

September 22, 2022

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

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

Re: Nomination of Hon. Daniel Calabretta to be a District Court Judge on the United States
District Court for the Eastern District of California

Dear Chairman Durbin and Senator Grassley:

We write today to express our support for the nomination of Judge Daniel Calabretta to serve as a District Judge on the United States District Court for the Eastern District of California. Each of us served with Dan as a law clerk at the United States Supreme Court during October Term 2004, when Dan clerked for the late Justice John Paul Stevens. Each of us signs this letter in a personal capacity, and not on behalf of any current or former employer.

We hold a diverse range of political and jurisprudential views, evidenced by our service in Administrations (at the federal and state level) of both parties, and for a variety of Members of Congress, also of both parties. We currently serve in positions spanning public service, private practice, business, and academia. Among us, some have previously expressed concern about the politicization of the process by which federal judicial nominations are made and confirmed, and some have expressed misgivings about certain of this President's nominees to the federal bench. But with respect to Dan, we are unified in the belief that he possesses the intellect, temperament, experience, and judgment to serve with distinction as a United States District Court judge.

We write to share our experience clerking with Dan, during which we observed firsthand Dan's approach to the law and his conduct with colleagues in assisting with the demanding workload of the Court. Dan had a reputation not just for excellent legal work, but for approaching his responsibilities in a collegial, candid, and open-minded manner. Dan delighted in learning and discussing the factual record and legal precedents relevant to each case, including and at times especially the lower-profile cases that make up so much of the Court's docket. Dan approached his work with compassion and humanity, and unfailingly treated his colleagues respectfully, whether or not they were in agreement on a particular case. These same qualities would make Dan an excellent District Court judge.

Dan's experience and achievements since he concluded his Supreme Court clerkship in 2005 are well known to the Committee and need not be repeated here. Suffice it to say that we

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believe his many years of public service have armed Dan with the requisite knowledge and experience to serve as a United States District Court judge.

In sum, based on our work with Dan, we believe he is a highly qualified nominee for a position on the Eastern District of California. We support him without reservation.

Thank you for the opportunity to express our collective support. We would be pleased to provide any further information that would assist the Committee in its consideration.

Sincerely,

Jeffrey L. Oldham
Law clerk to Chief Justice Rehnquist

William M. Jay
Law clerk to Justice Scalia

Julius N. Richardson
Law clerk to Chief Justice Rehnquist

Tara S. Kole
Law clerk to Justice Scalia

Ryan A. Shores
Law clerk to Chief Justice Rehnquist

John R. (Jake) Phillips
Law clerk to Justice Scalia

Melissa Arbus Sherry
Law clerk to Justice Stevens

Andrew C. Baak
Law clerk to Justice Kennedy

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*The writers have signed this letter in their
personal capacities and not on behalf of any
current or former employer or client.*