

JOHN R. KROGER

Lewis & Clark Law School
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Education

Harvard Law School

J.D., *magna cum laude*, 1996
Mark DeWolfe Howe Fellow in Anglo-American Legal History
Kaufman Public Interest Law Fellow

Yale University

M.A. in Philosophy, 1990

Yale College

B.A. with Distinction in Philosophy, *magna cum laude*, 1990
Harry S. Truman Scholar
National Endowment for the Humanities Younger Scholar
Thesis: "Being as Primordial Temporality in Heidegger's *Sein und Zeit*"

Legal Experience

Lewis and Clark Law School, Portland, Oregon, Associate Professor

Design and teach law school courses on Criminal Procedure, Federal Criminal Law, and Jurisprudence. Served on law school budget, admissions, curriculum, and retirement committees. Received 2004 Levenson Award for Teaching Excellence, voted by graduating class. On leave for 2002-2003 academic year to serve on Enron Task Force. (2002 - present)

Enron Task Force, United States Department of Justice, Trial Attorney

Supervised grand jury investigation of Enron Corp's telecommunications division, resulting in the indictment of CEO Jeff Skilling and seven other Enron executives. Assisted in investigation of Enron Chairman Ken Lay and Enron manipulation of California energy market. (2002-2003)

United States Attorney's Office, Eastern District of New York, Assistant U.S. Attorney

Lead counsel in over two hundred federal criminal cases involving racketeering, violent crimes, narcotics trafficking, public corruption, and white collar offenses. Assisted emergency criminal investigations of September 11, 2001 terrorist attack and crash of American Airlines Flight 587. Served as lead or co-counsel in United States v. Persico (boss of organized crime family convicted of racketeering); United States v. Scarpa (*capo* in organized crime family convicted after five week jury trial of racketeering and four murder conspiracies); United States v. Rodriguez (manager of international narcotics organization convicted after five week jury trial of shipping over one ton of cocaine from Mexico to New York); and United States v. Martinez (prison manager convicted after three week jury trial of accepting bribes from organized crime members). Briefed and argued ten appeals before the U.S. Court of Appeals for the Second Circuit. Received Director's Award for Superior Performance as an Assistant United States Attorney and three Special Act Awards. (1997 - 2001)

Hon. Judge Anthony Scirica, U.S. Court of Appeals for the Third Circuit, Judicial Clerk

Assisted federal appellate judge in adjudication of appeals. Responsibilities included analysis of incoming cases, writing bench memoranda, and drafting opinions. (1996 - 1997)

Political Experience

Democratic Party of Oregon, Chair, Finance Committee

Planned and implemented \$700,000 fundraising campaign for 2006 election cycle. (2006 - 2007)

Yale University, Visiting Lecturer in Politics

Designed and taught political science seminar on "Presidential Elections, 1948 to the Present." (1997, 2000)

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Political Experience (Cont.)

U.S. Treasury Department, Senior Policy Analyst

Advised senior Treasury officials on economic, budget, and finance policy. Helped develop Clinton administration initiatives on community development banks, interstate banking, and bank regulatory relief. Wrote speeches for Secretary Bentsen and Deputy Secretary Altman. (1993)

Clinton/Gore Presidential Transition, Senior Domestic Policy Adviser

Directed 20-person task force on "reinventing government" that developed proposals to create the National Performance Review, reduce the federal work force, and cut administrative costs. Advised the President-elect on the budget, crime, urban policy, and education. Supervised legal team that drafted executive orders on crime and government reform. (November 1992 - February 1993)

Clinton/Gore '92, Deputy Policy Director

Wrote approximately 300 memoranda on politics and policy. Advised the candidates on economics, crime, the environment, government reform, urban development, and agriculture. Wrote speeches and position papers. Drafted outline for 1992 Democratic Party platform. Traveled with Senator Gore as policy adviser and speech writer. Advised Senator Gore on debate strategy. (1991 - 1992)

