

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND
INTERNATIONAL GROUP RELATIONS

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May 28, 2009
Start: 12:26pm
Recess: 12:55pm

HELD AT: Council Chambers
City Hall

B E F O R E: DOMENIC M. RECCHIA, JR.
Chairperson

COUNCIL MEMBERS:
Inez E. Dickens
Robert Jackson
Melissa Mark-Viverito
James Vacca

A P P E A R A N C E S (CONTINUED)

Marcos Vigil
Corresponding Secretary
Puerto Rican Bar Association

Rosevelie Marquez Morales
Board Member
Puerto Rican Bar Association

Lillian Rodriguez Lopez
President
Hispanic Federation

Cao O
Executive Director
Asian American Federation

Kenneth Cohen
Regional Director
NAACP New York State Conference Metropolitan Council

Nestor Montilla
President
Dominican American National Round Table

CHAIRPERSON RECCHIA, JR.: Okay.

Good afternoon, this is the Cultural Affairs Committee, on Cultural Affairs, Libraries, International Group Relations. We're here on a, on a resolution. [pause] Are you ready? We're going to start. Alright. Rachel, you ready? Okay. Good afternoon, thank you for joining us today. My name is Domenic Recchia, I am the Chair of the Committee on Cultural Affairs, Libraries, International Intergroup Relations. On May 26, 2009, President Obama nominated federal appeals court Judge Sonia Sotomayor to the Supreme Court to replace Justice Souter. Today we'll discuss Resolution Number 1982-A, a Resolution supporting the nomination of Judge Sotomayor to and urging her prompt confirmation by the Senate. Part of our role as the Cultural Affairs Committee is to celebrate multiple cultures and ethnicities, while encouraging harmony among citizens and promoting the image of New York City. Judge Sotomayor's nomination to the Supreme Court embodies all of these goals. She is part of the Puerto Rican heritage that has helped to shape New York City, and her confirmation to the Supreme Court would

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2 provide diversity and a broader understanding of
3 American people to the highest court in the
4 nation. However, we do not merely endorse Judge
5 Sotomayor because she would be the first Hispanic
6 appointed to the Supreme Court, and only the third
7 woman appointed, but as New Yorkers we recognize
8 her connection to our City and the work that she
9 has done for us. Judge Sotomayor grew up in
10 Brooklyn, in The Bronx, excuse me. [laughter]
11 Raised by a single mother in public housing, and
12 she graduated from Cardinal Spellman High School
13 in 1972. After graduating from Princeton
14 University, and Yale Law School, which where she
15 was Law Review, Sotomayor began a career as an
16 assistant district attorney here in Manhattan.
17 She then served as a founding member of New York
18 City Campaign Finance Board. She then became a
19 federal judge in the Southern District of New
20 York. Then she was appointed to the Second
21 Circuit Court of Appeals in New York, covering New
22 York, Connecticut and Vermont. Judge Sotomayor
23 has also played an extensive role in the higher
24 education of New Yorkers, lecturing at both NYU,
25 Columbia University and other continuing legal

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2 education courses throughout New York and
3 throughout the United States. In addition to her
4 public service in New York, Judge Sotomayor has
5 been, has more bench experience than any other
6 current nine, any other Supreme Court justices had
7 when they first began their tenure, and when they
8 first were nominated. Okay, so she has great
9 experience and she's going to be a great asset to
10 the Court. And would any of my colleagues, I'd
11 like to, we've been joined by Jimmy Vacca, from
12 The Bronx, Melissa Mark-Viverito from Manhattan,
13 and also would like to thank my staff, Tonya and
14 Rachel and Rob Hart, and everyone else. And thank
15 you, and now I turn over Melissa Mark-Viverito
16 from The Bronx.

17 COUNCIL MEMBER MARK-VIVERITO:

18 Thank you, Mr. Chair, and I really would like, on
19 behalf of myself and Council Member Arroyo, who
20 are the co-lead sponsors on this resolution,
21 really thank you for putting this on the calendar
22 so quickly. We felt it was a very important as a
23 City Council that we weigh in, that we make a
24 statement, that we really support this nomination
25 and that we would encourage swift Senate

