

WILLIAM J. GENEGO

EDUCATION

- J.D. Yale Law School, May, 1975
- LL.M. Georgetown University Law Center, July, 1977
- B.S. New York University, School of Business and Public Administration,
magna cum laude, May, 1972
- Honors: Editor, Yale Law Journal, 1974 - 75
- "Israel Peres Prize"* for Best Student Contribution to the Yale Law Journal, 1974 - 75
- "Michael Egger Prize"* for Best Student Note or Comment on Current Social Problems in the Yale Law Journal, 1974 - 75
- "Francis Wayland Prize"* for Student Showing Greatest Proficiency in Preparing and Presenting a Case in Litigation, 1973 - 74
- "Annual Humanitarian Award"* awarded by the Inmate Representative Committee of the Federal Correctional Institution at Danbury, Connecticut, 1974

PROFESSIONAL EXPERIENCE

- April, 2000 - present Nasatir, Hirsch, Podberesky & Genego -- trial and appellate representation in federal and state courts
- July, 1990 - Feb. 2000 Law Offices of William J. Genego -- trial and appellate representation in federal and state courts
- 1981 - 1989 University of Southern California Law Center
Clinical Professor of Law - 1986 to 1989
Associate Clinical Professor - 1983 to 1986
Assistant Clinical Professor - 1981 to 1983
Courses/subject areas: criminal procedure; evidence; trial advocacy; appellate litigation; federal post-conviction; sentencing and parole
- Aug., 1990 - Dec., 1992 University of Southern California Law Center
Adjunct Professor of Law
- Jan., 1991 - June, 1992 University of California at Los Angeles
Visiting Professor of Law

Jan., 1990 - Boston University School of Law
June, 1990 Visiting Professor of Law

May, 1980 - Baker & Fine, Cambridge, Massachusetts -- trial and appellate
June, 1981 litigation in federal court in both criminal and civil cases

July, 1977 - Georgetown University Law Center -- Adjunct Professor and Deputy
1979 Director of Legal Intern Program and Georgetown Criminal Justice
Clinic

June, 1977 - Yale Law School -- consultant and visiting supervising attorney,
Aug., 1977 Yale Legal Services Organization

Aug., 1975 - Georgetown University Law Center -- LL.M. Candidate; courses
June, 1977 of study included graduate seminars and full-time placement in the
following positions:
– Staff Attorney, Georgetown University Legal Intern Program;
– Special Assistant State's Attorney, Rockville, Maryland

Aug. 2007 - Consultant, “Eli Stone” ABC
Oct. 2008

Aug. 2005 - Consultant, “In Justice” ABC
April, 2006

BAR MEMBERSHIP

Admitted to practice in the District of Columbia, November, 1975
Admitted to practice in the State of California, June, 1982
Admitted to practice before the United States Supreme Court, November, 1984
Admitted to numerous federal district courts and courts of appeals

RECOGNITION AND AWARDS

“Best Lawyers In America,” White Collar Criminal Defense and Non-White
Collar Criminal Defense, 2003-2009

“Super Lawyers of Southern California,” 2004-09 (selected as one of top 5% of
lawyers in Southern California by independent poll conducted by Law &
Politics of practicing attorneys)

Top 100 Lawyers In California - Daily Journal Legal Newspaper, September 29,
2005

President's Award, Criminal Courts Bar Association (March, 2005)

President's Award, National Association of Criminal Defense Lawyers, August, 1988

CASES IN THE NEWS

- [Prosecutor's Won't Retry Lisker In Mother's Slaying](#),
Los Angeles Times, September 21, 2009
- [DA To Retry Lisker In Mother's 1983 Slaying](#),
Los Angeles Times, August 22, 2009
- [Judge Overturns Lisker Conviction](#),
Los Angeles Times, August 8, 2009
- [Jury Acquits in Ralph's Labor Case](#),
Los Angeles Daily Journal, June 23, 2009
- [Man Wrongfully Convicted in Mother's 1983 Slaying, Jurist Says](#),
Los Angeles Time, March 4, 2009
- [Gang Member's Conviction Tossed](#),
Daily News, April 30, 2007
- [Judge Won't Block Inmate's Bid for Freedom](#),
Los Angeles Times, October 12, 2006
- [Judge Recommends Lisker's Claim Proceed](#),
Los Angeles Times, May 5, 2006
- [Citing Deal for Key Witness, Judge Orders Release of Convicted Murderer](#),
Los Angeles Times, March 10, 2006
- [Attorneys in Lisker Case Clash Over Evidence](#),
Los Angeles Times, December 7, 2005
- [Officer Was Told to Cut Short Probe](#),
Los Angeles Times, December 3, 2005
- [Prosecutor in Lisker Case Concedes Some Doubts](#),
Los Angeles Times, December 2, 2005

