

**Statement of Senator Chuck Grassley
Before the Committee on the Judiciary
On the Nominations of:**

Nelson Stephen Román, to be United States District Judge for the Southern District of New York

Raymond P. Moore, to be United States District Judge for the District of Colorado

Analisa Torres, to be United States District Judge for the Southern District of New York

Derrick Kahala Watson, to be United States District Judge for the District of Hawaii

Claire R. Kelly, to be a Judge of the United States Court of International Trade

January 23, 2013

I join you in welcoming the nominees, their families, friends, and other guests. We have four District Court nominees before us today, in addition to our nominee for the Court of International Trade.

Last Congress we held 29 nomination hearings for 116 judicial nominees. The 112th Congress made good and steady progress in confirming judicial nominees. During the 112th Congress, more District Judges were confirmed than were confirmed in any of the previous 8 Congresses. For Circuit nominations, President Obama has the highest percentage of confirmations over the past four Presidential

terms. In total, the Senate has confirmed 171 District and Circuit nominees.

I will continue to work with the Chairman and members of this Committee in treating President Obama's nominees in a fair manner. In doing so, I will maintain my approach in evaluating the qualifications of judicial nominees. As I have previously stated, I want to ensure that the men and women who are appointed to lifetime positions are qualified to serve. Factors I consider important include intellectual ability, respect for the Constitution, fidelity to the law, personal integrity, appropriate judicial temperament, and professional competence. Above all, judicial nominees must have a respect for the proper role of a judge in our system of checks and balances – that is to decide cases and controversies according to the facts of the case and established law and precedent. A judge's role is not to create law or make public policy.

Raymond P. Moore is nominated to be United States District Judge for the District of Colorado. Mr. Moore received his B.A. in 1975 and his J.D. in 1978, both from Yale. Upon graduation, he joined the firm of Davis, Graham & Stubbs as a litigation associate where he handled cases involving real estate, water, and oil and gas. In 1982, he became an Assistant United States Attorney where he handled grand jury proceedings, motions practice, trial and appeal for a variety of criminal cases. In 1986, he re-joined Davis Graham & Stubbs as a litigation associate. He became a partner in 1987. In 1993, Mr. Moore became an Assistant Federal Public Defender where he handled every stage of assigned criminal cases. In 2003, he became Acting Federal Public Defender and was appointed Federal Public Defender for the Districts of Colorado and Wyoming in 2004.

The American Bar Association Standing Committee on the Federal Judiciary has unanimously rated Mr. Moore as “Well Qualified”.

Nelson Stephen Román is nominated to be United States District Judge for the Southern District of New York.

Judge Román received his B.A. from Fordham University in 1984. He worked full-time as a Police Officer in the NYPD's Legal Bureau while attending Brooklyn Law School. Upon graduation in 1989, Judge Román worked as an Assistant District Attorney for Kings County where he was a criminal prosecutor. From 1992 to 1994 he served as Special Narcotics Prosecutor where he handled major narcotics offenses from initial arrest to final disposition. In 1994 he returned to the Kings County District Attorney's Office. He served as Felony Trial Assistant District Attorney where he prosecuted felony cases and one case on appeal. From 1995 to 1998 Judge Román clerked for the Honorable Jose A. Padilla, Jr. in the New York City Civil Court, New York County.

In June 1998 Judge Román was appointed to be a Judge of the Housing Part of the New York City Civil Court and served there through 2000 when he was elected to be a Judge of the New York City Civil Court, Bronx County. There

he presided over more than 150 jury and bench trials, including small claims actions and commercial tenancy proceedings. In November 2002, Judge Román was elected to be a Judge of the New York State Supreme Court, Civil Term, Bronx County. He served in that capacity from January 2003 until October 2009. In 2009 he was appointed to be an Associate Justice of the New York State Supreme Court, Appellate Division, First Department.

The American Bar Association Standing Committee on the Federal Judiciary has given Judge Román a rating of Substantial Majority: “Well Qualified;” Minority: “Qualified”.

Analisa Torres is nominated to be United States District Judge for the Southern District of New York. Judge Torres received her A.B. from Harvard University in 1981 and her J.D. from Columbia Law School in 1984. For the first seven years of law practice, she worked as a real estate associate at the firms of Kaye, Scholer LLP; now-defunct Coudert Brothers; and Patterson, Belknap, Webb & Tyler. She handled the purchase, sale, leasing, and financing of

commercial and residential real estate. In 1992, she spent four months as General Counsel to the South Bronx Overall Economic Development Corporation, advising on real estate matters and commercial revitalization initiatives. In 1992, Judge Torres left private practice to clerk for Justice Elliott Wilk in the Civil Term of the New York State Supreme Court. She remained in this position until her election to Judge of the Civil Court of the City of New York in 1999. Judge Torres also served as Commissioner of the New York City Planning Commission from 1993 to 1995.

