

May 16, 2024

The Honorable Richard J. Durbin
Chairman, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510
Sarah_Bauer@judiciary-dem.senate.gov

The Honorable Lindsey Graham
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510
Ryan_Giles@judiciary-rep.senate.gov

Re: Joint Letter of Recommendation in Strong Support for the Confirmation of
Magistrate Judge Sara Netburn as United States District Court Judge for the
Southern District of New York

We, the undersigned attorneys from Jones Day and Wollmuth Maher & Deutsch LLP, jointly write in enthusiastic support of the confirmation of Magistrate Judge Sarah Netburn as United States District Judge for the Southern District of New York. Jones Day is a multinational law firm with over two thousand attorneys and offices in more than 10 states across the United States. Wollmuth Maher & Deutsch is a New York City-based litigation, bankruptcy and corporate boutique.

We are experienced attorneys at sophisticated law firms with years of experience in all types of forums in all manner of cases. We were adversaries in a series of coordinated, complex RMBS cases alleging billions of dollars in damages before Magistrate Judge Sara Netburn, one of which—*Commerzbank AG v. Wells Fargo Bank, N.A.*, 1:15-CV-10033 (Katherine Polk Failla, D.J.)—remains pending. The other four coordinated cases have each settled or been voluntarily dismissed at the agreement of the parties, thanks in large part to the significant efforts of Magistrate Judge Netburn to assist the parties through discovery, dispositive motions, and, in more than one matter, mediation. *BlackRock Allocation Target Shares: Series S Portfolio, et al. v. Wells Fargo Bank, N.A.*, 1:14-CV-9371; *National Credit Union Administration Board v. Wells Fargo Bank, N.A.*, 1:14-CV-10067; *Phoenix Light SF Limited, et al. v. Wells Fargo Bank, N.A.*, 1:14-CV-10102; *Royal Park Investments SA/NV, et al. v. Wells Fargo Bank, N.A.*, 1:14-CV-9764.

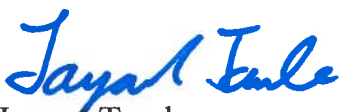
Judge Netburn has been the designated Magistrate Judge for the coordinated RMBS cases since the days after each was filed. In that capacity, she shepherded the parties through years of voluminous discovery and the expeditious and efficient resolution of countless disputes. Judge Netburn gave deep consideration to every issue considered, going so far as to institute standing weekly discovery calls to hear the parties' ongoing discovery disputes for well over a year during fact discovery. She also heard and decided (in the first instance) the parties' conflicting motions for summary judgment in the matters.

Over the course of almost ten years, through countless interactions involving many lawyers and issues, we have had many opportunities to observe Judge Netburn's demeanor, intelligence, and character at close quarters. Judge Netburn is unwavering in her commitment to being fair-minded, thorough, careful, and collaborative. In all instances, Judge Netburn has conducted herself with professionalism, integrity, and a deep respect for the legal system. On that basis, we unanimously support Judge Netburn's confirmation.

It is our joint opinion that Judge Netburn is thorough, diligent, prudent, and ethical, and that she will make a superior United States District Court Judge. We recommend her confirmation without reservation. One might argue that our joint recommendation should be given extra weight, since we have agreed on little else over the course of our long litigation.

Please let us know if we can provide further information.

Respectfully submitted,



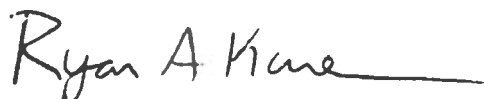
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Partner, Jones Day



Philip R. Schatz
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Howard F. Sidman
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Ryan A. Kane
Partner, Wollmuth Maher & Deutsch LLP

CC: Phillip Brest (The White House)