

VERONICA J. FINKELSTEIN

EDUCATION

EMORY UNIVERSITY SCHOOL OF LAW: Atlanta, Georgia
Juris Doctor Degree, *with honors*, May 2004

PENNSYLVANIA STATE UNIVERSITY: State College, Pennsylvania Bachelor of Arts
Degree English, *with distinction and honors*, May 2001
Bachelor of Arts Degree Speech Communication, *with distinction and honors*, May 2001

AREAS OF RESEARCH AND TEACHING INTEREST

Evidence, Pre-Trial/Trial/Appellate Advocacy, Civil Procedure
Legal Writing, Professional Responsibility, Criminal Law, Commercial Law

LAW SCHOOL TEACHING

THOMAS R. KLINE SCHOOL OF LAW AT DREXEL UNIVERSITY, Philadelphia, Pennsylvania

Practice Professor of Law-July 2022 to present

Adjunct Professor of Law-December, 2010 to June 2022

Co-Advisor to the Moot Court Board-2010 to present

J.D. Courses Taught:

Appellate Advocacy-Fall 2009, Fall 2011, Spring 2012, Fall 2013, Spring 2014, Fall 2014, Fall 2015, Spring 2016, Fall 2016, Spring 2017, Fall 2017, Spring 2018, Fall 2018, Fall 2019, Spring 2020, Fall 2020 (online), Spring 2021, Fall 2021, Spring 2022, Fall 2022, Spring 2023

Sales Law-Spring 2012, Spring 2014, Spring 2018 (online)

Evidence-Spring 2019, Fall 2019, Spring 2022, Spring 2023

Litigation Practice Skills-Fall 2020 (online), Fall 2021, Fall 2022

Criminal Law-Spring 2021

M.L.S. Courses Taught:

Criminal Law (online)-Fall 2014, Fall 2015, Fall 2016, Fall 2017, Fall 2018, Fall 2019, Fall 2020, Fall 2021, Fall 2022

Corrections Law (online)-Fall 2017, Fall 2018, Fall 2019, Fall 2020, Fall 2021

Health Care Fraud (online)-Winter 2023

EMORY UNIVERSITY SCHOOL OF LAW: Atlanta, Georgia

Adjunct Professor of Law, Kessler-Eidson Trial Techniques Program-April, 2011 to present

J.D. Courses Taught:

Trial Advocacy-Summer 2011, Summer 2012, Summer 2013, Summer 2014, Summer 2015, Summer 2016, Summer 2017, Summer 2018, Summer 2019, Winter 2020 (online), Summer 2021 (online), Summer 2022, Summer 2023 (*upcoming*)

RUTGERS UNIVERSITY SCHOOL OF LAW: Camden, New Jersey

Adjunct Professor of Law-July, 2013 to present

Advisor to Student Animal Legal Defense Fund

J.D. Courses Taught:

Advanced Evidence-Spring 2018, Spring 2019

Evidence-Fall 2017, Spring 2019, Summer 2022 (online)

Pretrial Advocacy-Fall 2016, Fall 2017, Fall 2018, Fall 2019, Fall 2020 (online), Fall 2021, Fall 2022

Introduction to Trial Advocacy-Fall 2013, Winterim 2013, Spring 2014, Spring 2015, Spring 2016, Spring 2017, Spring 2018

Professional Responsibility-Spring 2015, Fall 2018, Spring 2019, Spring 2020, Summer 2020 (online), Spring 2021 (online), Summer 2021 (online), Spring 2022, Spring 2023 (online)

Introduction to Deposition Advocacy-Summer 2015, Winterim 2016

Appellate Advocacy- Spring 2023

JUDICIAL CLERKSHIP

SUPREME COURT OF PENNSYLVANIA: Philadelphia, Pennsylvania

Law Clerk to the Honorable Jane Cutler Greenspan-August 2008 to February 2010

LEGAL EMPLOYMENT

U.S. DEPARTMENT OF JUSTICE, U.S. ATTORNEY'S OFFICE:

Philadelphia, Pennsylvania

Assistant United States Attorney-September 2010 to present

Senior Litigation Counsel-July 2018 to present

Civil Division Paralegal Supervisor-March 2015 to present

Civil Division Training Officer-March 2013 to March 2015

Primary litigation counsel for the United States. Research, draft and file pleadings; prepare witnesses; take and defend depositions; and represent clients in oral arguments and trials before district and appellate courts. Investigate and prosecute affirmative fraud claims, including *qui tam* actions, on behalf of the United States against major pharmaceutical corporations, hospitals, and defense contractors.