- [FBI Will Examine Lisker Case](#),
Los Angeles Times, June 10, 2005
- [New Light on a Distant Verdict](#),
Los Angeles Times, May 22, 2005
- [Patience, Resolve Fueled Man on His Long Road to Freedom](#),
Los Angeles Times, August 21, 2004
- [Release Set For Man Accused of Spying For North Korea](#),
New York Times, May April 23, 2003
- [Woman Facing New Trial is Ordered Freed](#),
Los Angeles Times, Aug. 1, 2002
- [Conviction for Murder Reversed](#),
Los Angeles Times, March 14, 2002
- [Arthur Lee to be Free](#),
Rolling Stone, Dec. 12, 2001
- [The Trials of Tom Merrill](#),
The Baltimore Sun, March 3, 1996
- [Mother Fights System and Her Son Wins Court](#),
Los Angeles Times, Sept.12, 1993
- [Judge to Set Aside 2 Life Sentences, Grant Ex-Marine Second Chance at Innocence](#),
Los Angeles Times, Sept. 5, 1993
- [Special Report: Doubts Spur Retrial in Coin Shop Killings](#),
Los Angeles Times, Sept. 5, 1993

SELECTED REPORTED CASES

- Lisker v. Knowles, 2009 WL 2460863 (C.D. Calif. 2009) (granting petition of writ of habeas corpus and vacating murder conviction based on presentation of false evidence at trial and denial of effective assistance of counsel at trial)
- Hall v. City of Los Angeles, et al., 2009 WL 2020851 (9th Cir. 2009) (reversing grant of summary judgement in 42 U.S.C. § 1983 damages suit for deliberate fabrication of evidence resulting in nineteen years wrongful imprisonment)

- Choe v. Torres, 525 F.3d 733 (9th Cir. 2008) (reversing grant of extradition on acceptance of bribe charge and upholding denial of extradition on stowaway charge)
- People v. Albarran (2007) 149 Cal.App.4th 1008 (convictions and sentence of life plus twenty years vacated and new trial ordered based on ruling that the prejudicial effect of inadmissible gang evidence denied defendant federal constitutional right due process right to fair trial)
- Lisker v. Knowles, 463 F. Supp.2d 1008 (C.D. Calif. 2006) (finding that petitioner presented new evidence that establishes his actual innocence and entitles petitioner to a hearing on the merits of his claims and denying state's motion to dismiss petition on grounds that it was not timely filed)
- United States v. Gordon, 393 F.3d 1044 (9th Cir. 2004) (reversing trial court's ruling that waiver of right to appeal sentence precluded appeal of restitution order)
- Hall v Director of Corrections, 343 F.3d 976 (9th Cir. 2003) (reversing denial of petition for writ of habeas corpus, vacating murder conviction and ordering new trial based on ruling that admission of materially false evidence at original trial violated due process; charges dismissed)
- Killian v. Poole, 282 F.3d 1204 (9th Cir. 2002) (reversing denial of petition for writ of habeas corpus, vacating murder conviction and ordering new trial due to multiple errors of perjured testimony, non-disclosure of exculpatory evidence and infringing on right to remain silent; released without retrial)
- Lee v. Lewis, 2001 U.S. App. LEXIS 24163 (9th Cir. 2001) (reversing denial of petition for writ of habeas corpus, vacating conviction and ordering new trial due to prosecutorial misconduct)
- Torres v. Superior Court, 80 Cal. App.4th 867 (2000) (granting petition for writ of mandate, and holding prosecution has no right to an *in camera* hearing on request)
- United States v. Ruiz-Zavala, 187 F.3d 650 (9th Cir. 1999) (reversing denial of motion to vacate conviction, remanding for evidentiary hearing and granting request that case be reassigned to different judge on remand)
- United States v. Meksian, 170 F.3d 1260 (9th Cir. 1999) (vacating restitution order, and holding restitution is limited to losses that are proximately caused by crime)

- Baraz v. United States, et al., 181 F.R.D. 449 (C.D. Cal. 1998) (government may not deport plaintiff and then obtain dismissal of his civil rights suit based on his failure to attend his deposition)
- Parretti v. United States, 112 F.3d 1363 (9th Cir. 1997) (ordering release, and holding Fifth Amendment creates a right to bail in international extradition cases and further holding Fourth Amendment requires probable cause for an extradition arrest warrant)
- United States v. Gray, 31 F.3d 1443 (9th Cir. 1994) (vacating fine, and holding sentencing guidelines apply to imposition of fines)
- Merrill v. Superior Court, 27 Cal. App.4th 1586 (1994) (special circumstances murder conviction vacated and new trial granted, holding that preliminary hearing is not required prior to new trial; acquitted at retrial)
- United States v. Mangano, 11 F.3d 853 (9th Cir. 1993) (vacating sentence, and holding modifying judgment to consolidate multiple bank fraud counts to constitute a single offense; sentence of 15 years reduced to probation)
- United States v. Meksian, 5 F.3d 1306 (9th Cir. 1993) (reversing conviction, based on erroneous entrapment instruction)
- United States v. Olano, 934 F.2d 1425 (9th Cir. 1991) (vacating convictions, and ruling evidence insufficient to support convictions)
- United States v. Gebro, 925 F.2d 1471 (9th Cir. 1991) (reversing conviction due to instructional error and remanding for new trial)
- Robinson v. Borg, 918 F.2d 1387 (9th Cir. 1990) cert. denied 112 S. Ct. 198 (1991) (ordering state court to vacate convictions and grant new trial, and holding confession was obtained unlawfully)
- Sher v. Johnson, 911 F.2d 1357 (9th Cir. 1990) (reversing grant of motion to dismiss and holding Florida attorney subject to suit in California federal court)
- Brown v. Rison, 895 F.2d 533 (9th Cir. 1990) (reversing district court, and holding defendant is entitled to credit for time spent in halfway house while on bail, against sentence imposed)
- J.D. Pharmaceuticals, Inc. v. Save-On Drugs, 893 F.2d 1201 (11th Cir. 1990) (reversing grant of summary judgment)
- United States v. Jordan, 884 F.2d 1297 (9th Cir. 1989) (vacating sentence, and holding court may not change sentences from being concurrent to consecutive)

