

John A. Menke
Assistant General Counsel
Pension Benefit Guaranty Corporation

1200 K Street, NW
Washington, DC 20005

Education:

University of Chicago Law School. Juris Doctorate, June 1981. Order of the Coif.

Harvard University. Bachelor of Arts, *cum laude*, June 1978.

Professional experience:

Assistant General Counsel - Pension Benefit Guaranty Corporation, Washington, DC, September 1991 to present.

Led PBGC legal teams in many of the agency's largest bankruptcy cases to include United Airlines, Delphi, TWA, Pan Am, Weirton Steel, and Enron. Duties include working to develop the agency's strategy in case; serving as PBGC's lawyer on creditors' committees; reviewing all filings in each case for impact on PBGC's interests as creditor; drafting and editing pleadings necessary to protect PBGC's interests; presenting arguments in bankruptcy court in support of PBGC's positions. Work with the agency's financial analysts to determine whether the bankrupt company can reorganize and maintain its pension plans or whether the plans must be terminated. Negotiate and document settlements of PBGC's claims.

Led PBGC litigation teams in both trial and appellate cases. Duties include consulting with senior agency officials to develop PBGC's litigation strategy; drafting and editing pleadings and pre-trial briefs in connection with motions for preliminary injunctive relief and motions to dismiss; conducting document discovery; taking and defending depositions; drafting and editing briefs regarding discovery disputes; and preparing and briefing dispositive motions. Serve as PBGC lead trial counsel in assigned cases that require a trial for resolution, such as *PBGC v. Renco Group*. Draft and edit briefs before federal appellate courts and present oral argument. Negotiate and document settlements where possible.

Associate - Verner, Liipfert, Bernhard, McPherson & Hand, Washington, DC, April 1986 to September 1991, and Cleary, Gottlieb, Steen & Hamilton, Washington, DC, November 1982 to April 1986.

My practice included litigation before federal and state trial and appellate courts, federal agency adjudications, and arbitration proceedings. Areas of practice included: management labor law matters under the National Labor Relations Act and the Railway Labor Act, lender liability, general banking matters, pension matters, and contract litigation.

Law Clerk - The Honorable Bernard M. Decker, Senior District Judge, Northern District of Illinois, August 1981 to September 1982.

References available upon request.