Representative cases:

Lampinski v. Holder: Tried and obtained complete defense verdict in jury trial of an employment discrimination case initiated by an employee of the Federal Bureau of Investigation who claimed she was demoted and denied eligibility for various lateral positions at the agency due to sex discrimination and retaliation. Of the four claims remaining at trial, the court granted the FBI's Rule 50 motion on two of the claims. The jury returned a verdict for the FBI on the remaining two claims.

Smith v. Donovan: Tried and obtained complete defense verdict in jury trial of an employment discrimination case initiated by an employee of the United States Department of Housing and Urban Development who claimed she was not promoted due to her race and sex. Also obtained summary judgment on first amendment discrimination claims.

Keating v. United States: Tried and obtained complete defense verdict in bench trial of a medical malpractice case initiated by the estate of a resident who suffered a chronic obstructive lung disease exacerbation while housed in a United States Department of Veterans Affairs medical center. Also litigated third circuit affirmance of trial verdict.

Delrossi v. United States: Arbitrated and obtained complete defense verdict in an automobile accident case where surveillance video showed the government vehicle striking the pedestrian plaintiff.

Smith v. Donahoe: Tried employment discrimination case initiated by a United States Postal Service employee who claimed he was discriminated against on the basis of his disability. At the conclusion of his cross examination, the plaintiff agreed to settle the case for a nominal amount.

Bridges v. Astrue: Successfully defended three temporary restraining orders filed against the Social Security Administration by an employee Administrative Law Judge who claimed he was the victim of race discrimination. Was granted judgment in favor of the SSA following a full evidentiary hearing and briefing of all legal issues. Successfully defended the judgment on appeal before the third circuit.

Moore v. Shinseki: Argued and was granted summary judgment in favor of the VA on race discrimination and retaliation claims arising from suspension of an employee who was found to have sexually harassed his co-worker. Also litigated third circuit affirmance of the entry of summary judgment.

In re Linerboard Antitrust Litig.: Defended the Internal Revenue Service from being held in contempt, resulting in a written commendation from the presiding judge in his published opinion.

New-Howard v. Shinseki: Obtained summary judgment on behalf of the VA on a complex case, litigated for over a decade, involving claims for race discrimination, retaliation, and violation of the Privacy Act.

United States v. Health Management Associates: Settled \$55 million health care fraud case relating to two hospitals in Lancaster, Pennsylvania. The resolution was part of a larger \$260 million settlement between the Department of Justice and HMA that arose out of HMA's fraudulent billing practices in multiple healthcare institutions across the United States.

United States v. Thermacore: Settled procurement fraud False Claims Act allegations under a federal government small business innovation program for \$965,000.00.

United States v. Temple University: Settled overbilling case resulting in payment of \$100,000 to the United States Attorney's Office arising from claims submitted for neurology services.

COHEN SEGLIAS PALLAS GREENHALL & FURMAN, PC: Philadelphia, Pennsylvania

Construction Department Associate-February 2010 to September 2010

Represented clients in commercial law litigation arising from contract negotiations, construction projects, purchase agreements, and property disputes. Assumed primary litigation responsibility as trial counsel, handling cases from initiation to completion in state and federal courts as well as in alternative dispute resolution forums including mediation and arbitration. Associate Editor of the firm's "Construction Law Signal" blog.