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2 confirmation hearings, in order to really make
3 the, this historic nomination a reality. And I
4 think you've just cited a lot of the biographical
5 information with regards to Judge Sonia Sotomayor,
6 and the pride that it really gives me, personally,
7 as a Puerto Rican woman, as a Latina to know that
8 this nomination is happening, that she's going to
9 be the first one. I think it brought a lot of
10 tears of joy to many of us. And just to this
11 state in general, and to this City, because
12 obviously she is a New York City resident, born
13 and raised in The Bronx. So, we're really, really
14 happy, and we really do, we were already starting
15 to see some of the attacks that are going on to
16 her character, by the conservatives, and they will
17 do everything in their power, I think, to try to
18 prevent this from happening. So, it really is
19 incumbent upon us to take a stand, to make a
20 statement, and to really urge our representatives--
21 --and we know that both Senator Schumer and
22 Gillibrand are on board, since they did write a
23 letter individually to the President urging this
24 nomination. So we know that we have their
25 support, but it's going to be important for us to

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2 ensure that the full Senate supports this and
3 moves it as quickly as possible. So for those
4 reasons, I want to thank you again for putting
5 this on the calendar so quickly, look forward that
6 we pass this, and get this message across to our
7 colleagues in government. Thank you very much.

8 CHAIRPERSON RECCHIA, JR.: Jimmy
9 Vacca from the Bronx.

10 COUNCIL MEMBER VACCA: I, too, am
11 very excited, and I thank you for putting this on
12 so expeditiously. The Bronx, The Bronx is very
13 excited, and I think it's fantastic for us. My
14 district is not far from Bronxdale Houses, so--And
15 I represented them when I was on the school board
16 years ago, so I know the community. I'm hoping
17 that the Senate will act quickly and do their due
18 diligence, of course, but that the Judge will be
19 confirmed. And I thank you for calendaring this
20 and I think that the people in The Bronx are
21 excited because we have a local person who came up
22 through the ranks, who will now serve on the
23 highest court in the nation, so it's a moment of
24 well deserved pride for our borough. Thank you,
25 Mr. Chair.

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2 CHAIRPERSON RECCHIA, JR.: In
3 addition to that, I would like to make sure Tonya,
4 if you could add my name to the resolution, you
5 left off my name. My name should be added. And
6 then Jimmy Vacca, would you like to be listed as a
7 cosponsor. Just go on the record and say that so
8 we could have your permission to put it on.

9 COUNCIL MEMBER VACCA: Yes, of
10 course, please do that.

11 CHAIRPERSON RECCHIA, JR.: Okay.
12 And at this time we will call the witnesses.

13 FEMALE VOICE: Marcos Vigil and
14 Rosevelie Marquez Morales from the Puerto Rican
15 Bar Association.

16 CHAIRPERSON RECCHIA, JR.: Anybody
17 else? [pause] State your name for the record,
18 and if you're from an organization.

19 MARCOS VIGIL: Good afternoon,
20 members of this Council, my name is Marcos Vigil,
21 I'm a member of the Puerto Rican Bar Association,
22 and I'm joined by my colleague Rosevelie Marquez
23 Morales. The Puerto Rican Bar Association
24 commends this New York City Council, and in
25 particular the sponsors of this resolution, taking

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2 the steps to support President Barack Obama's
3 nomination of Judge Sonia Sotomayor to the Supreme
4 Court of the United States, and congratulating
5 Judge Sotomayor on her nomination, and urging
6 swift senate confirmations. The Puerto Rican Bar
7 Association was founded in 1957 to advance the
8 interests of Hispanics through the legal
9 profession, increase opportunities for Hispanics
10 within the legal profession, promote the
11 advancements of Hispanics to leadership and
12 judicial positions, foster professional
13 excellence, support law school students and those
14 entering the legal profession, augmenting legal
15 education and information within the Hispanic
16 community, and addressing issues facing Hispanics.
17 As this Council is very aware, Judge Sotomayor is
18 eminently qualified to fill the seat to be vacated
19 by Justice David Souter, and is deserving of our
20 recognition as an outstanding jurist, and New
21 Yorker. While her personal story has received
22 much attention in the press, I would like to
23 highlight how her path in the legal profession
24 makes her such an exceptional choice. First, from
25 Princeton University, my alma mater, Sonia

