



Court of Appeal

STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT

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July 3, 2024

BY EMAIL AND UNITED STATES MAIL

The Honorable Dick Durbin
Chairman
United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20510

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

Re: Letter of Support for the Honorable Noël Wise, Nominee for the United States District Court for the Northern District of California

Dear Chairman Durbin and Ranking Member Graham:

We enthusiastically recommend confirmation of Alameda County Superior Court Judge Noël Wise to serve as a federal district judge on the United States District Court for the Northern District of California.

Judge Wise was assigned by the Chief Justice of California to assist Division Seven of the Second District Court of Appeal as a pro tem justice from December 2021 through September 2022. She was an exceptional pro tem justice and has the intelligence, legal

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reasoning abilities, and commitment to impartiality that would make her an excellent federal district court judge. Over the last six years, we have worked with more than 15 outstanding judges from the California superior court serving as justices pro tem in Division Seven. None has been better than Judge Wise.

Although working with a severely reduced chambers staff (due, in part, to an ongoing vacancy in the division), she was extremely productive, authoring 25 opinions in both civil and criminal cases, including published opinions involving the method of proof of implied malice in a marijuana-related vehicular homicide (*People v. Murphy* (2022) 80 Cal.App.5th 713) and the proper method of valuation of shares in an involuntary corporate dissolution (*Crane v. R.R. Crane Investment Corp.* (2022) 82 Cal.App.5th 748). Many of Judge Wise's other cases also involved complex substantive and procedural issues. In each instance she prepared a thoughtful, pragmatic, clearly written opinion that reflected not only sound legal reasoning but also practical judgment and common sense grounded in her extensive experience as a government lawyer, in private practice, and as a trial judge. In addition, she asked excellent questions at oral argument and displayed an appropriate demeanor, showing respect for the attorneys and parties.

As a panel member in dozens of additional cases, Judge Wise consistently provided meaningful suggestions, significantly improving the quality the division's work product. She was a hands-on jurist, engaging the other two justices sitting with her, as well as the judicial attorneys who work with us, in thorough discussions of both applicable legal principles and practical realities to be sure the end results were correct.

Equally important, on a personal level Judge Wise was a wonderful colleague. While working mostly remotely with us because of the ongoing pandemic, she was always concerned about, and considerate of, the challenges being faced by her colleagues and her staff. She is a delightful person, and we enjoyed getting to know her and having her join us on the bench for oral argument.

Although our experience with Judge Wise was on the appellate court, it is clear to us from our experience as trial judges and long-time litigators that the professional skills and personal traits Judge Wise displayed will be equally valuable as a district court judge. We are confident that, if confirmed as a district court judge, Judge Wise will distinguish herself as a thoughtful and dedicated member of the federal bench.

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Thank you for considering our input on Judge Wise. We urge you to confirm this extraordinary judge to the federal bench.

Sincerely,



Hon. Dennis M. Perluss
Retired Presiding Justice, Second District Court of Appeal



Hon. John Segal
Associate Justice, Second District Court of Appeal



Hon. Gail Ruderman Feuer
Associate Justice, Second District Court of Appeal