DUANE MORRIS, LLP: Philadelphia, Pennsylvania

Trial Department Associate, Construction Law Group-September 2004 to August 2008 (former Summer Associate)

Represented clients in commercial law cases arising from mechanic's liens, private and public contracting, bid protests, project delays/inefficiencies, defaults/terminations, complex contract claims, and surety litigation. First or second-chaired numerous jury trials, drafted pleadings, prepared witnesses, engaged in deposition practice, and represented clients in district and appellate court litigation. Also represented clients in numerous mediations and arbitrations. Served as summer associate mentor as part of the firm's recruitment and retention efforts.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION: Atlanta, Georgia

Legal Intern to Administrative Law Judge Alison E. Smith, Federal Hearings Unit-September 2003 to December 2003

U.S. DEPARTMENT OF LABOR: Atlanta, Georgia

Pension and Welfare Benefits Advisor, Employee Benefits Security Administration-June 2002 to May 2003

PUBLICATIONS

Books

Bernard A. Burk, Veronica J. Finkelstein, and Nancy B. Rapoport, *ETHICAL LAWYERING: A GUIDE FOR THE WELL-INTENTIONED* (Wolters Kluwer 2021)

Book Chapters

Putting Practice Into Palsgraf: Incorporating Experiential Learning into Doctrinal Classes to Develop Skills and Competencies, *in* EXPERIENTIAL EDUCATION IN THE LAW SCHOOL CURRICULUM (Emily Grant, Sandra Simpson, and Kelly Terry eds., 2017)

Articles

Inherently Incompatible: The Irreconcilable Tension Between Corporate Negligence Claims and the Federal Tort Claims Act, Emory Corporate Governance and Accountability Review, Vol. 10 No 2 (Spring 2023) (*forthcoming*)

Federal Rule of Evidence 106: Both a Sword and a Shield, Department of Justice Journal of Federal Law and Practice, Vol. 69 No. 4 (July 2021) (co-authored with Katherine Avetta)

Remote Control: Best Practices for Online Depositions, Department of Justice Journal of Federal Law and Practice, Vol. 69 No. 4 (July 2021) (co-authored with Aidan Carickoff)

Your First Trial, Department of Justice Journal of Federal Law and Practice, Vol. 68 No. 4 (September 2020)

Making Every Word Count: Using Strategic Editing to Increase the Readability of Your Appellate Brief, Department of Justice Journal of Federal Law and Practice, Vol. 67 No. 2 (March, 2019) (co- authored with Nicole Crossey)

Searching for Bright-Lines in the Darkness: Enforcing Quality of Care Standards Using the False Claims Act, United States Attorneys' Bulletin, Vol. 64 No. 6 (November, 2016)

Better Not Call Saul: The Impact of 'Criminal Attorneys' on their Clients' Sixth Amendment Right to Effective Assistance of Counsel, 83 U. Cin. L. Rev. 1215 (2015)

Managing the Risk: Rule 30(b)(6) Depositions in Cases Where the Government is a Party, 13 Appalachian J.L. 1 (2013)

Giving Credit Where Credit Isn't Due (Process): The Risks of Overemphasizing Academic Misconduct and Campus Hearings in Character and Fitness Evaluations, 38 J. Legal Prof. 25 (2013)

A Trap for the Unwary: Corporate Depositions Under Virginia Supreme Court Rule 4:5(b)(6), 25 J. of Civ. Litig., 345 (Fall 2013)

Dollars and Horse Sense: Why Prudent Buyers and Sellers Should Account for Article 2 of the Uniform Commercial Code in Their Equine Sales Contracts, 5 Ky. J. Equine Agri. & Nat. Resources L. 181 (2012-2013)

Discord and Harmonia: Kenneth Burke's Rhetorical Theory and Kritik Permutations, 38 Speaker & Gavel 37 (2001)

Legal Publications

Thinking Ahead with Non-Waiver Orders, New Jersey Lawyer, August 2022

Writer's Corner: Editing to Improve Readability, New Jersey Lawyer, February 2022 (co-authored with Jack Foley)

A Distinction with a Difference: Understanding how the Federal Tort Claims Act Can Impact a Medical Malpractice Case, Pennsylvania Bar Association Quarterly, January 2022

Writer's Corner: Assessing the Readability of your Writing, New Jersey Lawyer, December 2021 (co-authored with Jack Foley)

Writer's Corner: The Importance of Readability, New Jersey Lawyer, October 2021 (co-authored with Jack Foley)

Building on Solid Ground, Construction Today, Fall 2010 (co-authored with Christopher P. Soper)

Don't Lien on Me: Bankruptcy and Lien Rights in Pennsylvania and New Jersey, Mid-Atlantic Real Estate Journal, July 9, 2010

