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Bar Association
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The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Lindsey O. Graham
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

February 29, 2024

Dear Senator Durbin and Senator Graham:

On behalf of the Asian American Bar Association of New York (“AABANY”), we write in support of the appointment of Magistrate Judge Sanket J. Bulsara as a United States District Judge for the Eastern District of New York (“EDNY”).

AABANY is a 501(c)(6) professional membership organization of attorneys concerned with issues affecting the Asian American and Pacific Islander (“AAPI”) community. Incorporated in 1989, AABANY seeks not only to encourage the professional growth of its members, but also to advocate for the AAPI community as a whole. Today, AABANY has more than 1,800 members making it the largest AAPI and affinity bar association in the country.

Before providing our support, AABANY, through its Judiciary Committee, conducted a thorough screening process, which included, among other things, a review of information Magistrate Judge Bulsara supplied to AABANY as well as information obtained from public sources. As a measure of full disclosure, Magistrate Judge Bulsara has been an active and dedicated member of AABANY’s Judiciary Committee, where he has generously shared his expertise and experience with our members and in support of the AAPI community.

AABANY believes that the current vacancy for the District Judge position in the Eastern District of New York presents a historic opportunity to continue the progress made in appointing AAPI judges to the bench since the Honorable Denny Chin’s appointment in 1994. With Judge Chin’s announcement to take Senior Status coupled with the important issues facing the AAPI community, particularly in the wake of the COVID-19 pandemic and the increase in anti-Asian hate, the need to continue appointing qualified AAPI judges is even more pressing. Indeed, Magistrate Judge Bulsara’s appointment to the bench made him the first Federal judge of South Asian descent in the Second Circuit.

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If appointed, Magistrate Judge Bulsara would be only the tenth Asian American Article III judge in the history of the Second Circuit. AAPIs remain underrepresented throughout the Federal judiciary, with just 4.95% of Article III District Judges claiming AAPI descent, according to statistics compiled by the American Constitution Society. According to the results of the 2020 Census, AAPIs comprise approximately 10.8% of the population of New York State, up from 8.2% in 2010, and approximately 17.3% of the population of New York City, up from 14.0% in 2010. AAPIs were also the fastest-growing minority group during the past decade in both New York State and nationwide – the AAPI population in New York State increased by 37.6%, growing from 1,579,494 in 2010 to 2,173,719 in 2020. New York City is home to the largest AAPI community in New York State, with 1,525,851 residents making up 17.3% of the city’s population. The opportunity to continue the progress towards a judiciary that reflects the population it serves would be furthered by the appointment of Magistrate Judge Bulsara as an Article III District Judge for the Eastern District of New York.

We maintain that a judiciary that reflects the diversity of the population it serves will be in a better position to administer justice with a greater level of trust from those who appear before it. There has never been a greater need to combat the wrongful perception of AAPIs as “perpetual foreigners” than there is today. We believe the appointment of Magistrate Judge Bulsara as an Article III District Judge underscores the judiciary’s commitment to addressing that need and is merited not just on his qualifications and existing experience on the bench, but also because of his unwavering commitment to administer justice dutifully. To that end, AABANY enthusiastically supports Magistrate Bulsara’s candidacy to become an Article III District Judge for the Eastern District of New York.

Magistrate Judge Bulsara was born in the Bronx and is a longtime and current resident of Queens, where his parents first lived upon immigrating to the United States from India. He received an A.B. *magna cum laude* in Social Studies from Harvard College, and a J.D. *cum laude* from Harvard Law School. Upon graduation, Magistrate Judge Bulsara clerked for the Honorable John G. Koeltl of the United States District Court for the Southern District of New York. Following his clerkship, he worked as an associate at the law firm of Munger, Tolles & Olsen, LLP in Los Angeles, California. He returned to New York in 2004, where he worked as a Manager of Planning and Data Analysis for the New York City Department of Education until 2005. In 2005 Magistrate Judge Bulsara joined the law firm of Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) as an associate and was elevated to partner in 2012, becoming the first AAPI litigation partner in the firm’s New York office.

At WilmerHale, Magistrate Judge Bulsara developed a trial-centered practice where he tried numerous cases to verdict in Federal and state court, as well as to final merits hearings in arbitration. He served as chief counsel on several of these matters, or otherwise played key roles in witness examination and preparation as well as trial strategy. The cases consisted of investigations, as well as commercial and criminal litigation, and he represented clients in a range of industries, including financial institutions, defense contractors, oil and gas companies, and media companies. In addition, Magistrate Judge Bulsara developed a significant *pro bono* practice at WilmerHale where, as lead counsel, he conducted trials, hearings, and arguments in matters as varied as prisoners’ rights cases and domestic violence cases, while also supervising applications for asylum for high school students in the Bronx.

Magistrate Judge Bulsara also worked as a Special Assistant District Attorney in the Kings County District Attorney’s Office on a secondment from 2007 to 2008, for which he received an Outstanding Service Award. As a Special Assistant District Attorney, he tried three felony cases to verdict and handled plea negotiations, evidentiary hearings, and sentencings in a number of misdemeanor and felony cases.

