

HON. THOMAS B. GRIFFITH (ret.)
U. S. Court of Appeals for the D. C. Circuit (2005-2020)

June 15, 2022

Via E-Mail

The Honorable Dick Durbin
Chair
Committee on the Judiciary
U.S. Senate
711 Hart Senate Building
Washington, D.C. 20510

The Honorable Chuck Grassley
Ranking Member
Committee on the Judiciary
U.S. Senate
135 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Durbin and Ranking Member Grassley:

I write in enthusiastic support of President Biden's nomination of Brad Garcia to be a judge on the U. S. Court of Appeals for the D. C. Circuit, the court on which I served from 2005-2020.

A magna cum laude graduate of Harvard Law School, Brad clerked in my chambers of the D. C. Circuit before clerking at the Supreme Court for Justice Elena Kagan. Since then, Brad has distinguished himself as an outstanding appellate advocate and served as a partner in the appellate practice group at O'Melveny & Myers LLP, where he was a protégé of the late Walter Dellinger, one of the finest appellate advocates of our time. Currently Brad serves as Deputy Assistant Attorney General in the Office of Legal Counsel at the Department of Justice, a significant position in the Executive Branch that requires a broad and deep knowledge of the Constitution.

In addition to Brad's brilliance, training, and experience -- important traits that are evident from his record of achievement -- he brings to the practice of law and life in general a trait that may be even more important for a judge on the D. C. Circuit, a court that plays such a vital role in the federal judiciary.

Brad has a genial manner and temperament that will suit him well on a court that cannot play its critical role without collegiality. While a judge on the D. C. Circuit, I hired my law clerks without regard to their political views. During Brad's year in my chambers, two of his fellow law clerks were political conservatives (one of whom later

clerked for Justice Thomas) and one was a political progressive (who later clerked for Justice Stevens and Justice Kennedy). Despite differing views on important matters, Brad worked well with all of the other clerks. He modeled for all of us the value of listening carefully and respectfully to the views of others before fully forming your own.

Brad knew that I am a judicial conservative, and he played well his role of helping me be that type of judge regardless of his views. Brad's integrity in this regard coupled with his brilliance gave me complete confidence in his work.

Many have written about the political polarization that besets our nation these days. The judiciary can be a model for how to approach divisive issues in a civil and respectful manner. Brad Garcia is a model of that approach. He is the type of person we need more of in public life during this fraught moment.

Sincerely,

A handwritten signature in blue ink that reads "Thomas B. Griffith". The signature is written in a cursive, flowing style.

Hon. Thomas B. Griffith (ret.)
U. S. Court of Appeals for the D. C. Circuit (2005-2020)