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2 Sotomayor received the M. Taylor Pyne Prize, which
3 is awarded only to the seniors who most clearly
4 manifest the excellence in scholarship and
5 effective support of the best interests of that
6 university. Thereafter, from Yale Law School, she
7 was editor of the Yale Law Journal. And
8 thereafter began her great service to the citizens
9 of New York, as an assistant district attorney,
10 under the supervision and mentorship of the
11 legendary Robert Morgenthau. As a prosecutor, she
12 handled many cases to ensure the safety of all the
13 New Yorkers. In 1984, she continued her legal
14 career at the private firm of Padilla and
15 Harcourt, where she became a partner in 1988,
16 handling international commercial litigation
17 cases, including intellectual property, licensing
18 and franchising disputes, and the arbitration of
19 commercial and commodity export trading cases,
20 which make her an extremely qualified individual
21 to handle many of the complex cases that currently
22 go to the Supreme Court of the United States. She
23 also served in the New York City Campaign Public
24 Finance Board, by appointment from Mayor Koch, at
25 a time that the City was in need of such service.

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2 As you are aware, in 1992 she was named to serve
3 on the United States District Court for the
4 Southern District of New York as a trial judge,
5 and then in 1998 became a judge in the United
6 States Court of Appeals for the Second Circuit.
7 Her combination of trial and appellate court
8 experience, as well as her service to the public,
9 and as a prosecutor, followed by the service to
10 her past clients at a private law firm, make her a
11 remarkable choice by President Barack Obama. But
12 perhaps a fact too often overlooked is her
13 dedication to educating young minds, while
14 teaching at New York University for over twelve
15 years, and more than a decade at Columbia
16 University. Many of her students can attest to
17 her dedication, and to her belief that in working
18 hard and applying oneself, they will be able to
19 accomplish anything they believe. This is perhaps
20 one of her greatest gifts to this City, this State
21 and our nation. From a personal experience, I can
22 attest that she always takes the time to talk to
23 young students about the benefits of studying the
24 law, getting to know our system, and taking the
25 time to mentor them whenever it is appropriate.

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2 As this honorable Council considers what her
3 contributions to the bench may foreshadow in the
4 future of our City, our State and our nation, let
5 us focus on the bright young minds that are coming
6 through our schools and the role model they
7 currently see in her. The best example of what we
8 should all want, from whom is about to become our
9 next Associate Supreme Court Justice.

10 CHAIRPERSON RECCHIA, JR.: Thank
11 you very much. Do you have a copy for us, or--?

12 MARCOS VIGIL: I can give you a
13 copy.

14 CHAIRPERSON RECCHIA, JR.: Okay.
15 Just so we could have it for the record. State
16 your name and where you're from, if you would.

17 ROSEVELIE MARQUEZ MORALES: Good
18 afternoon, Council Members. My name is Rosevelie
19 Marquez Morales, and I'm from the Puerto Rican Bar
20 Association. I would like to commend Councilwoman
21 Melissa Mark-Viverito and Maria del Carmen Arroyo,
22 for sponsoring the resolution on behalf of Judge
23 Sonia Sotomayor. As a member of the Puerto Rican
24 Bar Association, I want to share with you what the
25 nomination of Judge Sonia Sotomayor for the

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2 Supreme Court of the United States means to young
3 Latina women living in New York City. It
4 represents opportunity and hope, but most
5 importantly it is an inspiration to all Latinas.
6 As a daughter of a Puerto Rican woman who brought
7 me here as a child to ensure that I had an
8 opportunity to succeed, I know fairly well how
9 difficult it is to strive in a poor economic
10 community. I myself grew up in Brooklyn, and
11 having grown up in Brooklyn and eventually being
12 accepted and graduating from Barnard College and
13 Fordham University of Law in itself was a dream
14 for me. Upon graduation from law school, I was
15 seen as a role model for many people in my
16 community. While I myself didn't see myself as a
17 role model, it was indeed unmistakable that I had
18 accomplished something that many people deemed
19 impossible. Well, not only can a young Latina
20 from Brooklyn become an attorney, but a young
21 Latina from The Bronx can become the President's
22 nominee for the Supreme Court of the United
23 States. The difference between what some see as
24 impossible and some see as possible, lies in a
25 person's determination. Here we have Judge Sonia

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2 Sotomayor, who was an individual with strong
3 values and dedication and belief, in not only
4 herself but in the Latino community, and in the
5 opportunities that this country has to offer. She
6 has pushed beyond the constraints that are
7 inherent in growing up in a community that has
8 been deprived economically, academically, and
9 professionally, of role models and mentors. Judge
10 Sotomayor has overcome all these barriers by
11 excelling both academically and professionally in
12 her careers. She is a role model that the Latino
13 community needs. She's a pioneer for the Puerto
14 Rican community, and an inspiration to all women.
15 Her dedication has paved the road for many
16 Latinos. Someone once said that a determined
17 person can make a significant difference, and that
18 a small group of determined people can change the
19 course of history. Well, on May 26, 2009, Judge
20 Sotoma--Sonia Sotomayor made history and expanded
21 the legal profession for all Latinos. Thank you,
22 and congratulations to Judge Sonia Sotomayor.

