

STEPHEN J. POLLAK

Stephen J. Pollak is a retired partner and former senior counsel of Goodwin Procter (October 2004 to present) and was a partner (1969 to October 2004) and former Chair of the Executive Committee of Shea & Gardner (1993-1996) prior to its merger with Goodwin Procter in October 2004. Mr. Pollak joined Shea & Gardner in March 1969 after serving in the United States Department of Justice and the White House from 1961 through 1969. Among his governmental positions were Advisor to the President for National Capital Affairs (1967) and First Assistant and Assistant Attorney General in charge of the Civil Rights Division (1965-67, 1967-69) and Assistant to the Solicitor General (1961-64), U.S. Department of Justice.

Since 1989, Mr. Pollak has been a member of the Panel of Mediators of the Courts of the District of Columbia Circuit and, since 2016, has served as Chair of the Panel of Mediators. He has served as mediator in approximately 80 cases.

In addition to service as mediator, Mr. Pollak's legal practice has consisted primarily of representing clients in trial and appellate litigation in the Federal Courts, the Supreme Court (12 cases argued), Courts of Appeals, and various District Courts and before federal departments and agencies. His fields of concentration in litigation have included constitutional law, labor and antitrust law, civil rights, ERISA, and legal ethics. He has also represented individuals under investigation for possible violation of federal laws, including lawyers and law firms against whom complaints have been lodged with the Bar Counsel.

From 1999 through 2003, Mr. Pollak served as Special Master in the Vitamins Antitrust Litigation, MDL No. 1285, in the United States District Court for the District of Columbia on appointment by Chief Judge Thomas F. Hogan. He was responsible, among other things, for resolving all discovery disputes.

Mr. Pollak has served as lead counsel for the United Mine Workers of America Health and Retirement Funds, a collectively bargained multiemployer benefit fund, in litigation over the validity under the labor and antitrust laws of provisions of the bargaining agreement requiring contributions to the Funds on coal purchased by companies signatory to the agreement. Mr. Pollak has handled more than 50 cases of this nature for the Funds, recovering more than \$100 million in contributions. Other litigation for the Funds includes lawsuits testing the meaning of the 1992 Coal Act which created the UMWA Combined Benefit Fund and provided for its funding primarily by companies signatory to prior collective bargaining agreements.

During the 1970s and early 1980s, Mr. Pollak was lead outside counsel for the National Education Association in many cases at trial, on appeal and in the Supreme Court presenting frontier constitutional, civil rights and labor issues.

Mr. Pollak served as counsel to the Secretary of the Department of Health, Education and Welfare, Joseph Califano, in drafting regulations implementing Section 504 of the Rehabilitation Act of 1973, and was counsel for respondent Camenisch in the University of Texas v. Camenisch, 451 U.S. 390 (1981), in which the rights under federal law of a student with a hearing impairment to have the assistance of a sign language interpreter were at issue.

Mr. Pollak was President of the District of Columbia Bar (1980-81) and a member of the Board of Governors of the Bar (1972-73, 1974-75, 1979-80, and 1981-82). He served as Chair of the Bar's Public Service Activities Committee (1989-95) and was the leader of a review committee that restructured the Bar's pro bono activities. Mr. Pollak was President (7/2008-6/2009) and a member of the Board of Directors (2003-2009) of the D.C. Bar Foundation. He also served as a member of the District of Columbia Access to Justice Commission (March 2005-present).

Mr. Pollak has served as a member and Chair of the District of Columbia Judicial Nomination Commission (1984-90, 1994-96), responsible for selection of the Chief Judges of the District of Columbia Court of Appeals and the Superior Court of the District of Columbia as well as presentation to the President of candidates for nomination as judges of those Courts.

Mr. Pollak served as a member of the Board of Directors of the Historical Society of the District of Columbia Circuit (1993 to September 2022). He also served as President (2003 to April 2019) and then Chair of the Board (April 2019 through September 2022).

Mr. Pollak was a member of the Board of the Lawyers' Committee for Civil Rights Under Law (1969 to September 2022) and served as co-chair (1975-77).

Mr. Pollak attended Dartmouth College (B.A. 1950) and Yale Law School (LL.B. 1956), and served in the U.S. Navy (1950-53).

Mr. Pollak has received the following awards:

The Justice Potter Stewart Award from the Council for Court Excellence of Washington, D.C. (2006)

Daniel Webster Distinguished Service Award, awarded by the Dartmouth Club of Washington (2005)

Thurgood Marshall Award for Service in the Public Interest, awarded by the District of Columbia Bar (2001)

Whitney North Seymour Award for 1994, awarded by the Lawyers' Committee for Civil Rights Under Law

Frederick B. Abramson President's Award for 1994, awarded to the "Public Services Activities Corporation, Pro Bono Clinics, Stephen J. Pollak," by the District of Columbia Bar

Servant of Justice Award for 1994, Legal Aid Society of the District of Columbia

Wiley A. Branton Award for 1992, Washington Lawyers' Committee for Civil Rights Under Law

Frederick B. Abramson President's Award for 1992, awarded to the Public Services Activities Review Committee, Stephen J. Pollak, Chair, by the District of Columbia Bar

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Present
Position: Retired Partner
Goodwin Procter LLP
1900 N Street, NW
Washington, DC 20036
(202) 346-4178
spollak@goodwinprocter.com

Prior
Position: Partner
Shea & Gardner, Attorneys at Law
1800 Massachusetts Avenue, N.W.
Washington, DC 20036
(202) 828-2090
Partner (March 1969 to October 2004)
Chair, Executive Committee (April 1993 to April 1996)

