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Aphelion Legal Solutions
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APHELION LEGAL SOLUTIONS, Chief Operating Officer, August 2007 to present

Aphelion is a global legal process outsourcing company that combines international resources and legal staff with localized U.S. and Indian management expertise to provide legal support at significantly reduced expense while matching, and often exceeding, the quality of work provided by the largest law firms in the United States. Aphelion focuses on document management, review, analysis and production; identification, analysis, logging and defense of privilege claims; and other, related functions. Its clients range from Fortune 100 to small, privately held companies and law firms. Aphelion has offices in Houston, Texas and Washington, D.C. and a primary operating facility in Chennai (Madras), India.

ARNOLD & PORTER, LLP, Washington, D.C., Counsel, 1990-2007

17 years experience in all phases of complex civil litigation, from initiation through discovery, evidentiary hearings, trial, and appeal in high profile antitrust, products liability, consumer protection, federal and state securities, fraud, and professional negligence actions, as well as administrative and regulatory inquiries, including H.S.R. pre-merger reviews.

- Expertise in federal and state court *Zolin* hearings defending and challenging claims of attorney-client privilege, work product, and government-specific privilege protections.
- Federal bench and jury trial experience for Fortune 100 companies:

AMR Pharm Holland, B.V. v. American Home Products Corp. (D.D.C.) (Hogan, J.): Presented witnesses to federal jury and otherwise successfully defended Wyeth-Ayerst and American Home Products in 3-month trial to defense verdict on antitrust and contract claims involving analysis of phase-III clinical trial of hormonal drug.

New York v. Kraft General Foods, Inc. and Philip Morris Cos., 926 F. Supp. 321 (S.D.N.Y. 1996) (Wood, J.), *aff'd*, 14 F.3d 590 (2d Cir.):

Presented witnesses and otherwise successfully defended Kraft General Foods and Philip Morris Cos. in federal bench trial to defense judgment upholding acquisition of R.J.R. Nabisco's Shredded Wheat against NY AG's antitrust claims.

- Represented Visa USA in two federal antitrust actions brought by competitors and other market participants. Supervised more than 120 contract attorneys and numerous staff attorneys, legal

assistants, and contract paralegals in extensive document review and analysis, privilege logging, and defense of privilege claims. *American Express et al., v. Visa USA et al.* (S.D.N.Y.) (Jones, J.) (Eaton, Mag. J.); *In re Payment Card Interchange Fee Antitrust Litig.*, MDL No. 1720 (E.D.N.Y.) (Gleeson, J.) (Orenstein, Mag. J.).

- Represented Philip Morris U.S.A. in all phases of healthcare cost-recovery lawsuits in federal and state courts brought by United States and state attorneys general, union health-care funds, and other third-party payors asserting novel products liability, consumer protection, Unfair and Deceptive Trade Practices statutory and unjust enrichment and indemnity theories. *E.g.*, *New Jersey v. Philip Morris et al.* (D.N.J.) (Trump, J.); *Blue Cross and Blue Shield of Louisiana et al. v. Philip Morris* (E.D.N.Y.) (Weinstein, J.); *Group Health Plan, Inc. et al. v. Philip Morris et al.*, (D. Minn.) (Magnuson, J.); *United Steamworkers Healthcare Fund et al. v. Philip Morris et al.* (N.J. Super.).
- Successfully preserved voluminous privilege and work product claims of Philip Morris U.S.A. in *Zolin* and other evidentiary hearings in federal and state courts throughout the country. Also successfully challenged attorney-client, work product, and government-specific claims of privilege by federal government in *United States v. Philip Morris, et al.* (D.D.C.) (Kessler, J.). 3 years day-to-day supervision of 30+ staff and contract attorneys and legal assistants.
- 2 ½ years representation of large wealth management and foreign currency trading firm and related entities in tax-shelter promoter audit and regulatory investigations involving supervision of large lawyer and paralegal team, including client's in-house paraprofessionals, to respond to over 500 sets of discovery requests about 250+ L.L.C.s and S-Corporations.
- Represented League of Women Voters of Ohio and other voters *pro bono* in the only successful federal constitutional rights action seeking a remedy for the failures of Ohio's voting system in 2004, including supervising defense of subpoenas to all 88 counties of Ohio for massive document discovery. *L.W.V. of Ohio et al. v. Taft, Blackwell* (N.D. Ohio) (Carr, C.J.) & (S.D. Ohio) (King, Mag. J.).
- First chair lawyer representing non-profit therapist organizations *pro bono* by investigating and bringing contract, fraud, professional negligence, and conversion claims against management agent to summary judgment in D.C. Superior Court, bringing successful fraudulent transfer action in New Mexico state court, and reaching largest settlement amongst unsecured creditors in New Mexico bankruptcy court. *NAPT, Inc. et al. v. Daniel and DMG, Inc.* (Super. D.C. 2003); *NAPT, Inc. et al. v. Daniel and Carnevale* (XIII Dist. N.M. 2003); *In re Daniel* (Bankr. N.M. 2004); *In re DMG, Inc.* (Bankr. N.M. 2004).
- Hart-Scott-Rodino pre-merger defense of deals involving Fortune 500 companies such as AlliedSignal, Boston Scientific, Kraft, and Philip Morris Cos. with respect to high tech scientific, commercial, aerospace, and medical devices and packaged consumer products.

UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

Boston, MA and Providence, R.I.

Judicial Law Clerk to The Honorable Bruce M. Selya, 1989-1990

PUBLICATIONS and SPEAKING ENGAGEMENTS

Faculty Presenter, Knowledge Congress Webinar, **Strategic E-Discovery: Taking Steps to Avoid Litigation's Black Hole** (February 9, 2009). Spoke about best practices and future of offshore outsourcing of electronic discovery work.

Webinar presentation slides available at http://docs.google.com/Presentation?id=dghf296t_34gmvm3dgm

Faculty and Panelist, **Practice Settings Forum**, Indiana University Maurer School of Law – Bloomington (October 29-30, 2008). Spoke to 1L class in two sessions about the development of Legal Process Outsourcing (LPO) industry and its potential implications for current law students and experience as Special Counsel at Arnold & Porter, with emphasis on ethics and quality of life.

Faculty Panelist, The Ethics of Outsourcing Legal Work Offshore and Presenter, *Electronic Surveillance and Offshore Legal Communications*, at the American Conference Institute's *LPO Summit*, September 15-16, 2008, New York City.

Presentation slides available at http://docs.google.com/Presentation?id=dghf296t_31dxrgmtd6

White Paper available at http://docs.google.com/Doc?id=dghf296t_33f8rbxm2n

Geske, Michael R., *Ethical Considerations Applicable to Outsourced & Offshore Legal Work*, in Negroni, A.L., ed., *LPO Network*, Vol. 1, No. 8 (Dec. 1, 2007), available at <http://legalprocessoutsourcingnetwork.com/MonthlyNewsletter.aspx>

Geske, Michael R., et al. (co-authors), *Attorney-Client Privilege and Attorney Work Product Protections*, appearing as Chapter 33 in Haig, Robert, ed., **Successful Partnering Between Inside and Outside Counsel** (West Group 2002, 2004, and 2006).

Geske, Michael R., as counsel to the Open Society Institute and member of the Editorial Panel to the UNHCR, *Statelessness and Citizenship*, appearing as Chapter IX in **NGO Manual on International and Regional Instruments Concerning Refugees and Human Rights** (UNHCR Regional Bureau for Europe, Geneva 1998).

Note, *Statutes Limiting Mental Health Professionals' Liability for the Violent Acts of Their Patients*, 64 Ind. L.J. 391 (1989).

EDUCATION

Juris Doctor *summa cum laude*

Indiana University Maurer School of Law – Bloomington 1986-1989

Graduated first in class of 206

Activities and Memberships: Order of the Coif; Editor, *Indiana Law Journal* (1988, 1989); Law School Liaison to I.U. Vice President's Advisory Council

Master of Arts in Religious Studies: Ethics

Indiana University 1985-1988

Thesis: *The Uses of Scripture by Some Contemporary Christian Ethicists* (May 1988)

Bachelor of Arts in Philosophy *maxima cum laude*

St. Meinrad College 1979-1983

Graduated first in class of 52