Perfecting Liens in an Imperfect World, Construction in Brief, Spring 2010

Architects Lose the Economic-Loss-Rule Shield in Pennsylvania, Pennsylvania Bar Association Quarterly, October 2005

Moot Court Problems

Keystone Quick Care v. Hatterfield, 44, N.Y.U. Moot Ct. Casebook 11-ML-1 (2020)

Dragontown University v. Foster, 41 N.Y.U. Moot Ct. Casebook 03-ML-1 (2017)

Student Training Modules

Evidence, Practice Perfect (Wolters Kluwer, 2023) (*forthcoming*)

Professional Responsibility, Practice Pack (Wolters Kluwer, 2016)

Torts, Practice Pack (Wolters Kluwer, 2016)

Blogs and Newsletters

Feedback that Feeds, Department of Justice Senior Litigation Counsel Newsletter, Volume 1, Issue 3 (September 2, 2022)

Can't Testify Right Now, I'm Unavailable: Applying Federal Rule of Evidence 804 to Pandemic Trials, The NITA Blog: The Legal Advocate (March 9, 2022) (co-authored with Juan Dawson, II)

Conflating Admissibility and Materiality: Why the Fourth and Seventh Circuits Misinterpret Wood v. Bartholomew, Drexel Law Review Blog (October 5, 2021) (co-authored with Nicolas Burnosky)

Hardly a Fait Accompli: Federal Rule 106, Drexel Law Review Blog (August 14, 2019)

CLE on Demand

Understanding Federal Rule of Evidence 803 (Quimbee CLE)

The Best Evidence Rule and Authentication (Quimbee CLE)

The Ethics of Online Depositions (Quimbee CLE)

Editing for Readability (Quimbee CLE)

Understanding Federal Rule of Evidence 804 (Quimbee CLE)

The Ethics of Appellate Advocacy (Quimbee CLE, 2022)

Perfecting Direct (Quimbee CLE, 2022)

Credibility, Memory, and Admissibility: The Differences Between Impeaching, Refreshing Recollection, and the Recorded Recollection Exception to The Hearsay Rule (Quimbee CLE, 2022)

SPEAKING ENGAGEMENTS

Appellate Ethics, Appellate Chiefs Conference, U.S. Department of Justice- National Advocacy Center, May 2023 (*upcoming*)

Faculty, Building Trial Skills: Colorado, National Institute for Trial Advocacy, April 2023 (*upcoming*)

Faculty, Building Trial Skills: Philadelphia, National Institute for Trial Advocacy, March 2023 (*upcoming*)

Faculty, Editing for Supervisors U.S. Department of Justice- National Advocacy Center, May 2023 (online)

Program Director, Remote Deposition Skills (custom program for Young Conaway), National Institute for Trial Advocacy January 2023

The Ethics of Trial Advocacy, Lycoming Law Association, November 2022

Faculty, Building Trial Skills: Colorado, National Institute for Trial Advocacy, October 2022

Faculty, Committee on Regional Training Trials Skills Program, National Institute for Trial Advocacy, October 2022 (online)

Faculty, Writing for Federal Prosecutors, U.S. Department of Justice- National Advocacy Center, April 2022 (online)

Program Director, Remote Deposition Skills, National Institute for Trial Advocacy, September 2022 (online)

Faculty, New York Law Department Civil Trial Advocacy Program, Fordham University School of Law, July 2022

Program Director, Remote Deposition Skills (custom program for Husch Blackwell), National Institute for Trial Advocacy July 2022

Faculty, Criminal Appellate Advocacy, U.S. Department of Justice- National Advocacy Center, July 2022

Faculty, ACLU Trial Skills Online, National Institute for Trial Advocacy June 2022 (online)

The Legal Ethics of Diversity, Equity, and Inclusion, Celesq® AttorneysEd Center, June 2022 (online)

Motion Skills, National Institute for Trial Advocacy, May 2022 (online)

Faculty, ACLU Expert Witness Skills Online, National Institute for Trial Advocacy April 2022 (online)

Faculty, Writing for Federal Prosecutors, U.S. Department of Justice- National Advocacy Center, April 2022 (online)

