



September 7, 2022

The Honorable Richard J. Durbin
Chair, Senate Judiciary Committee
U.S. Senator for the State of Illinois

The Honorable Charles Grassley
Ranking Member, Senate Judiciary Committee
U.S. Senator for the State of Iowa

Re: Confirmation of Jamal Whitehead to the United States District Court for the Western District of Washington

Dear Chair Durbin and Ranking Member Grassley,

On behalf of the National Employment Lawyers Association (NELA), and its 4,000 circuit, state, and local affiliate members across the country, we write to express our strongest possible endorsement of Jamal Whitehead to be confirmed as a District Court judge for the Western District of Washington—a court that, among other things, oversees federal action on workers’ rights.

NELA is the largest professional membership organization in the country comprised of lawyers who represent workers in labor, employment, and civil rights disputes. Founded in 1985, NELA advances employee rights and serves lawyers who advocate for equality and justice in the American workplace. Our members litigate daily in every federal district and circuit, affording NELA a unique perspective on how employment cases actually play out on the ground and an accurate understanding of the profound impact of the judiciary on the daily lives and the rights of working people. Mr. Whitehead is exactly the type of individual who is ideally suited to serve on the federal bench. He is a highly accomplished and well-respected litigator who has deep experience in all aspects of federal litigation. He has had extensive experience with employment law and has represented both plaintiffs and defendants, as well as government, in these matters.

There is no question that Mr. Whitehead is eminently qualified to serve as a federal judge. He began his legal career in 2007 in Seattle at Garvey Schubert Barer (now, Foster Garvey) where he represented local and regional companies in various employment law matters and business disputes. Three years later, Mr. Whitehead joined the Seattle Field Office of the EEOC, as a trial attorney. Within a year he advanced to senior trial attorney. There, he enforced federal employment and anti-discrimination laws, including Title VII of the 1964 Civil Rights Act and the Americans with Disabilities Act. In 2014, he became an Assistant United States Attorney at the U.S. Attorney’s Office for the Western District of Washington in the Civil Division, Mr. Whitehead represented the United States and its agencies in civil suits related to employment law brought both by and against the government. Since 2016, Mr. Whitehead has been at Schroeter Goldmark & Bender, where he is now as a shareholder. He represents

individuals and groups on employment law matters in class action litigation in both state and federal courts.

Mr. Whitehead's depth of experience on employment matters has given him subject matter expertise in this area—an expertise that is very much needed on the federal bench. His background having represented parties on all sides of these disputes and his intellect has made him someone who is known for his ability to hone in on the fairest and most equitable outcomes for *all* parties involved in a suit.

Without a doubt, Mr. Whitehead's federal litigation experience has given him tremendous expertise in every aspect of employment law, especially regarding disability discrimination. He has also represented numerous individuals in civil rights matters that were resolved prior to litigation through skillful settlement negotiations. Additionally, Mr. Whitehead's active involvement in the ACLU, including as a member of the Board of Directors for the Washington chapter, demonstrates his dedication to preserving the civil liberties of all people.

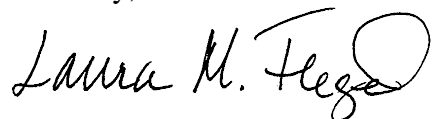
Mr. Whitehead is a Black man with a disability. His confirmation to the bench would bring important and much-needed demographic diversity to the United States District Court for the Western District of Washington. His confirmation will also fulfill an important stated goal of the Biden Administration, shared by NELA; namely, the selection of nominees who bring professional diversity to the federal bench. This important aspect of diversity has been long-ignored. It is well-documented that increased professional/experiential diversity in the federal judiciary is a crucial factor that ensures a stronger and fairer judiciary.

Mr. Whitehead is a highly qualified attorney who would bring his background representing all sides of employment law disputes and would provide perspective that is very much needed on the federal bench. His work for employers, workers, and the government offer the kind of experience necessary to serve knowledgably and fairly as a federal judge.

NELA unequivocally supports Jamal Whitehead's nomination. NELA's foremost goal with respect to the federal judiciary is to ensure that when everyday working people go to court, their cases will be presided over by a judge who is fair-minded, independent, and has the deepest understanding of the law. Mr. Whitehead would bring that depth and breadth to the federal bench. We are confident that he will make an excellent District Judge. We strongly urge the Senate to swiftly confirm Jamal Whitehead to the United States District Court for the Western District of Washington.

If you have any questions, please feel free to contact Laura Flegel at lflegel@nelahq.org or (202) 674-6552.

Sincerely,



Laura M. Flegel
Legislative & Public Policy Director
National Employment Lawyers Association



Jeffrey A. Mittman
Executive Director
National Employment Lawyers Association