Speaker of the House Thomas Foley, Legislative Assistant

Advised the Speaker on domestic policy and legislative strategy. Served as the Speaker's liaison to Ways and Means, Energy and Commerce, Education and Labor, and Public Works Committees. (1991)

U.S. Representative Charles Schumer, Legislative Assistant

Advised Congressman on pending legislation. Conceived and drafted legislation passed by the House concerning trade in financial services, U.S./Japan defense arrangements, cable television regulation, NASA contracting reform, and the accounting and public reporting of costs and allied burdensharing associated with Operation Desert Storm; supervised constituent mail operation. (1990 - 1991)

Military Service

United States Marine Corps, Non-Commissioned Officer

Served in Marine Reconnaissance, an intelligence-gathering and special operations unit. Awards included Marine of the Quarter, Meritorious Mast, Good Conduct Medal. Honorably Discharged. (1983 - 1986)

Bar Membership

Oregon, application pending, bar exam July 2007

Connecticut, admitted January 5, 1997

U.S. Court of Appeals for the Third Circuit, admitted July 21, 1997

U.S. Court of Appeals for the Second Circuit, admitted July 14, 1999

Books

AUSA: A Prosecutor's Story

Farrar, Straus, and Giroux, publication expected spring 2008

Articles

Remarks: Enron and Multi-Jurisdictional Fraud

28 CARDOZO LAW REVIEW 1657, 2007

Enron, Fraud and Securities Reform: An Enron Prosecutor's Perspective

76 UNIVERSITY OF COLORADO LAW REVIEW 57, 2005

The Philosophical Foundations of Roman Law: Aristotle, The Stoics, and Roman Theories of Natural Law

2004 WISCONSIN LAW REVIEW 905, 2004

Supreme Court Equity, 1789 - 1835, and the History of American Judging

34 HOUSTON LAW REVIEW 1425, February 1998

The Confrontation Waiver Rule

76 BOSTON UNIVERSITY LAW REVIEW 835, December 1996.

The Politics of Crime (Co-authored)

33 HARVARD JOURNAL ON LEGISLATION 527, Summer 1996.

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Opinion

A Strike at the Heart of our Justice System
The Oregonian, March 23, 2007

The Sarbanes-Oxley Act: No Time to Weaken Corporate Oversight
The Oregonian, November 28, 2006.

Bench Brawl
Salon.Com, October 31, 2005

More Than a Body Blow
Salon.Com, October 29, 2005

Oregon's Gang Problem: Call in the Feds
The Oregonian, September 2, 2005.

Select Presentations

“The U.S. Attorney Firing Scandal”
Northwest Constitutional Rights Center, April 11, 2007

“Standing for Crime Victims”
Testimony, Oregon House of Representatives Judiciary Committee, April 9, 2007

“Civil rights and the War on Terror”
Portland State University, September 12, 2006

“Resolution of Multi-Jurisdictional Conflicts in the Enron Case”
Panel presentation, Conference on Fraud and Federalism, Cardozo Law School, March 27, 2006.

“Oregon’s Economic Future”
Engage Oregon Conference, January 7, 2006.

“Financial Reporting: The U.S. Justice Department’s Investigation of Enron”
Oregon State University Financial Accounting Conference, May 12, 2005.

“Sarbanes-Oxley and Investor Confidence”
Intel Corporation, April 26, 2005.

“Portland and the Joint Terrorism Task Force”
Testimony before the Portland City Council, March 31, 2005.

“The SEC’s Role in Securities Regulation”
Portland State University School of Business Administration, March 17, 2005.

“Enron and Accounting Ethics”
Portland State University School of Business Administration, May 27, 2004.

“The Enron Collapse: A Study in Business and Regulatory Failure”
Portland State University School of Business Administration “Business Briefing,” May 24, 2004.

“The Enron Crisis”
November 6, 2003, Portland World Trade Center, November 6, 2003