23 CHAIRPERSON RECCHIA, JR.: Thank
24 you very much. And do you have a copy for us?

25 ROSEVELIE MARQUEZ MORALES: We'll

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2 provide you with a copy.

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4 CHAIRPERSON RECCHIA, JR.: You'll
provide us with a c--

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ROSEVELIE MARQUEZ MORALES: Yes.

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7 CHAIRPERSON RECCHIA, JR.: So we
can make it part of the record. Okay, call the,
8 we have the next panel will be four people, so to
9 start we get two more chairs up there? Go ahead,
10 call the next.

11

FEMALE VOICE: Okay, Nestor
12 Montilla, Kenneth Cohen, Lillian Lopez, and the
13 Asian American Federation.

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CHAIRPERSON RECCHIA, JR.: We've
15 also been joined by Council Member from Manhattan,
16 Inez Dickens. [pause, background noise] Do we
17 have his--Okay. I would just ask if you just
18 identify yourself with your name, and if you're
19 from, affiliated with an organization. And then
20 you can give your testimony. And we'll start with
21 the young lady. [laughter]

22

LILLIAN RODRIGUEZ: Thank you.

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CHAIRPERSON RECCHIA, JR.: You have
24 to put the microphone so you could be, this all
25 gets recorded. And--

LILLIAN RODRIGUEZ LOPEZ: My name is Lillian Rodriguez Lopez, and I'm the President of the Hispanic Federation, and it's a pleasure to be here with you this afternoon. I did provide written copies of my testimony, so you should have them. I just want to begin by saying in college when you do public speaking, they warn you to avoid the use of superlatives. But I want to warn you in advance that this testimony is one of superlatives, because I have the honor to come before you to support the resolution on the nomination of Sonia Sotomayor to the highest court in this land, the Supreme Court. Her nomination is historic for Puerto Ricans, for Latinos, for this country. She is a daughter of this City, and she stands as one of the finest and most accomplished citizens we have. I want to applaud and thank President Obama for this nomination. Just as his nomination and election as President of the United States will inspire many generations to come, so will the appointment of Sonia Sotomayor to the Supreme Court inspire so many young and older people around this country. Our children will once again know, especially children

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2 in The Bronx, that with hard work and dedication,
3 any dream can come true. Sonia Sotomayor has an
4 exemplary record as a lawyer, as a prosecutor, as
5 a judge; her record is unblemished. She has a
6 brilliant legal mind and is well-respected by her
7 peers and so many others throughout this country.
8 She has served on the U.S. Court of Appeals Second
9 Circuit for eleven years, distinguishing herself
10 through her insightful and sophisticated legal
11 opinions. She will protect and serve with honor
12 in the role of Supreme Court Justice because she
13 holds dear not only the constitution of the United
14 States, but the protection of liberties for our
15 citizens and the practice of appropriate judicial
16 restraint. Her career, her skills, her
17 commitment, present and future, to upholding the
18 laws of this country, are not in question; nor can
19 they be allowed to be placed into question. Sonia
20 Sotomayor is the best qualified individual to
21 serve as our next Justice, regardless of race,
22 ethnicity, creed or background. I want to thank
23 the City Council, I want to thank Councilwoman
24 Melissa Mark-Viverito, and Maria Carmen del Arroyo
25 who are not, who's no here with us today, and all

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2 its members for considering this resolution. I
3 urge you to continue to send messages that are
4 loud and unequivocal to the members of the U.S.
5 Senate, particularly the members of the Judiciary
6 Committee, that we seek a speedy and affirmative
7 confirmation of Sonia Sotomayor, to the Supreme
8 Court of the United States. Thank you so much for
9 this opportunity.