- United States v. Gray, 876 F.2d 1411 (9th Cir. 1989) (vacating imposition of maximum sentence and holding sentencing guidelines apply to continuing crimes)
- United States v. Lynn, 856 F.2d 430 (1st Cir. 1988) (reversing conviction and ordering new trial, and holding details of prior conviction are inadmissible)
- United States v. Glenn, 828 F.2d 855 (1st Cir. 1987) (reversing conviction and ordering indictment dismissed, based on holding that multiple conspiracies were charged as one)
- Wallace v. Christensen, 802 F.2d 1539 (9th Cir. 1986) (en banc) (Federal courts have jurisdiction to review decisions of U.S. Parole Commission)
- Gentile v. State Bar of Nevada, 501 U.S. 1030 (1991) (counsel for amicus curiae National Association of Criminal Defense Lawyers)
- United States v. Salerno, 481 U.S. 739 (1987) (counsel for amici American Civil Liberties Union and New York Civil Liberties Union)
- Wayte v. United States, 470 U.S. 598 (1985) (counsel for amicus curiae Central Committee of Conscientious Objectors)

LEGAL PUBLICATIONS

"Imperfections of Justice," The Champion, May 1997.

"Performance Guidelines For Criminal Defense Representation," National Legal Association of Defense Attorneys (1995)

"Forfeiture, Legitimation and A Due Process Right To Counsel," 59 Brooklyn Law Review 337 (1993)

"Rights In Other Countries," The Champion, August, 1993

"The New Adversary," 54 Brooklyn Law Review 781 (1988)

"The Legal and Practical Implications of Forfeiture of Attorneys' Fees," 36 Emory Law Journal 837 (1987)

"Prosecutorial Control Over a Defendant's Choice of Counsel," 27 Santa Clara Law Review 17 (1987)

"Risky Business: The Hazards of Private Criminal Defense Practice," ABA Criminal Justice, Spring 1986

"Reports From the Field: Prosecutorial Practices Compromising Effective Criminal Defense," The Champion, May, 1986

"The Future of Effective Assistance of Counsel," 22 American Crim Law Rev 181 (1984)

"The Investigation, Preparation and Presentation of Alibi Evidence," Criminal Defense Techniques, Fall, 1980

"An Overview of Automobile Stops," Vol. 6 Search & Seizure Law Reporter No. 2, February, 1979

"Arrests Within Private Places," Vol. 4 Search and Seizure Law Reporter, Nos. 1 & 2, January and February, 1977

"Rule 41 of the Federal Rules of Criminal Procedure," Vol 2 Search and Seizure Law Reporter, No. 12, December, 1975

Project, "Parole Release Decision making and the Sentencing Process," 84 Yale Law Journal 810 (1975) (with Peter D. Goldberger and Vicki C. Jackson)

SELECTED PUBLIC PRESENTATIONS

"Bruce Lisker Case," University of California at Irvine School of Law, Seminar Speaker Series, October, 2009

"What I've Learned About Trials From Doing Appeals," Los Angeles County Bar Association, Continuing Legal Education, September, 2007

"The New Forfeiture Laws," ABA White Collar Crime Institute, March, 2001, San Francisco, California

"The Ever Expanding Crime of Money Laundering," BNA Continuing Legal Education Program, January, 1994, Vail, Colorado

"Current Trends In Forfeiture Litigation," BNA Continuing Legal Education Program, March, 1993, Palm Springs, California

"Civil RICO - Legal Update & Overview," Practicing Law Institute, December, 1990, San Francisco, California

"Forfeiture of Attorneys' Fees," Annual Meeting of American Association of Law Schools, Sections on Litigation and Professional Responsibility; January 1987; Los Angeles, California

PROFESSIONAL ACTIVITIES

Co-Chairperson, Committee on Rules of Procedure, National Association of Criminal Defense Lawyers, 1991 to present

United States Sentencing Commission, Practitioners' Advisory Group, Fall 1989 to 2006

Advisory Board, Criminal Practice Manual, Bureau of National Affairs, 1987 to 2001

Board of Directors, National Network for the Right to Counsel, 1986-1988

Member, American Bar Association Ad Hoc Committee on U.S. Sentencing Commission, 1986 to 2000

Chairperson, Defense Counsel Competency Committee, National Legal Aid and Defender Association, 1984-1987

Chairperson, Competency Committee of American Bar Association, Section of Criminal Justice, 1983-1985