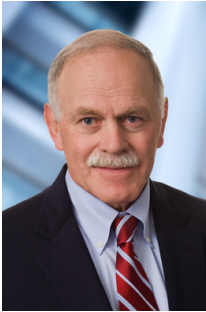


BONNER KIERNAN

BONNER KIERNAN TREBACH & CROCIATA LLP



John A. Kiernan

Partner

Massachusetts
200 Portland Street
4th Floor
Boston, MA 02114

Tel: (617) 426-3900
Fax: (617) 426-0380
jkiernan@bonnerkiernan.com

John A. Kiernan is a Founding Partner in the Firm's Boston, MA office. He has been trying cases for the past 35 years and currently concentrates in the areas of product and general liability claims, construction defect claims, professional liability claims - including architects, engineers, accountants, attorneys and physicians - and employment discrimination claims. He also has tried, arbitrated and mediated significant commercial disputes arising from the sale or dissolution of partnerships, corporations and limited liability companies. He has tried more than 150 jury trials to verdict, including trials as long as three months.

In addition to his expertise in the trial of complex matters, Mr. Kiernan has also distinguished himself before appellate courts. He has argued before both state and federal courts in 32 appeals, including a recent matter before the Third Circuit, involving a significant issue of federal preemption, arising from the FDA's regulatory powers. He has successfully presented matters of first impression before the Massachusetts Supreme Judicial Court, including matters of constitutional importance involving religious freedom, the division of power among the several branches of government and the principle of one person/one vote.

Mr. Kiernan also specializes in advising Fortune 500 corporations that are confronted with allegations of waste of assets, procurement fraud, loss of inventory and theft of proprietary information. He has successfully managed special audit investigations that have resulted in the recovery of substantial

Practice Areas

Alternative Dispute Resolution
Architects & Engineers
Construction and Construction Defect
Corporate Investigations / Consumer Fraud / White Collar Crime
Employment
Environmental
Food Retailers & Manufacturers
Medical Malpractice
Premises / Landlord Liability
Product Liability
Professional Liability
Railroad / Federal Employers' Liability Act
Residential Care Providers and Facilities
Trial and Appellate Practice
Workers' Compensation

Education

Boston University, J.D., 1974
Harvard University, B.A., 1970, *cum laude*

John A. Kiernan

| Continued

monies lost to fraud, the removal of irresponsible management personnel and the criminal prosecution of wrongdoers identified by the investigation. These investigations have been conducted in a manner designed to identify and remove the perpetrators of fraud and corporate waste, to ensure compliance with appropriate standards of business ethics and to protect against potential retaliatory litigation.

Mr. Kiernan began his career as a prosecutor, serving for 14 years in the Office of the District Attorney for Suffolk County (Boston). During his tenure as a prosecutor, he served as the Senior Trial Counsel for the Major Violators Division and served for eight years as the Chief of the Homicide Division. Following his move to the civil practice of law, he was retained to represent the Governor of the Commonwealth, as well as the Massachusetts Attorney General and the Secretary of Public Safety.

Mr. Kiernan has been appointed to numerous advisory boards and commissions, including the Massachusetts Juvenile Advisory Committee, the Massachusetts District Attorneys Association, Legislative Committee (Chairman), and the Massachusetts Medical Legal Commission. He has served on the Superior Court Study Commission Rules Committee to revise the Criminal Rules of procedure. He also served on the Massachusetts Judicial Nominating Council ("JNC") from 1996 until 2003, including holding the position of chairman of the Eastern Region of the JNC and as a member of the Executive Committee for the statewide Council.

Mr. Kiernan also served on the faculty of the National College District Attorneys from 1982 until 1987. He has been an adjunct Professor of Law at the New England School of Law, since 1987, concentrating in criminal procedure courses. Additionally, he has served as an arbitrator for the resolution of cases pending in the courts of the Commonwealth. Mr. Kiernan's civic and professional activities also buttress his trial practice. His work in

Bar and Court Admissions

District of Columbia

Massachusetts

U.S. District Court, District of Massachusetts

U.S. Court of Appeals, First Circuit

John A. Kiernan

| Continued

environmental litigation has been enhanced by his role as a Conservation Commissioner for the Town of Milton, since 1993, where he currently serves as the Commission Chairman.

Mr. Kiernan has presented seminars to numerous professional associations, including the Defense Research Institute, the Boston Bar Association, the Massachusetts Academy of Trial Attorneys, the National District Attorneys Association, the American Prosecutors' Research Institute, the American Society of Industrial Security, the National Association of Medical Examiners and the Institute of Internal Auditors.

Mr. Kiernan is a member of the bars of the Commonwealth of Massachusetts, as well as the United States District Court for MA and the First Circuit. He is also a member of the Washington DC bar. He has been admitted to practice, *pro hac vice* for cases pending in Vermont, New Hampshire, Maine, Connecticut, Rhode Island and Nevada. He is also a member of the Massachusetts Bar Association, the Federal Bar Association, the National Association of Railroad Trial Counsel and the Defendant Research Institute.

Professional & Community Affiliations

Member, Massachusetts Bar Association

Member, Federal Bar Association

Member, National Association of Railroad Trial Counsel

Member, Defense Research Institute