volume 21, No. 1 (Spring 1992).
16. "Analyzing the Contracting Out of Government Services: Relevant Cost-Benefit Considerations," *Public Budgeting & Finance*, (Summer 1991).
17. "Vacation Benefits and Lost Earnings Capacity," *Journal of Forensic Economics*, Vol. 3, No. 2 (April, 1990).
18. "Achieving Equal Pay For Comparable Worth Through Arbitration," *Employee Relations Law Journal*, Vol.8, No. 2 (1982).
19. Co-author with Robert T. Deane, Stuart Guterman, Frank Sloan, and Margot Cella, *An Analysis of Determinants of Healthcare Utilization*, Report to HHS (HRA 232-78-0138), 1980.
20. *A Synthesis of Research Studies on Hospital Productivity*, Report to the Department of HEW (OASH 233-79-3001), 1980.
21. *Factors in the Growth of Unionism: 1956-66* (Doctoral dissertation, 1975).