Ethics in Trial Advocacy, Lancaster Bar Association, April 2022

Director's Cut: How Direct Examination Can be Improved with Cinematic Techniques, Celesq® AttorneysEd Center, April 2022 (online)

Hearsay Exceptions, Trial Evidence Nuts & Bolts for Busy Prosecutors, U.S. Department of Justice- National Advocacy Center, March 2022 (online)

Faculty, Remote Deposition Skills, National Institute for Trial Advocacy March 2021 (online)

Lights, Camera, Action: Improving Your Direct Examinations Using Cinematic Techniques, NITA studio71, February 2022 (online)

Co-Program Director, R. Nicholas Gimbel Fund for Legal Excellence Remote Deposition Skills (custom program for the Philadelphia Bar Foundation), National Institute for Trial Advocacy January 2022 (online)

Faculty, Motion Skills, National Institute for Trial Advocacy, December 2021 (online)

The Legal Ethics of Diversity, Equity, and Inclusion, Wolters Kluwer Webinar, September 2021 (online)

Faculty, Writing for Federal Prosecutors, U.S. Department of Justice- National Advocacy Center, October 2021 (online)

Faculty, Building Trial Skills Online, National Institute for Trial Advocacy July 2021 (online)

Program Director, Remote Deposition Skills (custom program for Husch Blackwell), National Institute for Trial Advocacy July 2021 (online)

Program Director, Remote Deposition Skills, National Institute for Trial Advocacy June 2021 (online)

Faculty, Writing for Federal Prosecutors, U.S. Department of Justice- National Advocacy Center, June 2021 (online)

Program Director, Trial Skills for Employment Discrimination Litigation, National Institute for Trial Advocacy April 2021 (online)

Faculty, Online NITA-CLINIC Advocacy in Immigration Matters Public Interest Program, April 2021 (online, upcoming)

Program Director, Remote Deposition Skills for Employment Discrimination Litigation, National Institute for Trial Advocacy February 2020 (online)

Faculty, Writing for Federal Prosecutors, U.S. Department of Justice- National Advocacy Center, February 2020 (online)

Faculty, Online NITA-CLINIC Advocacy in Immigration Matters Public Interest Program, December 2020 (online)

The Relatable Relator: The Right Client, The Right Case, Bringing Home the Bounty: The Trial Lawyer's Approach to False Claims Act Litigation, Florida Justice Association, November 2020 (online)

Program Director, Remote Deposition Skills for Employment Discrimination Litigation, National Institute for Trial Advocacy November 2020 (online)

Program Director, Remote Deposition Skills, National Institute for Trial Advocacy November 2020 (online)

Faculty, Employment Discrimination Seminar, U.S. Department of Justice- National Advocacy Center, November 2020 (online)

Faculty, Online NITA-CLINIC Advocacy in Immigration Matters Public Interest Program, October 2020 (online)

Faculty, Remote Deposition Skills, National Institute for Trial Advocacy, August 2020 (online)

Faculty, Advocacy in Children's Immigration Proceedings, National Institute for Trial Advocacy, August 2020 (online)

Faculty, Building Trial Skills: Philadelphia, National Institute for Trial Advocacy, November 2019

Faculty, Deposition Skills: Philadelphia, National Institute for Trial Advocacy, September 2019

Appellate Ethics, Appellate Chiefs Conference, U.S. Department of Justice- National Advocacy Center, June 2019

Faculty, Nicholas Gimbel Trial Advocacy Training Program, March 2018

Faculty, Building Trial Skills: Philadelphia, National Institute for Trial Advocacy, November 2018

Faculty, New York Law Department Civil Trial Advocacy Program, Fordham University School of Law, July 2017

Writing for Practice, Lawyering Practice Seminar, Thomas R. Kline School of Law at Drexel University, September 2016

Ethical Advocacy, Criminal Appellate Advocacy Seminar, U.S. Department of Justice- National Advocacy Center, August 2016

Case Study: U.S. v. Thermacore, Inc., Small Business Innovation Research Investigations Workshop, U.S. Patent and Trademark Office, May 2016

Faculty, R. Nicholas Gimbel Trial Advocacy Training Program, March 2016

Grasp the Subject, the Words Will Follow: Reinforcing Doctrinal Learning and Building Skills and Competencies through Legal Writing Exercises, Sixth Annual Capital Area Legal Writing Conference, The University of Maryland Carey School of Law, March 2016

