

Denise A. Hartman

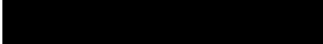
Professional Experience:

1985 - Present: Assistant Solicitor General,
New York Attorney General's Office, Albany, NY

In this position, I have briefed and argued hundreds of appeals in the New York State Appellate Divisions, the New York State Court of Appeals, the United States Court of Appeals for the Second Circuit, and the United States Supreme Court. The subject matter of my cases includes state and federal constitutional law, civil rights law, administrative law, court of claims practice, Indian law, and prisoner litigation. In recent years, I have been responsible for supervising appeals in these subject areas and environmental appeals in state and federal appellate courts. I have attached a list of major cases for which I have had principal or supervisory responsibility.

1983-1985: Law Assistant, New York State Appellate Division,
Fourth Department, Rochester, NY

1982-1983: Law Clerk, 


1980-1982: Civil and Environmental Engineer, 


1977-1979: Environmental Engineer, 


Denise A. Hartman

Education:

Syracuse University College of Law, J.D.
Magna Cum Laude, 1983
Cornell University College of Engineering, B.S., 1977

Professional Publications:

Oral Advocacy, New York State Bar Association CLE
Program, Appellate Practice in the New York Courts (2007)

*Constitutional Responsibility for Public Education: Is the
United States' Experience Relevant to Emerging Democracies*,
Syracuse Journal of International Law and Policy (2006)

*Acid Precipitation: Limits of the Clean Air Act and the
Necessary Role of the Federal Common Law*, Syracuse Law
Journal (1983)

Professional Affiliations:

Personal Information:

Major Cases in New York State Appellate Courts

Hussein v. State of New York, N.Y.3d , 2012 WL 2376939 (June 26, 2012), *aff'g*, 81 A.D.3d 132 (3d Dep't 2011)

Superfund Coalition v. New York State Dep't of Environmental Conservation, 18 N.Y.3d 289 (2011)*

Hurrell-Harring v. State of New York, 15 N.Y.3d 8 (2010), *aff'g as modified*, 66 A.D.3d 84 (3d Dep't 2009)*

Lighthouse Pointe v New York State Dep't of Environmental Conservation, 14 N.Y.3d 161 (2010), *rev'g*, 61 A.D.3d 88 (4th Dep't 2009)

Campaign for Fiscal Equity v. State of New York, 8 N.Y.3d 14 (2006), *modifying* 29 A.D.3d 175 (1st Dept 2006), *prior appeal at* 100 N.Y.2d 893 (2003)

People v. Van Buren, 4 N.Y.3d 640 (2005)*

New York Civil Liberties Union v. State of New York, 4 N.Y.3d 175 (2005)

City Council of Watervliet v. Town Bd. of Colony, 3 N.Y.3d 508 (2004)*

Lyles v. State of New York, 3 N.Y.3d 396 (2004)

Guido v. Goord, 1 N.Y.3d 345 (2004)

Paynter v. State of New York, 100 N.Y.2d 434 (2003)

Dreikausen v. Zoning Bd. of Appeals of Long Beach, 98 N.Y.2d 165 (2002)*

New York State Correctional Officers v. State of New York, 94 N.Y.2d 321 (1999)

Bonnie Briar Syndicate, Inc. v. Town of Mamaroneck, 94 N.Y.2d 96 (1999), *cert. denied*, 529 U.S. 1094 (2000)*

Schulz v. New York State Executive, 92 N.Y.2d 1, *cert. denied*, 525 U.S. 965 (1998)

Homier Dist. Co. v. City of Albany, 90 N.Y.2d 153 (1997)

Brown v. State of New York, 89 N.Y.2d 172 (1996), *on remand*, 250 A.D.2d 314 (3d Dep't 1998), *subsequent appeal*, 9 A.D.3d 23 (3d Dep't 2004)

Goodwin v. Perales, 88 N.Y.2d 383 (1996)