In 1999, Judge Torres was elected a Judge of the Civil Court of the City of New York. However, from January 2000 to December 2002, she was administratively assigned to the Criminal Court of the City of New York, presiding over cases of misdemeanors and violations, acting as an arraigning magistrate, and conducting preliminary hearings in felony cases. From January 2003 to October 2004, she served on the Civil Court bench, presiding over civil cases involving claims up to \$25,000. In 2004, then-Chief Administrative Judge Jonathan Lippman designated her as an Acting

Supreme Court Justice. From November 2004 to December 2009, she was assigned to the Supreme Court, Bronx County, Criminal Division with jurisdiction over misdemeanor and felony matters. In 2009, Judge Torres was reelected to the Civil Court for another ten-year term commencing January 2010 and continued to hold the designation of Acting Supreme Court Justice. In 2010, she was assigned to the Supreme Court, New York County, Criminal Term, still presiding over misdemeanor and felony matters. In 2011, Judge Torres was elected a Justice of the Supreme Court of the State of New York for a 14-year term commencing January 2012. She currently serves as a Manhattan trial judge handling criminal cases.

The American Bar Association Standing Committee on the Federal Judiciary has given Judge Torres a unanimous rating of “Qualified”.

Derrick Kahala Watson is nominated to be United States District Judge for the District of Hawaii. Since graduating from Harvard College *cum laude* then Harvard Law School in

1991, Mr. Watson's legal career has exclusively been civil litigation, divided roughly in half between private practice and public service. In 1991 Mr. Watson was hired as an associate attorney for Landels, Ripley & Diamond specializing in product liability, toxic tort and environmental cost recovery litigation. From 1995 to 2000 Mr. Watson worked as an Assistant United States Attorney, specializing in defending tort and employment discrimination cases in federal court. From 1999 to 2000, he was one of two Deputy Chiefs in the Civil Division to the Northern District of California. In addition to his own defensive caseload, Mr. Watson supervised the Financial Litigation Unit, the Environmental Unit, and the San Jose satellite office.

In 2000, Mr. Watson returned to private practice working for Farella Braun + Martel LLP where he was special counsel and then partner. In 2007 Mr. Watson returned to public service as an AUSA in the District of Hawaii. In 2009 became Chief of the Civil Division where he currently supervises the other Assistant United States Attorneys and staff members including the office's Financial

Litigation Unit. He maintains a caseload that focuses on affirmative fraud investigations and prosecutions involving the False Claims Act and defending tort claims brought under the Federal Tort Claims Act.

In addition, from 1998 to 2006, Mr. Watson served in the U.S. Army Reserve Judge Advocate General's Corps where he assisted soldiers with their legal affairs and provided general legal advice.

The American Bar Association Standing Committee on the Federal Judiciary has given Mr. Watson a rating of Substantial Majority: "Well Qualified;" Minority: "Qualified".

Claire R. Kelly is nominated to be a Judge of the United States Court of International Trade. After graduating from Brooklyn Law School in 1993, Ms. Kelly joined Coudert Brothers as an associate. While with Coudert Brothers, Ms. Kelly's practice primarily focused on international trade and customs-related litigation in federal courts and before the U.S. Customs Service. In 1997, she became a consultant at Coudert Brothers before leaving the firm in 2000. Since that

time, she has occasionally acted as a legal consultant on a few cases involving the Convention on the International Sale of Goods and the Trade Adjustment Assistance Act.

Overall, her professional legal experience has focused on “classification of merchandise, country of origin marking laws, customs valuation of merchandise, admissibility of merchandise, trademark and copyright protection [in the international trade context], illegal transshipment, drawback, quota, and visa restrictions, anti-boycott regulations, the interpretation of and compliance with bilateral and multilateral trade agreements..., qualification for special tariff programs, Federal Trade Commission import regulations, Fish & Wildlife regulations, FDA requirements, and the resolution of seizure, penalty, and liquidated damage cases.”

Since 1997 she has been teaching at Brooklyn Law School where she now is a Professor of Law. In addition to teaching, she has overseen the preparation of two handbooks detailing the filing of administrative proceedings and the case law from the Court of International Trade and

the Court of Appeals for the Federal Circuit. She has also helped prepare and participated in presentations co-sponsored by various bar associations related to customs and trade practitioners. She has served as an Associate Director and a Co-Director of the Dennis J. Block Center for the Study of International Business Law.

The American Bar Association Standing Committee on the Federal Judiciary has given Ms. Kelly a unanimous rating of “Well Qualified”.