Faculty, Basic Civil Trial Advocacy Seminar, U.S. Department of Justice- National Advocacy Center, March 2016

Fraud: A Civil Perspective, Naval Criminal Investigative Service Small Business Innovation Research Investigations Collaborative, February 2016

Trial Memoranda and Motions in Limine, Brief Writing for Criminal Litigators Seminar U.S. Department of Justice-National Advocacy Center, February 2016

Taking and Defending Depositions, Deposition Practice Workshop, U.S. Environmental Protection Agency, December 2015

Case Management, Litigation Reports, Pleadings, Discovery, and Settlement, Tort and Employment Law Conference, U.S. Department of Health and Human Services, July 2015

Putting Practice into Palsgraf: Incorporating Experiential Learning into Doctrinal Classes to Develop Skills and Competencies, Experiential Learning Across the Curriculum Conference, Gonzaga University School of Law, June 2015

Appellate Ethics, Justice Television Network, U.S. Department of Justice- National Advocacy Center, May 2015

Affirmative Cases from the Agency's Point of View, Representing the Government: Substantive and Ethical Issues, U.S. Department of Justice-Office of Legal Education, April 2015

Faculty, New Jersey Office of Law Guardian Trial Advocacy Training, April 2015

Faculty, Basic Civil Trial Advocacy Seminar, U.S. Department of Justice- National Advocacy Center, March-April 2015

Motions Practice, Fundamentals of Civil Law for Support Staff Seminar, U.S. Department of Justice-National Advocacy Center, January 2015

Ethics in Appellate Advocacy: Professional Responsibility Lessons and Experiential Opportunities in Moot Court, Legal Writing Institute Moot Court Conference, Marquette Law School, October 2014

Faculty, New Jersey Office of the Public Defender, Office of Law Guardian, Office of Parental Representation Statewide Trial Skills Training, July 2013

Procedures and Motions Practice in Civil Cases, Criminal and Civil Appeals for Support Staff Seminar, U.S. Department of Justice-National Advocacy Center, September 2013

Ethical Advocacy, Criminal Appellate Advocacy Seminar, U.S. Department of Justice- National Advocacy Center, August 2013

Lien Update, Real Estate Law Update 2008, Pennsylvania Bar Institute, April 2008

Pennsylvania Mechanic's Lien Law, Construction Lien Law and Payment, Lorman Education Services, January/March 2008

Money Talks: Using Pennsylvania Law to Protect Your Rights to Payment, Construction Expo, April 2007

AWARDS

New Jersey Bar Association Leadership Academy Fellow, 2022

Carl "Tobey" Oxholm III Outstanding Contribution to the Thomas R. Kline School of Law Community Award, 2021

Rutgers Law School Adjunct Professor of the Year, 2017-present

United States Department of Health and Human Services Offices of the Inspector General Cooperative Achievement Award, 2019

Drexel University Adjunct Award for Teaching Excellence, 2015/2016

Executive Office of United States Attorneys Director's Award for Superior Performance as a Civil Assistant United States Attorney, 2014

Office of the Inspector General Certificate of Appreciation, 2014

Drexel University Adjunct Faculty Professional Development Award, 2014

Member of the Anti-Defamation League Glass Leadership Institute, 2009

Selected as one of Pennsylvania's thirty-five Lawyers on the Fast Track, 2008

COMMITTEE SERVICE AND OTHER VOLUNTEER WORK

American Mock Trial Association, National Championship Tournament Host Committee, 2022 and 2019

Chairman and Lead Writer, Devon Horse Show and Country Fair, 2005 to 2019

Attorney Coach for the Drexel Undergraduate Mock Trial Team, 2009 to 2012

Director of Perspective Debate Inc., 2007 to 2010

Coach for the Strawberry Mansion High School Mock Trial Team, 2005 to 2008

CERTIFICATIONS, ADMISSIONS, AND BAR MEMBERSHIPS

National Institute for Trial Advocacy Teacher Training Skills,

Member of the Bar in both New Jersey and Pennsylvania

Member of the Federal Bar Association and New Jersey Bar Association