10 CHAIRPERSON RECCHIA, JR.: Thank
11 you very much. Next.

12 CAO O: Thank you very much,
13 Council Members. My name is Cao O, I'm the
14 Executive Director of the Asian American
15 Federation. I don't have a prepared statement
16 today, but I'd like to just add a few words. I
17 hundred percent concur with what my colleague
18 Lilly Rodriguez talk about. As a New Yorker and
19 as an immigrant who came to the City in mid-'70s,
20 I'm very proud to see that one of our
21 distinguished New Yorkers is being nominated to
22 the Supreme Court, the highest court of the land.
23 Judge Sotomayor has a stellar record as, as a
24 judge, and she's eminently qualified to be the
25 Supreme Court Justice. She has a lot of the

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2 understanding of people, people like me and
3 others, who are common people who have
4 experienced, positive experience in this country,
5 and have struggled through different life, making,
6 make it great. And I believe she will be a great
7 addition to the Supreme Court, will make the Court
8 more perfect. Thank you very much.

9 CHAIRPERSON RECCHIA, JR.: Thank
10 you. You have to excuse me 'cause there's two
11 other hearings I'm supposed to be starting at the
12 same time, but I had to get this one so we could
13 vote this out next week. So, just excuse me.
14 It's some--Alright, next.

15 KENNETH COHEN: My name is Kenneth
16 Cohen, I am the Regional Director for the NAACP
17 New York State Conference Metropolitan Council
18 that's all the branches of New York City. I bring
19 you greetings from Hazel N. Dukes, President of
20 the New York State Conference, and Member of the
21 NAACP National Board of Directors. I am Ken
22 Cohen, Regional Director of the NAACP New York
23 State Conference Metropolitan Council. I am
24 honored to be here today representing the NAACP to
25 speak on behalf of Barack O--President Barack

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2 Obama's nomination of Judge Sonia Sotomayor to be
3 appointed as the next United States Supreme Court
4 Justice. The NAACP has a long, rich history of
5 bringing issues before the United States Supreme
6 Court, and in most instances the findings that
7 have been rendered by this country's highest court
8 has been favorable in providing justice for the
9 human and civil rights of people of all colors.
10 The NAACP legacy has produced honorable people
11 such as Justice Thurgood Marshall, who became the
12 first African-American to sit on the United States
13 Supreme Court. Although Judge Sotomayor will not
14 be the first woman to sit on the Supreme Court,
15 following Justice Sandra Day O'Connor and Ruth
16 Bader Ginsberg, Judge Sotomayor will be the first
17 Latina to fill this prestigious position. Judge
18 Sotomayor's parents immigrated to New York from
19 Puerto Rico, making her and her brother the first
20 of her family born in New York City mainland
21 United States. This is now living the dream that
22 brought her parents to New York. While her story
23 is not very different from that of many New
24 Yorkers, what Judge Sonia--Sonia Sotomayor did
25 over the years to rise to the challenge must be

1
2 commended. With the loss of her father during her
3 formative years, and her mother taking on the
4 challenge to work double shifts as a nurse to
5 ensure that she and her brother would become
6 individuals who would leave their parents proud,
7 it is clear that the discipline needed to reach
8 her goals have paid off. Judge Sonia Sotomayor
9 has the potential to leave an even greater legacy
10 for this nation as a Justice of the United States
11 Supreme Court. The NAACP, New York State,
12 heartily and enthusiastically supports Judge
13 Sotomayor to be the next Justice of the United
14 States Supreme Court. She has the intellectual
15 toughness, the legal acumen, and the judicial
16 experience at both the trial and appellate levels;
17 and an understanding hard to render equal justice
18 under the law to all who will be affected by her
19 role on the court. Judge Sotomayor has always set
20 the highest standards of excellence for herself
21 and has achieved them. She graduated with high
22 honors from two of our nation's most prestigious
23 academic institutions: Princeton University, as
24 an undergraduate, and Yale Law School. She won
25 the praise of the legendary Manhattan District

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2 Attorney as an assistant district attorney, and
3 she also earned the highest respect as a corporate
4 lawyer before she was nominated by President
5 George H. W. Bush, to the federal district court
6 here in New York. She was later nominated by
7 President Bill Clinton to the Court of Appeals for
8 the Second Circuit, for the Second Circuit. Such
9 bipartisan acknowledgement of her exceptional
10 legal skills and judicial temperament is
11 noteworthy. However, no matter how great the
12 conquest, Judge Sotomayor has never forgotten her
13 roots. Sonia Sotomayor continues to share her
14 accomplishments with the City, and community she
15 grew up in, by mentoring children and creating
16 opportunities for those young folks who need
17 direction and tender, loving care. Judge
18 Sotomayor's life of extraordinary achievements
19 demonstrates that hard work, inner determination
20 and a vision of what is possible, can make dreams
21 become reality. The NAACP New York State
22 Conference proudly and enthusiastically supports
23 President Obama's nomination of Judge Sonia
24 Sotomayor to become a Justice of the United States
25 Supreme Court. And we urge you to use your good

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2 offices to achieve a speed confirmation. I would
3 like to add that not only New York State, but the
4 NAACP nationally has stood up and cheered on this
5 appointment, and this nomination, and we hope that
6 you will help make this confirmation speedy.

