

August 11, 2022

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

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

**Re: Nomination of Kai N. Scott to the United States District Court
for the Eastern District of Pennsylvania**

Dear Chairman Durbin and Ranking Member Grassley:

It is our distinct pleasure to write in support of Judge Kai N. Scott's judicial nomination and confirmation as a judge on the United States District Court for the Eastern District of Pennsylvania. We have each had the privilege of serving as Judge Scott's law clerk during our careers and learning from her. She is a well-respected member of our legal community and practices law with the utmost integrity, diligence, and respect for our judicial system. It is because of her ethics and compassion, grounded in sensibility, that we know she will provide sound and measured opinions, while approaching each case without bias and with respect for the rule of law.

We reflect a wide range of personal and professional backgrounds and experiences that include the following: civil law, criminal defense and public interest, and former Assistant District Attorney at the Philadelphia District Attorney's Office. We each believe that the United States District Court for the Eastern District of Pennsylvania would be fortunate to have Judge Scott on the bench, as she would bring to the court a unique blend of substantial intellect, fairness, work ethic, and life and professional experiences.

As law clerks to Judge Scott, we have firsthand knowledge of her interactions with lawyers and parties on both sides of the courtroom – including prosecutors, defense attorneys, and defendants – and can speak to her outstanding reputation in the legal community as a person, attorney, and judge. Most of Judge Scott's legal practice background includes a dedicated and celebrated history of public service as a public defender at the state and federal levels.

However, having practiced law with her and before her as a prosecutor, and in speaking with fellow colleagues who prosecuted cases before Judge Scott, it is clear why Judge Scott's reputation in the legal community is unanimously fair and respected. Judge Scott listens to all legal arguments with patience and deep consideration. Her rulings are based strictly on the evidence.

In imposing sentences, Judge Scott acutely considers the nature of the crime, a defendant's allocution and personal circumstances, and the safety of the community in fashioning fair sentences consistent with the sentencing guidelines and accounting for mitigating and aggravating factors in a common-sense approach. Judge Scott exhibits a strong sense of knowing

when leniency is warranted and when it is not, and she never punishes defendants for asserting their Constitutional right to a jury trial. Judge Scott also ensures that the records on all of her rulings are thorough, explaining her reasoning for sentences imposed and rulings on motions.

Judge Scott has presided over many bench trials and jury trials. Of course, the decision to seek either type of trial is made by the defendants and with the advice of counsel, however, the great number of bench trials opted for by defendants before Judge Scott is a testament to her fairness, as her consistency and impartiality better position attorneys to assess the merits of their cases, manage their clients, and advise them on their matters.

During our clerkships with Judge Scott, she has always fostered and encouraged open discourse and welcomed our interpretations of the law even if it differed from hers. Judge Scott's willingness to engage in open dialog with her law clerks demonstrates how much she strives to ensure her rulings are fair and consistent with the law.

On their own, Judge Scott's keen intellect, legal talent, passion for the law, and honesty would be sufficient for us to support her nomination enthusiastically and without reservation. Each of us, who have spent collectively several years as public servants, profoundly understand the importance of a representative system of justice, and Judge Scott's background – including her deep-rooted perspective on the importance of impartiality in our criminal justice system – will add a needed perspective to the bench. We have no doubt that Judge Scott will handle the work of the United States District Court for the Eastern District of Pennsylvania more than ably and will approach every aspect of that work with the fairness and respect worthy of the Court.

Respectfully,

Chase Magaziner, Esquire

Jasmine Daniels, Esquire

Mary Kate Allison, Esquire