In November 2015, as Deputy General Counsel for Appellate Litigation and Adjudication, Magistrate Judge Bulsara was responsible for developing strategy, managing and editing briefs, and supervising oral

argument. In January 2017, he began serving as Acting General Counsel of the Securities and Exchange Commission (the “SEC”), where he advised the agency on a wide range of legal issues that impacted the agency and the enforcement of the Federal securities laws. In addition, as head of the Office of General Counsel, Mr. Bulsara supervised a team of 150 lawyers.

In August 2017, Mr. Bulsara was appointed as Magistrate Judge of the Eastern District of New York. Since then, Magistrate Judge presided over 2,300 civil cases in one of the busiest districts in the country, as well as numerous bench and jury trials on consent. Magistrate Judge Bulsara also assisted with the selection of over 20 juries and published over 300 opinions. Among other responsibilities for the EDNY, he serves as Co-Chair of the EDNY and SDNY’s Joint Local Rules Committee and on the Court’s Criminal Justice Act Committee. Magistrate Judge Bulsara was also appointed by Chief Justice Roberts to serve on the Judicial Conference Committee on the Administration of the Magistrate Judges System. Magistrate Judge Bulsara’s colleagues uniformly praise his intellect, legal skills, and practical sensibility. They describe him as having “excellent judgment,” being “a quick study,” “respectful,” and “ethical.” Colleagues note his “even-tempered” demeanor and his ability to “think quickly on his feet,” “handle adversity with ease,” and develop a good rapport with arbitrators and court staff. They also find Magistrate Judge Bulsara to be “collegial,” “easy to work with” and “humble,” with an “engaging personality,” and “incredible sense of humor.” Former adversaries, from Magistrate Judge Bulsara’s time as a practitioner, recalled his “impressive” oral arguments (indeed, one former adversary even remarked that Magistrate Judge Bulsara had delivered one of the “best oral arguments” he had ever heard) and that he was an “honest and straightforward adversary.” A Federal court clerk even commented, “He is one of the best people I’ve ever met.” Colleagues, former adversaries, arbitrators and judges agree that Magistrate Judge Bulsara is well-respected by his peers and the bench and “would make a great addition to the District Court bench.”

Prior to becoming a Magistrate Judge, Magistrate Judge Bulsara served on the Board of Directors of Sunnyside Community Services (“SCS”) in Queens, New York since 2005 and from 2008 to 2016, he served as Board President. SCS is one of the largest social services organizations in the city, helps to provide the elderly and immigrant population of Queens with access to mental and health care, and through its College Readiness Program has helped hundreds of students become the first members of their families to attend college. Through his leadership on the Board of SCS, Magistrate Judge Bulsara has helped expand its support of the elderly, immigrant, and student population in Queens.

From 2013 to 2016, Magistrate Judge Bulsara also served on the Board of Directors of the New York City Urban Debate League, where he worked to expand access to debate opportunities for students in Title I schools in New York City. In 2016, Magistrate Judge Bulsara served on the Board of Directors for Volunteers of Legal Service, where he helped recruit and train lawyers to provide pro bono legal assistance to low-income New Yorkers. Magistrate Judge Bulsara has also been incredibly active with AABANY, the National Asian Pacific American Bar Association (“NAPABA”) and the South Asian Bar Association of New York (“SABANY”).

While at WilmerHale, Magistrate Judge Bulsara developed and honed his longstanding commitment to mentoring the next generation of attorneys, through his heavy involvement in the recruiting, training and mentoring of diverse attorneys. As the first—and for several years, the only—AAPI litigation partner in WilmerHale’s New York office, he believed he had a special responsibility and unique ability to advance diversity at his firm and in the legal profession and served on the firm’s recruiting and diversity committees for many years. This same spirit of mentorship and commitment to diversity has continued through Magistrate Judge Bulsara’s continued involvement with AABANY, where he has served as a mentor to AAPI attorneys, including those interested in pursuing public service. Further, since joining the judiciary, Magistrate Judge Bulsara has been an Adjunct Professor of Law at St. John’s Law School where he teaches Remedies and Securities Litigation, and a guest instructor at the Harvard Law School Trial Advocacy Workshop. Judge Bulsara also frequently speaks and writes on issues of civil procedure and trial practice.

In sum, AABANY believes that Magistrate Judge Bulsara is highly qualified and would continue to make

significant contributions to the administration of justice in the Federal courts. The combination of Magistrate Judge Bulsara's credentials, experience as a litigator, and time as Magistrate Judge, make him an ideal candidate to serve as an Article III District Judge. Magistrate Judges Joan Azrack, Gary Brown, and Kiyoo Matsumoto all successfully made the transition from Magistrate Judge to District Court Judge. AABANY strongly believes Magistrate Judge Bulsara is perfectly suited to make that same transition. His confirmation as an Article III District Judge would be historic and reflect the spirit of President Biden's call for greater diversity and a judiciary that reflects the population it serves.

The leadership of AABANY would welcome an opportunity to meet with you and your staff concerning Magistrate Judge Bulsara's candidacy to become an Article III District Judge for the Eastern District of New York and to discuss generally how AABANY can be helpful to you in addressing issues related to the AAPI community. I can be reached at (212) 601-6883 or at karen.kim@aabany.org. Thank you very much for your time and consideration. I hope to hear from you soon.

Very truly yours,

Karen Kim

Karen Kim
President, AABANY

cc (via email):
Sarah Bauer
Ryan Giles