

October 2, 2023

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

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

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

Dear Chairman Durbin and Ranking Member Graham:

We respectfully submit this letter in strong and unqualified support of the nomination of Micah W.J. Smith to the United States District Court for the District of Hawaii. We are all former prosecutors from the U.S. Attorney's Office for the Southern District of New York who had the pleasure of serving with Mr. Smith while he was an Assistant United States Attorney ("AUSA") and later a supervisor. Mr. Smith possesses an incisive legal mind, treats everyone he meets with humility and unparalleled kindness, and throughout his career has demonstrated a commitment to securing justice for all. In short, he has all the qualities that will make him an exceptional district court judge.

A graduate of Kauai High School, Mr. Smith went on to graduate magna cum laude from Harvard Law School. He then served as a law clerk for a judge of the U.S. Court of Appeals for the Second Circuit and for a justice of the U.S. Supreme Court. After working at a law firm, Mr. Smith joined the Southern District of New York U.S. Attorney's Office in 2012. There, he was quickly promoted to Acting Deputy Chief of Appeals and then Co-Chief of the Violent & Organized Crime Unit. In 2018, Mr. Smith returned to Hawaii and joined the U.S. Attorney's Office for the District of Hawaii. He has served in that Office as Deputy Chief of the Criminal Division, Chief of Appeals and Legal Strategy, and Criminal Civil Rights Coordinator.

Throughout his more than a decade of public service, Mr. Smith has earned the deep respect of his colleagues, his adversaries, members of the bench, and the public he has served. We all have experienced first-hand Mr. Smith's brilliant legal mind. Honed from his time at Harvard Law School, as a Supreme Court law clerk, and through his extensive trial and appellate experience, Mr. Smith possesses an exceptional ability to see to the core of complicated legal issues. He is a gifted trial and appellate lawyer who distills complex problems into eloquent courtroom advocacy. His writing is powerful and clear. It is no accident that his colleagues in two U.S. Attorney's Offices have trusted him to help solve their most difficult legal challenges.

Remarkably, Mr. Smith pairs his legal brilliance with an equally brilliant ability to relate to everyone he encounters. As a New York City violent crimes prosecutor, Mr. Smith earned the trust of a diverse array of victims, witnesses, law enforcement agents, and defendants by treating everyone with honesty, respect, and compassion. He made countless cases by convincing victims and witnesses, who often came from disadvantaged communities, that he understood their problems and how to solve them. His numerous trial-court accomplishments demonstrate

his ability to connect with jurors from all walks of life. Mr. Smith is soft-spoken yet powerful. He is calm and even-tempered yet passionate. He is humble yet commands respect. As a supervisor and colleague, Mr. Smith's humility was on display when others sought his counsel. Despite his mastery of the law and his experience, Mr. Smith was an excellent listener who was always open to the possibility he was wrong (even if that was rarely the case). He deftly guided others to the right answer while making everyone feel heard.

To his great credit, Mr. Smith has used these skills not to promote himself but to serve others. He has dedicated his legal career to protecting the public, seeking justice for crime victims, and upholding the Rule of Law. Working with him on difficult, emotional cases, we have all witnessed his impeccable judgment, commitment to excellence, and unwavering integrity. Mr. Smith's goal was never to win the case but, in the finest traditions of the U.S. Attorney's Office, to do the right thing. We trusted his judgment because he never put himself first; instead, doing justice was the only thing that mattered.

Mr. Smith's legal skills, calm temperament, respect for others, and commitment to doing the right thing will make him an outstanding District Court Judge.

In the Southern District U.S. Attorney's Office, Mr. Smith inspired his colleagues and those he supervised with his example. He was a credit to the institution, adhering to its highest values at all times. We have no doubt he will do the same as a District Court Judge for the District of Hawaii, and we strongly support his nomination.

Thank you for considering this letter.

Sincerely,

Andrew C. Adams  
Robert W. Allen  
Andrew Bauer  
Jennifer L. Beidel  
Martin S. Bell  
Jillian B. Berman  
Robert L. Boone  
Gina Castellano  
Jonathan E.W. Cohen  
Richard A. Cooper  
Shawn G. Crowley  
Arlo Devlin-Brown  
Edward B. Diskant  
Janis Echenberg  
Sarah K. Eddy  
Amy Ely  
Samson A. Enzer  
Jordan Estes  
Christian R. Everdell

Adam Fee  
Jessica Fender  
Mike Ferrara  
Harris Fischman  
Nicole Friedlander  
Katherine R. Goldstein  
Ilan T. Graff  
Kristy J. Greenberg  
Nola B. Heller  
Timothy Howard  
Edward A. Imperatore  
Randall Jackson  
Brian A. Jacobs  
Sidhardha Kamaraju  
Robert S. Khuzami  
Edward Y. Kim  
Joon H. Kim  
Elisha J. Kobre  
Laurie Korenbaum

Paul M. Krieger  
Sarah Krissoff  
Michael Kim Krouse  
Abigail Kurland  
Stephanie Lake  
Matthew Laroche  
Sharon Cohen Levin  
Jessica Lonergan  
Michael D. Longyear  
Rachel Maimin  
Tatiana R. Martins  
Jessica A. Masella  
Howard S. Master  
John M. McEnany  
Michael C. McGinnis  
Glen G. McGorty  
Thomas A. McKay  
Nicholas Lloyd McQuaid  
Rebecca Mermelstein

Parvin Daphne Moyne  
Rahul Mukhi  
Joshua A. Naftalis  
Kan M. Nawaday  
Max Nicholas  
Daniel S. Noble  
Jim Pastore  
Sarah E. Paul  
Cristy Phillips

Karin Portlock  
Ryan P. Poscablo  
Lauren Schorr Potter  
Brendan F. Quigley  
Seetha Ramachandran  
Rebecca Monck Ricigliano  
Anjan Sahni  
Timothy D. Sini  
Drew Skinner

Anna Skotko  
Shane T. Stansbury  
Audrey Strauss  
Daniel B. Tehrani  
Daniel Tracer  
Niketh Velamoor  
Hadassa Waxman  
Richard B. Zabel  
Douglas S. Zolkind

cc: The Honorable U.S. Senator Mazie K. Hirono  
The Honorable U.S. Senator Brian Schatz