

January 20, 2023

The Honorable Richard J. Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

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

Re: Nomination of Michael E. Farbiarz to the United States District Court for the District of New Jersey

Dear Chairman Durbin and Ranking Member Grassley:

We respectfully submit this letter in strong support of the nomination of Michael E. Farbiarz to the United States District Court for the District of New Jersey. We are all former prosecutors from the U.S. Attorney's Office for the Southern District of New York, and worked with Mr. Farbiarz while he was an Assistant U.S. Attorney ("AUSA") in that office. As an AUSA for 10 years, Mr. Farbiarz developed a sterling reputation in the office and the bar as an excellent trial and appellate lawyer, a balanced and fair-minded prosecutor, and a public servant of very strong moral character and integrity. We are confident that he would be an outstanding judge.

Mr. Farbiarz had a storied career as an AUSA in the Southern District of New York. As a leader of the office's national security unit for almost five years, Mr. Farbiarz investigated, prosecuted and supervised some of the most important and sensitive terrorism, counter-intelligence, arms trafficking, export control, sanctions, and money laundering investigations and prosecutions in the country. Among the many historic cases in which Mr. Farbiarz was the lead prosecutor were (1) *United States v. Ahmed Ghailani* (related to the 1998 truck bombings by al Qaeda operatives of the U.S. embassies in Kenya and Tanzania, resulting in 224 fatalities and thousands of injuries); (2) *United States v. Metsos, et al.* (the prosecution of a ring of deep-cover Russian agents operating for years in the United States and covertly acting under the direction of Russian intelligence); and (3) *United States v. Muse* (arising from the pirate attack against the Maersk Alabama in the Indian Ocean, and the hostage taking of the ship's captain). Through his extensive national security experience, Mr. Farbiarz developed deep expertise in federal terrorism and counter-intelligence laws, and deftly interfaced with the highest levels of federal law enforcement and the intelligence community.

Mr. Farbiarz was an exemplary AUSA with a legendary work ethic. Some of us remember him staying up in his office without sleep for almost 50 straight hours during the intense manhunt (and ultimate capture) of the Times Square bomber in May 2010. He directed dozens of law enforcement agents across the country in the most intense phase of this vital investigation following an attempted terrorist attack in the heart of Manhattan. Throughout his tenure as an AUSA, his rigor and relentless commitment to justice inspired prosecutors and agents who worked with him to do better. And as a battle-tested trial lawyer who supervised complex prosecutions, Mr. Farbiarz understood first-hand how trials and hearings should be conducted and how to manage a courtroom effectively. Based on his extraordinarily distinguished record,

Mr. Farbiarz received the Attorney General's Exceptional Service Award (the single highest annual honor in the Department of Justice), the FBI Director's Award for Outstanding Counter-Intelligence Investigation, and the Attorney General's Distinguished Service Award.

Beyond his decorated record as a prosecutor, Mr. Farbiarz had a strong reputation for integrity in the U.S. Attorney's Office, and within the defense bar and bench. He was widely regarded as fair, ethical, open-minded, and collegial, treating all parties (prosecutors, defense counsel, agents, witnesses, victims, and judges) with respect and dignity. All of these qualities will make him an excellent and even-handed judge.

After his outstanding tenure as a federal prosecutor, Mr. Farbiarz continued his career of public service. Since 2016, he has served as the General Counsel of the Port Authority of New York and New Jersey, overseeing a legal department of 120 people in connection with a very broad portfolio of litigation, transactional, and regulatory matters.

We respectfully submit that Mr. Farbiarz will be an outstanding District Judge and a credit to the federal bench. Thank you for considering this letter.

Sincerely,

Justin Anderson
Anirudh Bansal
Jillian Berman
Jeffrey Brown
Eric Bruce
Sean Buckley
Jenna Dabbs
Lev Dassin
Adam Fee
Michael Ferrara
Christopher Garcia
Nicholas Goldin
Katherine Goldstein
Ilan Graff
Samidh Guha
Randall Jackson
Boyd Johnson
Edward Kim
Jonathan Kolodner
Glen Kopp
Paul Krieger
Christopher LaVigne
Joshua Levine
Nicholas Lewin

Jessica Masella
Sharon McCarthy
Ian McGinley
Glen McGorty
Brendan McGuire
Stephen Miller
Benjamin Naftalis
Edward O'Callaghan
Mark Racanelli
Rebecca Ricigliano
Anjan Sahni
Harry Sandick
Eric Snyder
Daniel Stein
Jocelyn Strauber
Vincent Tortorella
Alexander Willscher
Christine Wong
Richard Zabel
Lisa Zornberg

CC: Honorable U.S. Senator Cory A. Booker