



Bricker & Eckler LLP  
2 East Mulberry Street  
Lebanon, Ohio 45036  
Office: 513.870.6700  
www.bricker.com

Brodi J. Conover  
Direct Dial: 513.870.6693  
bconover@bricker.com

June 9, 2022

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

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

Re: Endorsement of Rachel Bloomekatz for the  
U.S. Court of Appeals for the Sixth Circuit

Dear Chairman Durbin and Ranking Member Grassley:

I am writing to provide my endorsement in support of the nomination of Rachel Bloomekatz for appointment to the United States Court of Appeals for the Sixth Circuit. I have had the good fortune to get to know Rachel in both a professional and personal capacity and am confident that she would provide distinguished service as a member of the federal judiciary.

Rachel's qualifications leap from her resume and need not be reiterated by me. Rather, I write from what I believe to be a unique perspective because of the different ways I have come to learn of Rachel's talent and temperament. First, I worked as a clerk in a court that Rachel has often appeared. Second, I litigated a high-profile, impactful case against Rachel from the trial court all the way to the Supreme Court of Ohio. And third, despite our differences regarding politics and legal philosophy, we have found a way to become friends. There is no question in my mind that Rachel is the type of judge that I'd want to appear before as a practitioner.

I knew of Rachel before I actually got to meet her. When I was clerking for Justice R. Patrick DeWine, a Republican on the Supreme Court of Ohio, Rachel appeared as counsel on a public-utility case. I recall being struck by her ability to diagnose a complicated legal issue and distill it in a way that effectively and persuasively advocated for her client. She did that both in her brief and at oral argument—where she aptly responded to difficult, intricate questions from the justices. I was impressed by Rachel's demeanor and the fact that she was never rattled.

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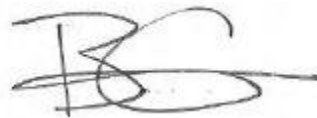
My first direct interaction with Rachel was as an adversary in a politically charged case that drew national attention. My school-district client authorized some of its staff members to carry a firearm after the district had suffered its own school shooting. Rachel brought suit on behalf of a number of parents that challenged the district's policy. The case itself was one of statutory interpretation; but the impact had wide-ranging practical effects for school districts across Ohio. Despite being on opposing sides (and each of us strongly believing in the positions of our clients), Rachel and I worked together very well. She simultaneously advocated for her clients while extending professional courtesy and respect along the way. She understood—and lived out—that it is perfectly acceptable to disagree without being disagreeable. In doing so she served the law as well as her clients. To me, this is the ultimate in professionalism. And, having faced off against her a number of times, she is a legal force to be reckoned with in the courtroom. In the hundreds of cases I have litigated as an Assistant Attorney General and in private practice, no opposing attorney exhibited a better combination of vigorous advocacy and collegiality than Rachel.

Since I have gotten to know Rachel on a personal level, we've had occasion to talk about many things—from judicial philosophy to our families to career advice. Two things are abundantly clear to me. First, Rachel and I disagree on most things when it comes to our legal philosophy and our political leanings. Second, there are few people that I respect and enjoy talking to more. This shows me a few things. It means that Rachel doesn't let how she might feel about a subject (or case) impact the interaction she will have with another person. And it highlights that Rachel truly takes an interest in getting to know and develop relationships with those she works with (or, in my case, against). Each of these traits—grace, open-mindedness, and sincerity—reflects characteristics that benefit a judge.

I sincerely believe that Rachel Bloomekatz would be a thorough, fair judge. In my career, I've always said that I'd rather appear in front a good judge that disagrees with me than a bad judge who agrees with me. Rachel respects the rule of law and her personal integrity would not allow her to, as they say, "go rogue." She has a brilliant legal mind, communicates her knowledge in a brisk and understandable way, and would fairly adjudicate the cases before her. There is no question that Rachel would make a *great* judge, and would be a terrific addition to the federal bench.

If I can provide you with anything else or if you would like to discuss Rachel's potential appointment further, please do not hesitate to reach out to me at your convenience.

Sincerely,



Brodi J. Conover  
Bricker & Eckler LLP