7 Thank you.

8 CHAIRPERSON RECCHIA, JR.: Thank
9 you. Next.

10 NESTOR MONTILLA: Thank you. My
11 name is Nestor Montilla. I'm the President of the
12 Dominican American National Round Table, which is
13 the only national advocacy organization with
14 headquarters in Washington, D.C., advocating on
15 behalf of over 1.6 million Dominicans in the
16 United States and Puerto Rico. Mr. Chairman and
17 distinguished members of this New York City
18 Council Committee, on behalf of the Dominican
19 American National Round Table, and its board, we
20 applaud President Barack Obama's nomination of
21 Judge Sonia Sotomayor--like to pronounce the name
22 the way it sounds in Spanish--to the United States
23 Supreme Court. If confirmed, Sotomayor will be
24 the first Hispanic and third woman, actually, to
25 seat on the nation's highest court. Throughout

1
2 its history, as a nation, the United States of
3 America has been enriched by the influence of the
4 Latino culture. Today, more than 40 million
5 Hispanics live in the U.S. They are as diverse
6 collection of cultures, beliefs and political
7 views. Sotomayor will represent the diversity of
8 the Latino community on the Supreme Court.

9 Sotomayor's unique American history story will
10 bring a singular perspective to the Supreme Court.
11 Her nomination is a milestone for women, for
12 Puerto Ricans, for Dominicans, and the entire
13 Latino community. Sotomayor's record is
14 exemplary, she has a long and distinguished career
15 on the federal bench, she is qualified to serve on
16 the Supreme Court, and fits President Obama's
17 criteria for a Supreme Court nominee. We commend
18 the President for selecting such an accomplished,
19 qualified, and experienced nominee. The DANR and
20 its national board applaud President Obama's
21 understanding that it is time for a Hispanic
22 Justice to be seated on the U.S. Supreme Court.
23 Therefore, the DANR supports the New York City
24 Council proposed Resolution number 19828-A,
25 supporting President Obama's nomination. And we

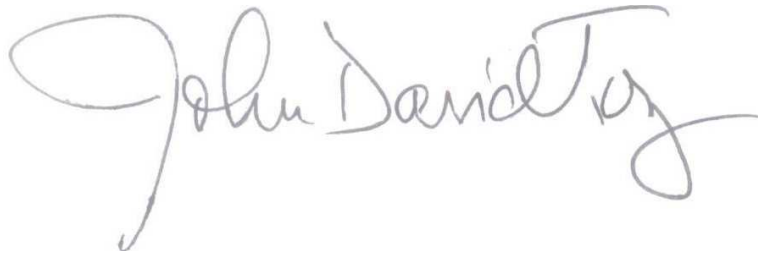
1
2 urge the U.S. Senate to confirm Judge Sotomayor to
3 the Supreme Court of the United States of America.
4 On a final note, I would like to say that I'm also
5 Director of, Director of Public Relations at
6 Hostos Community College. And although I'm not
7 appearing here on that capacity, I would like to
8 say that I graduated from Hostos Community
9 College, and a good note that we discovered this
10 week, after the nomination, was that Sotomayor's
11 mother graduated from Hostos in 1973 from the
12 nursing program. That tells you of the value of
13 an education, and how the family has actually been
14 able to move forward through education. Thank
15 you.

16 CHAIRPERSON RECCHIA, JR.: Thank
17 you very much. We've also been joined by Council
18 Member Robert Jackson from Manhattan. There will
19 be a vote on January, on June 9th. We voted out of
20 the Committee, then go to the full Council on that
21 date. I would encourage all my colleagues to vote
22 aye on this matter when it comes before us at the
23 next meeting. Thank you again, thank you for
24 coming here, this meeting is adjourned. [gavel]

25 FEMALE VOICE: Thank you so much.

C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "John David Tong". The signature is written in a dark ink and is positioned above a horizontal line.

Signature_____

Date June 17, 2009