

June 17, 2022

The Honorable Richard Durbin
Chairman, Committee on the Judiciary
United States Senate
Washington, DC 20510
Phillip_Brest@judiciary-dem.senate.gov

The Honorable Charles Grassley
Ranking Member, Committee on the Judiciary
United States Senate
Washington, DC 20530
brendan_chestnut@judiciary-rep.senate.gov

Re: Nomination of Florence Y. Pan to the United States Court of Appeals for the D.C. Circuit.

Dear Chair Durbin and Ranking Member Grassley:

As former government appellate practitioners, we write to express our strong support for the nomination of United States District Judge Florence Y. Pan to the United States Court of Appeals for the D.C. Circuit. Many of us have held leadership positions in the Department of Justice, all of us have devoted large portions of our careers to public service, and each of us has worked with Judge Pan in her prior role as an appellate attorney for the government. We have read and edited her briefs, watched her at oral arguments, consulted with her on legal analysis, served as a fellow moot court judge, or otherwise come to know her work, and we enthusiastically support her nomination. We know from experience that she has a tremendous and incisive intellect, handles enormous workloads easily and efficiently, adheres to the highest standards of fairness and integrity, and is unwaveringly devoted to serving the public good.

Judge Pan, who has already earned a reputation as a brilliant jurist at the trial level, has a deep and strong appellate background. In a stellar start to her legal career, at Stanford Law School, Judge Pan was a moot court finalist and won awards for her legal research and writing, in addition to being an editor on the Stanford Law Review. Thereafter, she honed her skills as a law clerk on both the appellate and trial benches, serving with great distinction in the chambers of both Judge Ralph K. Winter on the United States Court of Appeals for the Second Circuit and Judge Michael B. Mukasey on the United States District Court for the Southern District of New York.

After finishing her clerkships, Judge Pan began practicing as an appellate attorney in her own right. Over the course of three years, as one of the four Bristow

Fellows in the Office of the Solicitor General and then as an attorney in the Criminal Division's Appellate Section at the United States Department of Justice, Judge Pan wrote briefs and argued appeals in the federal courts of appeals, wrote briefs in opposition to petitions for certiorari, and drafted merits briefs in Supreme Court cases. After some time spent as a senior advisor at the Treasury Department and then as a trial prosecutor in the United States Attorney's Office for the District of Columbia, Judge Pan returned to her appellate roots by serving as an attorney and then a deputy chief in the Appellate Division of that U.S. Attorney's Office for five years, where she briefed and argued dozens of cases before becoming a trial judge.

We, her former government appellate colleagues, can tell you that Judge Pan exemplifies all the best qualities of the bench and bar. We have seen her tackle complex legal issues of first impression, applying her razor-sharp analytical skills to present a clear, persuasive point of view tied to precedent. We have seen her manage a huge workload with ease and efficiency, maintaining a calm and unflappable demeanor even under stressful situations. She is always prepared and, when she sees that something needs to be done, she rolls up her sleeves and works to get it done. Judge Pan not only has a quick and curious mind, but also abiding patience, sound judgment, immense compassion, and a great sense of humor. She is the type of person you want to be on task with, whatever the task. She is caring and considerate to all those around her, from colleagues to assistants to opposing counsel, earning her heart-felt respect from all corners and in all environments. We are confident that she will shine on the appellate bench as she has in all her other roles serving the public her entire career.

In sum, as experienced former federal government appellate attorneys, we unreservedly urge the Committee to recommend, and the Senate to confirm, Judge Pan's appointment to the D.C. Circuit. She will serve with the highest distinction and honor.

Respectfully,

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