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July 30, 2024

Honorable Richard J. Durbin, Chair
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

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

Re: Ryan Y. Park

Dear Senators Durbin and Graham:

I am an attorney licensed to practice in North Carolina, having returned to private practice in 2023 after serving for nine and a half years as a member of the North Carolina Utilities Commission, for six years as an Associate Judge of the North Carolina Court of Appeals, and for eight years as an Associate Justice of the North Carolina Supreme Court. I am writing this letter to express my enthusiastic support for the nomination of Ryan Y. Park to serve as a Circuit Judge on the United States Court of Appeals for the Fourth Circuit. As might be expected, I am sending this letter on my own behalf and not on the behalf of the law firm of Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, or any of its attorneys, staff members, or clients.

I became acquainted with Mr. Park while serving on the Supreme Court of North Carolina, before whom Mr. Park regularly appeared in his capacity as Deputy Solicitor General and Solicitor General for the North Carolina Department of Justice. While acting in those capacities, Mr. Park represented the State before the Supreme Court on multiple occasions, including having appeared in argument or on brief in six matters that were decided during my final two years on the Supreme Court. In addition, I have had an opportunity to speak with Mr. Park about legal issues and observe his interactions with his staff. As a result, I think that I have an adequate basis for evaluating the quality of Mr. Park's legal skills and professional capabilities and personal attributes.

Mr. Park is one of the best appellate advocates that I have ever seen. The briefs that Mr. Park has authored or signed and the oral arguments that he has made

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are invariably clear, well-crafted, and logically structured. A reader does not have any difficulty understanding the result for which Mr. Park is advocating or the reasons that he believes that the Court should reach his preferred result. In addition, the arguments which Mr. Park has made or to which he contributed were amply anchored in precedent, well thought out, and reasonable in both a legal and a practical sense. I do not think that anyone can fairly describe Mr. Park's advocacy as seeking a purely results-oriented, rather than a legally based, outcome, which is something that appellate judges should always avoid. Although I did not always support the position for which Mr. Park advocated during my time on the Supreme Court of North Carolina, the work to which he contributed was invariably of assistance to me in attempting to decide the cases that came on for decision in a legally correct manner.

As a result of the fact that my father served on the Fourth Circuit for nearly two decades and the fact of my own lengthy service as a member of multi-member deliberative bodies, I have some knowledge of the critical importance of collegiality to successful service on appellate courts (or similar bodies) in general and the Fourth Circuit in particular. To put it very simply, Mr. Park seems to me to have the sort of temperament and personality that would enable him to serve on the Fourth Circuit with distinction. In addition to his educational, intellectual, and professional qualifications, Mr. Park has always struck me as a quiet, thoughtful person who treats everyone in a respectful manner, gets along with those with whom he works or with whom he has come into contact, and appears to be universally respected. Instead of seeking the limelight, Mr. Park seems to me to be focused on providing service to the society in which he lives.

All in all, I believe that Mr. Park is eminently qualified to serve on the Fourth Circuit and hope that his nomination will be confirmed. If you have any questions or would like any additional information, please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam J. Ervin, IV". The signature is fluid and cursive, with a large, stylized "E" at the end.

Sam J. Ervin, IV