

Name: Richard Edward O'Connell

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I. Profession	Accrediting Agency or Jurisdiction	Date of Admission
Lawyer	NYS Supreme Court, App. Div. 2 nd Dept	April 22, 1975
	US District Court, EDNY	May 1975
	US District Court, SDNY	June 1975
	US Court of Appeals, 2d Cir.	February 1981
	US Court of Appeals, 3d Cir.	June 2008
	US Court of Appeals, 9th Cir.	May 1980
	US Tax Court	June 1984

II: Education

New York University School of Law, J.D. 1974 (Root Tilden Scholar); LL.M (in Taxation) 1982
College of the Holy Cross, A.B. 1971 (English, Classical Languages)

III. Professional Organization	Membership Dates	Status
NYS Bar Association	1975 – current	Active
Qns Cty Bar Association	1975 – current	Active
Nat. Assoc. of Bkptcy Trustees	1984 – current	Active

IV. General Professional Experience:

From May of 1975 through April of 1977, I was associated with Catholic Charities, Diocese of Brooklyn and maintained a *pro bono* practice at 895 Putnam Avenue in Brooklyn. During those years, I represented persons unable to afford legal counsel in a variety of civil, and occasionally criminal, matters.

From April of 1977 through May of 1981, I was an associate at Willkie Farr & Gallagher, in New York, working in civil litigation with an emphasis on federal securities, commodities and anti-trust matters.

Since 1981, while a partner at Yost & O'Connell, in Whitestone, I have represented clients in transactional and litigated matters involving a broad range of state and federal law.

I have appeared and argued at the trial and appellate levels of the New York and Federal Courts, and have tried cases to verdict in New York Supreme Court and in Federal District Court. I have appeared in arbitration proceedings before the New York Stock Exchange, in administrative trial proceedings before the Commodities Futures Trading Commission, and in proceedings arising under Canon Law, and served as receiver in District Court enforcement

proceedings brought by the Federal Trade Commission.

I have maintained an active *pro bono* practice. I participated for many years in *pro bono* programs through the Queens County Bar Association and the District and Bankruptcy Courts for the Eastern District of New York. Since 2005, I have been a participating attorney in the Catholic Legal Immigration Network, Inc. (CLINIC), and have represented parties seeking asylum or relief from deportation in appeals before the Board of Immigration Appeals as well as before the United States Courts of Appeal.

V. Pertinent Bankruptcy Experience:

I first represented debtors, *pro bono*, under the former Bankruptcy Act while practicing in Brooklyn in the mid-1970s. Until retiring from active panel rotation in November of 2014, I served as a Chapter 7 panel trustee in the SDNY since 1984, and in the EDNY since 1989.

I have administered a wide range of bankruptcy estate property, including real estate, patents, copyrights, musical compositions, movies, claims and choses in action, businesses of all kinds, and (in one instance) livestock. As operating trustee in both Chapter 7 and Chapter 11 cases, I have operated residential and commercial real estate businesses, a major midtown Manhattan hotel, a securities firm, professional practices, software companies, restaurants, a 57th Street music club, and (briefly) a horse farm. Both as debtor's attorney and as Chapter 11 trustee, I have successfully proposed, negotiated and confirmed Chapter 11 plans, and have served as a Chapter 11 examiner.

I have published two articles on bankruptcy law, and have lectured before Bar Association and other professional panels. I have been an attorney, or a party, in litigated matters arising under the Bankruptcy Code, as well as in related areas of state and federal law.

VI. Publications

The Ability of a Bankruptcy Trustee to Sell Property Held by a Debtor and a Non-Debtor Spouse as Tenants by the Entirety Under New York Law, 64 New York State Bar Journal, No. 8, 10-14 (Dec. 1992)

The Trustee as Tantalus: Marshaling Assets in Chapter 7, NABTalk, Vol.13, No. 3, 35-41 (Fall 1997)

VII. Compensation and Expense Reimbursement

Hourly Rate of \$550; or as otherwise agreed