

January 12, 2023

The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20515

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20515

The Honorable Lindsey Graham
Incoming Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20515

Re: Nomination of Robert Kirsch to the U.S. District Court for the District of New Jersey

Dear Chairman Durbin, Ranking Member Grassley, and Incoming Ranking Member Graham:

As former colleagues and/or supervisors of Judge Robert Kirsch at the United States Department of Justice in Washington, D.C., we write to convey our strong support for his nomination to the United States District Court for the District of New Jersey. We worked with Judge Kirsch in the Civil Division's Commercial Litigation Branch (Fraud Section). Having known Judge Kirsch since the 1990s and having worked with him extensively in what was then a small tight-knit office, we are well positioned to speak to his outstanding aptitude for the law, his unassailable character, and his strong work ethic.

In the Fraud Section, Judge Kirsch handled numerous complex False Claims Act cases on behalf of the United States, and he did so with exacting attention to detail and a consistent level of success. He was, and remains today, extremely well regarded by all of us for his high degree of integrity and his devotion to the pursuit of justice.

Judge Kirsch's temperament is similarly strong. He was uniquely collegial at DOJ, demonstrating an uncommon ability to collaborate with his peers. Though his job was to serve as an advocate on behalf of the United States, he also maintained an open mind to reasonable arguments by defendants and treated private counsel with civility and respect.

Based on the foregoing, we believe Judge Kirsch has the temperament and ability to make an exceptional addition to the federal bench and strongly endorse his nomination. We have no doubt whatsoever that he will carry out his duties on the District Court for the District of New Jersey with utmost distinction.

Sincerely,

Steve Altman

Mediator and Adjunct Professor, Georgetown Law School
Assistant Director (last position), U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1976-2003

Joyce R. Branda

Deputy Assistant Attorney General, U.S. Department of Justice, Civil Division, 2012-2017
Director (last position), U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1982-2012

Dara A. Corrigan

Deputy Administrator and Director of the Center for Program Integrity, Centers for Medicare and Medicaid Services
Deputy Inspector General (with 12-month tenure as Acting Inspector General), Department of Health and Human Services, 2003-2004
Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1991-1994

Scott Dahl

Global Head of Investigations, SAP
Inspector General, U.S. Department of Labor, 2013-2020
Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1992-1997

Lucy Eldridge

Legal Recruiter, Berman & Beebe
Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1991-1997

Laurence Freedman

Member, Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo
Assistant Director (last position), U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1991-2004

Stephen J. Gripkey

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1992-1998

Mitch Lazris

Partner, Hogan Lovells

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1992-1996

Harold Malkin

Partner, Morgan, Lewis & Bockius LLP

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1988-1994

Mark D. Polston

Partner, King & Spalding

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1989-1993

Cynthia Schnedar

Principal, Regulatory Compliance, Greenleaf Health, Inc.

Deputy Inspector General (with 15-month tenure as Acting Inspector General), U.S. Department of Justice, 2009-2014

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1989-1994

Paul D. Scott

Principal, Law Offices of Paul D. Scott, P.C.

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1989-1995

Phil Shaikun

Vice President and Associate General Counsel, Financial Industry Regulatory Authority

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1991-1998

Michael C. Theis

Partner, Hogan Lovells

Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch (Fraud Section), 1988-1997