

October 2, 2023

The Honorable Richard J. Durbin  
Chairman  
U.S. Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Lindsey O. Graham  
Ranking Member  
U.S. Senate Committee on the Judiciary  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

Re: Nomination of Micah Smith to the United States District Court for the District of Hawaii

Dear Chairman Durbin and Senator Graham:

We write today to express our support for the nomination of Micah Smith to serve as a District Judge on the United States District Court for the District of Hawaii. All of us served as law clerks at the United States Supreme Court during October Term 2007, when Micah clerked for Justice David Hackett Souter. Each of us signs this letter in a personal capacity and not on behalf of any current or former employer.

We hold a diverse array of political and jurisprudential views and have worked in a wide range of positions in public service, academia, and private practice. We are unified, however, in our conviction that Micah possesses the extraordinary intellect, character, and temperament to serve with distinction as a United States District Court judge.

As clerks, we worked very closely with Micah. We observed firsthand his approach to the law: his immense analytical talent, his extraordinary writing ability, his unwavering diligence, and his humility and open-mindedness. In his work, Micah exhibited integrity in every way. He brought the same rigorous attention to every matter, irrespective of the parties or issues involved, and he was conscientious and fair-minded in every task.

Micah also demonstrated the utmost consideration and respect toward everyone at the Supreme Court, including co-clerks, Justices, and the entire Court staff. He was always kind, calm, and collaborative. He welcomed frank and open discussion on any legal issue, with any colleague. And he was equally well known for his warm smile and quiet generosity toward one and all.

Since our year together at the Court, Micah has worked in private practice, in the U.S. Attorney's Office for the Southern District of New York, and in the U.S. Attorney's Office for the District of Hawaii. Some of us have been fortunate enough to work alongside Micah in those roles or to intersect on our professional paths. Whether we have followed Micah's career from nearby or afar, we have seen in it the same impressive traits that we witnessed at the Supreme Court.

We have known Micah for more than fifteen years, and we believe he has the necessary qualifications and temperament to make an exemplary federal judge. We are united in supporting his nomination to the United States District Court.

Respectfully submitted,

Jason Burnette  
Law clerk to Chief Justice Roberts

Anton Metlitsky  
Law clerk to Chief Justice Roberts

Sara Klein Eisenberg  
Law clerk to Justice Stevens

Todd Gluth  
Law clerk to Justice Stevens

Kate Shaw  
Law clerk to Justice Stevens

Abby Wright  
Law clerk to Justice Stevens

Aditya Bamzai  
Law clerk to Justice Scalia

John Bash  
Law clerk to Justice Scalia

Bryan Killian  
Law clerk to Justice Scalia

Heidi Bond  
Law clerk to Justices Kennedy  
and O'Connor

Michael Chu  
Law clerk to Justice Kennedy

Stephen Cowen  
Law clerk to Justice Kennedy

Annie Kastanek  
Law clerk to Justice Kennedy

C.J. Mahoney  
Law clerk to Justice Kennedy

Bert Huang  
Law clerk to Justice Souter

Leslie Kendrick  
Law clerk to Justice Souter

Michael Mongan  
Law clerk to Justice Souter

Eric McArthur  
Law clerk to Justice Thomas

Leila Mongan  
Law clerk to Justice Thomas

Heath Tarbert  
Law clerk to Justice Thomas

Ruthanne M. Deutsch  
Law clerk to Justice Ginsburg

Brian Fletcher  
Law clerk to Justice Ginsburg

Thomas G. Saunders  
Law clerk to Justice Ginsburg

Zachary D. Tripp  
Law clerk to Justice Ginsburg

Michael Bosworth  
Law clerk to Justice Breyer

Karen Dunn  
Law clerk to Justice Breyer

Eric Feigin  
Law clerk to Justice Breyer

Philippa Scarlett  
Law clerk to Justice Breyer

James Hunter  
Law clerk to Justice Alito

Geoffrey J. Michael  
Law clerk to Justice Alito

David H. Moore  
Law clerk to Justice Alito

Jessica Phillips  
Law clerk to Justice Alito