

27 January 2022

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

The Honorable Charles E. Grassley  
Ranking Member  
Committee on the Judiciary  
Washington, DC 20510

Re: Nancy Abudu

Dear Chair Durbin and Ranking Member Grassley:

We write in support of the nomination of Nancy Abudu's confirmation to the United States Court of Appeals for the Eleventh Circuit. As colleagues of Ms. Abudu in voting rights protection and advancement, specially through our relationship working on Native American voting rights, we believe Ms. Abudu is exceptionally well qualified to serve on the court and will bring with her both deep experience in litigation before the court and a deep understanding of the Constitution and laws she will take an oath to uphold.

Ms. Abudu is a seasoned litigator and dedicated public servant whose broad range of professional experiences have uniquely prepared her for the role of judge. Ms. Abudu's early career included positions as an associate at a large, traditional law firm and as a staff attorney at the Eleventh Circuit, where she experienced first-hand the distinct roles of the judges for whom she worked and the advocates who appeared before them. Early in her career, Ms. Abudu made a choice to devote her education and experience to advocating for the protection of constitutional rights guaranteed to all Americans. Her work, first with the American Civil Liberties Union and later with the Southern Poverty Law Center, focused on providing legal representation to those least able to represent themselves.

Ms. Abudu's intellect, legal acumen, sound judgment, passion for justice, and impeccable integrity – qualities she will bring to the Court – have lent themselves to a remarkable career. In addition to being a gifted litigator, Ms. Abudu has become a leading and respected voice on civil and human rights. She is a Harvard Law School Wasserstein Fellow, has served as an international election observer in Albania, and is a member of the American Bar Association's Standing Committee on Election Law as well as the ABA's Working Group on Building Trust in the American Justice System. An accomplished writer, she also has published numerous articles and two book chapters.

Throughout the years, Ms. Abudu has devoted her considerable energy and talents to upholding the rights of those for whom she advocated – from veterans and others with disabilities, to people of faith seeking religious accommodations and protection from discrimination, people experiencing homelessness, and people seeking to exercise the right to vote. She has done so zealously, as an ethical lawyer's oath requires, and also with excellence and integrity. If confirmed, we are confident that Ms. Abudu will uphold her oath as a judge with equal dedication by applying the Constitution and laws of our country in a fair, open-minded and impartial manner.

We want to highlight, in particular, Ms. Abudu's work in Indian Country. In 2009, she represented two members of the Oglala Sioux Tribe in *Janis v. Nelson*, Civ. No. 09-cv-0519 (D.S.D.), a class-action lawsuit against state and local election officials alleging the unlawful disenfranchisement of individuals who were convicted of a felony but sentenced only to probation. Ms. Abudu

successfully defeated a motion to dismiss the case and then negotiated a favorable settlement that restored her clients to the voter rolls and established procedures to prevent similar incidents from occurring in the future. The settlement had a significant impact on Native American voters in South Dakota, who are disproportionately overrepresented in the state's criminal justice system, and *Janis* remains to this day one of the only successful felon-disfranchisement cases ever brought on behalf of minority voters.

We have no doubt that Nancy Abudu will be an excellent judge. We urge you to support Nancy Abudu's speedy confirmation.

Respectfully,

Bryan L. Sells  
Founder and Managing Partner  
The Law Office of Bryan L. Sells, LLC

Patty Ferguson-Bohnee  
Director, Indian Legal Clinic  
Sandra Day O'Connor College of Law

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Daniel McCool  
Professor Emeritus, Political Science  
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Tanya Clay House  
Former Deputy Assistant Secretary, U.S. Department of Education  
Chair of Civil Rights Section, National Bar Association

\* We sign this letter in our personal capacities. Titles and associations are for identification purposes only. The views expressed here do not represent those of our public or private employers or our current or former clients.