Experience: Merit Selection Panel, U.S. District Court for the District of Columbia
Magistrate Judge Vacancy and Reappointment of Magistrate Judge Kay
Member (September 5, 2014 to 2016)

Mediation
Panel of Mediators of U.S. Courts for the District of Columbia Circuit
Chair (February 2016 to present)
Member (1989 to present)

Special Master, Vitamins Antitrust Litigation (U.S. District Court for the District of Columbia, 1999 to 2003)

Counsel and Associate Independent Counsel to Independent Counsel James C. McKay re Franklyn C. Nofziger Matters
(February 1987 to July 1988, August 1989 to 1990)

Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
(December 1967 to January 1969)

Special Assistant to the Attorney General
U.S. Department of Justice
(October 1967 to December 1967)

Advisor to the President for National Capital Affairs
(February 1967 to September 1967)

First Assistant to the Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
(April 1965 to February 1967)

Deputy General Counsel
Office of Economic Opportunity
(October 1964 to April 1965)

Legal Counsel to the President's Task Force on the War Against Poverty
(June 1964 to October 1964)

Assistant to Solicitor General
U.S. Department of Justice
(November 1961 to October 1964)

Associate
Covington & Burling
Washington, D.C.
(1956 to November 1961)

Memberships
and Board
Positions:

District of Columbia Bar
President (June 1980 to June 1981)
President-Elect (June 1979 to June 1980)
Secretary (1974 - 1975)
Member, Board of Governors (1972 to 1973,
June 1981 to June 1982)
Chair, Public Service Activities Committee
(1989 to October 1995); and Public Service
Activities Review Committee (1990 to June 1992)
Chair, 1998-99 Nominations Committee
Member, Bar Foundation Study Committee (1998 to 2000)
Member (1972 to present)

District of Columbia Bar Foundation
President (2008 to 2009)
Vice President (2007 to 2008)
Member, Board of Directors (October 2003 to 2009)
Past Presidents' Council (2009 to present)
Member, Grants & Technical Assistance Committee (2009 to 2021)

District of Columbia Access to Justice Commission
Commissioner (March 2005 to March 2020)

District of Columbia Access to Justice Foundation
Board Member (2018 to September 2022)

District of Columbia Judicial Nomination Commission
Chair (July 1989 to January 1990)
Acting Chair (December 1988 to July 1989)
Secretary (1986 to 1988)
Member (July 1994 to January 1996; January 1984 to
January 1990)

The Historical Society of the District of Columbia Circuit
Chair (April 2019 to September 2022)
President (September 2003 to April 2019)
Member, Board of Directors (October 1993 to September 2022)

Special Committee on Gender Bias of the Task Force of the D.C.
Circuit on Gender and Race Bias
Member (September 1992 to 1995)
Member and Chair, Subcommittee on Litigation Process
(January 1993 to 1995)

American Bar Association
Member, House of Delegates (1978-81)
Member (1958 to present)

Judicial Conference of the District of Columbia Circuit
Standing Committee on Pro Bono Legal Services
Chair (1997 to July 2001)
Member (1996 to 2001)
Committee on the Administration of Justice Under Emergency Conditions
Chair (1971 to 1973)

Lawyers' Committee for Civil Rights Under Law
Co-Chair (1975-1977)
Member, Board of Directors (1969 to September 2022)
Member, Voting Rights Subcommittee and Amicus Subcommittee

Washington Lawyers' Committee for Civil Rights and Urban Affairs
Chair (March 1970 to March 1972)
Member, Board of Directors (1969 to 1995)
Member, Board of Trustees (through September 2022)

DKH, Incorporated; Draper and Kramer, Incorporated; and D&K Insurance
Agency, Inc., Chicago, Illinois
Chair (May 2011 to 2015)
Vice Chair of Boards of Directors (May 2009 to April 2010)
Member, Board of Directors (July 1970 to 2015)

Housing Development Corporation (Non-Profit, Low-Income Housing)
President (January 1976 to 1980)
Member, Executive Committee and Board of Directors (1969 to 1980)

NAACP Legal Defense & Educational Fund, Inc.
Member, Board of Directors (1987 to 1995)

So Others Might Eat, Washington, D.C.
Member, Board of Directors (June 1987 to December 1992)

Education: Dartmouth College, 1946-50, B.A., Phi Beta Kappa
Yale Law School, 1953-1956, LL.B., cum laude
Order of Coif
Managing Editor of Yale Law Journal
Jewell Prize - Highest grades, second year
Second prize for best student contribution to Yale
Law Journal (1955-56) "Expatriation Act of 1954"

CASES ARGUED BEFORE THE
SUPREME COURT OF THE UNITED STATES

Allen v. State Board of Elections, 393 U.S. 544 (1969)

Griffin v. Breckenridge, 403 U.S. 88 (1971)

Hanover Bank v. Commissioner of Internal Revenue,
369 U.S. 672 (1962)

Kaiser Steel Corp. v. Mullins, 455 U.S. 72 (1982)

Namet v. United States, 373 U.S. 179 (1963)

Presser v. United States, 371 U.S. 71 (1962)

Rabinowitz v. Kennedy, 376 U.S. 605 (1964)

United States v. Bilder, 369 U.S. 499 (1962)

United States v. Healy, 376 U.S. 75 (1964)

University of Texas v. Camenisch, 451 U.S. 390 (1981)

Williams v. Zuckert, 371 U.S. 531, 372 U.S. 765 (1963)

Willis Shaw Frozen Express, Inc. v. United States,
377 U.S. 159 (1964)