



March 14, 2024

United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Durbin, Ranking Member Graham, and Committee Members:

On behalf of our 1.5 million supporters nationwide, People For the American Way enthusiastically supports the nomination of Northern District of Illinois Judge Nancy Maldonado to the Seventh Circuit Court of Appeals. When confirmed, she will be that court's first Hispanic judge. Her experience and her record of commitment to the legal rights and dignity of all people will make her an excellent addition to the Seventh Circuit.

Maldonado graduated with honors from Harvard in 1997, and she graduated from Columbia Law School in 2001. She started her legal career with a clerkship in the Northern District of Illinois with Judge Rubén Castillo. From 2003 until confirmation to her current position as a federal district court judge, she was in private practice at Miner, Barnhill & Galland. While there, she focused largely on representing plaintiffs in employment, civil rights, and fraud cases.

Miner, Barnhill & Galland is well known for its civil rights work. In Maldonado's early years at the firm, she represented classes of farmworkers in wage and hour cases, individual clients in harassment and discrimination matters, and not-for-profit and health care entities in employment and other disputes. She then expanded her practice to litigating whistleblower cases under federal and state false claims statutes, even serving one time as a Special Assistant State's Attorney to Cook County investigating fraud alleged by a whistleblower. Maldonado's successes led to her becoming a firm partner in 2010. Her work expanded to include consent decree monitoring, consumer protection, and other work for governmental entities.

During her years in private practice, people who were unlawfully hurt by others could turn to Maldonado to help them vindicate their rights. One example was Dilan Abreu, a Latino bricklayer with the Chicago Department of Water Management. Abreu claimed his supervisor regularly directed racial and ethnic slurs at him and tried to push him into a six-foot hole on a job site. After he filed a federal complaint, he said he faced a campaign of retaliation. The lawsuit Maldonado filed on his behalf outlined a culture of overtly racist behavior and attitudes throughout the department, which allowed such harassment to happen.ⁱ

Maldonado also represented Maura Anne Stuart, a school bus driver who was repeatedly denied opportunities for much higher-paying assignments driving courtesy vans for local movie and television productions. She sued her union for denying her such assignments due to her sex. After a court refused to dismiss the case and allowed discovery, the union settled the case with Stuart.ⁱⁱ

Maldonado also helped homeowners who alleged that the Cook County Assessor illegally shifted tax burdens from property owners in majority-White neighborhoods to property owners in majority-Black and Latino neighborhoods. After a lawsuit was filed, the county reformed its tax assessment system, and the claims were voluntarily dropped.ⁱⁱⁱ

Maldonado's commitment to civil rights has been evident in other facets of her life. Before becoming a federal judge, she was a longtime member of the Chicago Lawyers' Committee for Civil Rights. The organization champions equal justice and community development for underrepresented people by partnering with volunteer lawyers to provide pro bono litigation and transactional representation. Maldonado also served on the board of Apna Ghar ("Our Home"), a local organization working across communities in the Chicago area to end gender violence. In addition, she was on the legal advisory board of ARISE Chicago, an organization established to build partnerships between faith communities and workers to fight workplace injustice.

In 2022, President Biden nominated Maldonado to be a judge in the Northern District of Illinois. She was confirmed with bipartisan support, becoming the district's first Hispanic woman Article III judge. Chief Judge Rebecca Pallmeyer welcomed her to the bench as "a talented, compassionate, and well-respected jurist."^{iv} Since then, she has written more than 250 substantive written decisions on numerous issues of the type she will have before her as a circuit court judge.

For instance, she has stressed that workplace sexual harassment does not have to be "hellish" to trigger Title VII's protections.^v She has ruled that when a jail has ordered that two prisoners always be kept separate in order to protect their safety, a reasonable guard understands that placing them together would violate the guard's duty to protect them.^{vi} She has ruled that a victim of police violence can sue the county for hiring a police officer with a known history of using excessive force.^{vii}

Judge Maldonado understands that courts must respect the legal rights of all people, regardless of wealth or privilege. She makes this clear at naturalization ceremonies she presides over, as she tells new Americans:

Our courts are wonderful and unique institutions. The poorest person in the country can sue the richest corporation, and it's a jury of ordinary people just like you who get to decide what the truth is. That doesn't happen in many countries.^{viii}

Elevating Judge Nancy Maldonado to the Seventh Circuit will help our federal judiciary achieve its ideal of providing equal justice under law to all people. We urge her prompt confirmation.

Sincerely,



Marge Baker
Executive Vice President

ⁱ *Abreu v. City of Chicago*, No. 19-CV-2161 (N.D. Ill.) (Pallmeyer, Harjani, JJ.); “City water department worker alleges boss tried to throw him in a hole, called him ‘dumb Puerto Rican,’” *Chicago Tribune*, March 29, 2019, <https://www.chicagotribune.com/politics/ct-met-chicago-water-department-latino-slur-lawsuit-20190328-story.html>.

ⁱⁱ *Stuart v. Local 727, Int’l Bhd. of Teamsters*, No. 13-cv-9262 (N.D. Ill.) (Shadur, Chang, Cox, JJ.), No. 14-1710 (7th Cir. 2014) (Posner, Rovner, Hamilton, JJ.).

ⁱⁱⁱ *Brighton Park Neighborhood Council v. Berrios*, No. 2017 CH 16453 (Cook Cty. Cir. Ct.) (Gamrath, J.).

^{iv} Court Welcomes District Judge Nancy Maldonado in Ceremonial Investiture, Northern District of Illinois (Eastern Division) Court Information Release, July 14, 2023, https://www.ilnd.uscourts.gov/assets/news/maldonado_07_14_23_InvestitureFINAL.pdf.

^v *Brinson v. Eagle Express Lines*, 2023 U.S. Dist. LEXIS 173408, 2023 WL 6312400 (N.D. Ill. Sept. 28, 2023).

^{vi} *Miller v. Mascillino*, No. 15-CV-11746, 2023 WL 6276526 (N.D. Ill. Sept. 26, 2023).

^{vii} *Billups-Dryer v. Village of Dolton*, 2023 U.S. Dist. LEXIS 172727, 2023 WL 6290543 (N.D. Ill. Sept. 27, 2023).

^{viii} Transcript of Proceedings of Naturalization Ceremony Before the Hon. Nancy L. Maldonado, Northern District of Illinois, Eastern Division, Jan. 29, 2024, p. 14 (reprinted in Nancy Maldonado Senate Judiciary Committee Questionnaire Attachments, p. 768).