British Land (Maryland), Inc. v. Tax Appeals Tribunal, 85 N.Y.2d 139 (1995)

Duffy v. Wetzler, 174 A.D.2d 253 (2d Dep't 1992), *cert. granted and jgmt vacated*, 509 U.S. 917 (1993), *on remand*, 207 A.D.2d 375 (2d Dep't 1994), *cert. denied*, 513 U.S. 1103 (1995)

Forti v. New York State Ethics Comm'n, 75 N.Y.2d 596 (1990)

People v. Dietze, 75 N.Y.2d 47 (1989)

Clients' Security Fund v. Grandeau, 72 N.Y.2d 62 (1988)

Boreali v. Axelrod, 71 N.Y.2d 1 (1987)

* In these cases, I served in a supervisory role as appellate reviewer and editor; I was not the principal brief writer or oral advocate.

Major Cases in Federal Appellate Courts

Dandamudi v. Tisch, --- F.3d ---, 2012 WL 2763281 (2d Cir. July 10, 2012)*

New York v. Shinnecock Indian Nation, --- F.3d ---, 2012 WL 2369192 (2d Cir. June 25, 2012)

California Wilderness Coalition v. U.S. Dep't of Energy, 631 F.3d 1072 (9th Cir. 2011)*

Oneida Indian Nation v. State of New York, 617 F.3d 114 (2d Cir. 2010), *cert. denied*, 132 S. Ct. 452 (2011)

Entergy Corp. v. Riverkeeper, Inc., 556 U.S. 208 (2009)*

Piedmont Environmental Council v. F.E.R.C., 558 F.3d 301 (4th Cir. 2009)*

New York State Board of Elections v. Lopez Torres, 552 U.S. 196 (2008)

New York v. U.S. Environmental Protection Agency, 413 F.3d 3 (D.C. Cir. 2005)*

National Resources Defense Council v. Abraham, 355 F.3d 179 (2d Cir. 2004)*

Clean Air Markets Group v. Pataki, 338 F.3d 82 (2d Cir. 2003)*

Nevada Dep't of Human Resources v. Hibbs, 538 U.S. 721 (2003) (amicus)

Van Wie v. Pataki, 267 F.3d 109 (2d Cir. 2001)

City of Yonkers v. State of New York, 181 F.3d 301 (2d Cir. 1999), *opn. vacated and amended*, 197 F.3d 41 (2d Cir. 1999), *cert. denied*, 529 U.S. 1130 (2000), *subsequent appeal*, 251 F.3d 31 (2d Cir. 2001)

Brewer v. West Irondequoit Cent. School Dist., 212 F.3d 738 (2d Cir. 2000)

Brown v. City of Oneonta, 106 F.3d 1125 (2d Cir. 1997), *subsequent appeal*, 195 F.3d 111 (2d Cir. 1999), *opn. amended and superceded by* 221 F.3d 329 (2d Cir. 1999), *reh'g and reh'g in banc denied*, 235 F.3d 769 (2d Cir. 2000), *cert. denied*, 534 U.S. 816 (2001)

State of New York v. Oneida Indian Nation of New York, 90 F.3d 58 (2d Cir. 1996)

Giakoumelos v. Coughlin, 88 F.3d 56 (2d Cir 1996)

James Square Nursing Home v. Wing, 84 F.3d 591 (2d Cir.), *cert. denied*, 519 U.S. 949 (1996)

Bray v. Dowling, 25 F3d 135 (2d Cir. 1994), *cert. denied*, 514 U.S. 1052 (1995)

Himes v. Shalala, 999 F2d 684 (2d Cir. 1993)

Calhoun v. New York State Div. of Parole Officers, 999 F.2d 647 (2d Cir. 1993)

Igneri v. Moore, 898 F.2d 870 (2d Cir. 1990)

* In these cases, I served in a supervisory role as appellate reviewer and editor; I was not the principal brief writer or oral advocate.