

July 22, 2021

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

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

Nomination of Toby Heytens as Circuit Judge,
United States Court of Appeals for the Fourth Circuit

Dear Chair Durbin and Ranking Member Grassley:

We are more than 100 alumni of the University of Virginia School of Law, representing every graduating class that had the good fortune to be taught by Toby Heytens.¹ We have followed many different paths since graduating from law school, pursuing careers in private practice, government service, and other forms of public service. And our positions on politics and judicial philosophy vary widely—a hallmark of the Virginia Law alumni network, which is illustrated by the diversity of many of our own clerkship experiences. We all write to you and the Members of the Committee to support Toby Heytens’s nomination to the United States Court of Appeals for the Fourth Circuit, because we know him to be eminently qualified as a public servant, an intellect, and a mentor to young legal minds.

As the Congressional Research Service has explained, a judge requires “a personality that is even-handed, unbiased, impartial, courteous yet firm, and dedicated to a process, not a result.” As a professor, Toby has taught countless students and mentees to revere and respect the legal process; and as a professor and practitioner, he’s worked to better it.

Toby’s legal acumen is simply unparalleled. When presented with a difficult legal question, Toby rockets through the controlling doctrines and case law, always bearing in mind the tangible, real-world impacts a conclusion could have on parties now and in the future. He taught his students to do the same, challenging our assumptions and encouraging us to critically consider the consequences of adopting certain positions. Despite his fierce intelligence, Toby conducts himself with a humility and graciousness uncommon in most elite lawyers. We know that elevation to the bench will not change that, and it’s that same approach that will ensure each party before him will receive the same even-handed, unbiased, impartial consideration.

¹ This letter contains signatures of students from the graduating classes of 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, and 2009. Because Professor Heytens was on leave to work in the Office of the Solicitor General from the summer of 2007 until the summer of 2010, he did not teach any students that graduated in the class of 2010.

Toby has dedicated his career to improving the legal process and has inspired countless others to do the same. As a professor, his scholarship has challenged inequitable procedural practices; and as a practitioner, he's thoughtfully and meticulously advanced arguments before state and federal courts to right past wrongs and ensure equal justice under the law. He would undoubtedly bring that same commitment to justice to the bench.

We have known Toby as a law professor, a trusted mentor, a dedicated coach, and a steadfast friend. Although his title has changed through the years, his commitment to the principled administration of the legal process remains unchanged. We sincerely hope he will garner your support for the Fourth Circuit vacancy. You will find no better candidate.

Respectfully,

Megan C. Keenan
Virginia Law, Class of 2018

Francisco Fernandez del Castillo
Virginia Law, Class of 2018

W. Brock Phillips
Virginia Law, Class of 2018

Katherine D. Profumo
Associate, Troutman Pepper
Virginia Law, Class of 2018

Cory Sagduyu
Children's Program Attorney, Human
Rights Initiative of North Texas
Virginia Law, Class of 2018

Julianne Toia
Virginia Law, Class of 2018

Andrew R. Miller
Associate, WilmerHale
Virginia Law, Class of 2018

Louisa Nicole Rich
Legal Aid Justice Center Housing
Attorney
Virginia Law, Class of 2018

Tyler M. Jerrell
Assistant Public Defender
Virginia Law, Class of 2018

Henry B. Morris
Virginia Law, Class of 2018

Anthony Belton
Virginia Law, Class of 2018

Kendall Burchard
Virginia Law, Class of 2019

Rebecca Sciarrino
Virginia Law, Class of 2018

Jennifer Davidson
Virginia Law, Class of 2018

J. Sterling Moore
Virginia Law, Class of 2018

Ethan Sachs
Virginia Law, Class of 2018

Megan R. Shoell
Virginia Law, Class of 2018

Daniel P. Rose
Virginia Law, Class of 2018

Colette J. McNeela
Virginia Law, Class of 2018

Thomas P. Kinzinger
Virginia Law, Class of 2018

Kirsten Jackson
Virginia Law, Class of 2018

Michael C. Lee
Virginia Law, Class of 2018

Danielle Desaulniers Stempel
Associate, Hogan Lovells
Virginia Law, Class of 2017

Adam L.D. Stempel
Virginia Law, Class of 2017

Casey Trombley-Shapiro Jonas
Virginia Law, Class of 2017

Austin Clarke
Virginia Law, Class of 2017

Ted Teros
Virginia Law, Class of 2017

Katherine Chang
Virginia Law, Class of 2017

James C. McGlinchy
Virginia Law, Class of 2017

Meredith Loretta Davis
Senior Associate, WilmerHale
Virginia Law, Class of 2017

Alison Mulry Babitz
Virginia Law, Class of 2017

Jasmine Esmailbegui
Virginia Law, Class of 2017

Lena Al-Marzoog
Virginia Law, Class of 2017

Joshua M. Freda
General Attorney, U.S. Department of
Veterans Affairs
Virginia Law, Class of 2017

Rachel Ellen Simon
Associate, Miller Shakman Levine &
Feldman LLP
Virginia Law, Class of 2017

Clayton "Tex" Pasley
Associate, Hughes Socol Piers Resnick &
Dym, Ltd.
Virginia Law, Class of 2017

Nick Suellentrop
Virginia Law, Class of 2017

(Joseph) Kyle Snapp
Virginia Law, Class of 2016

David Moon
Associate, Faegre Drinker
Virginia Law, Class of 2016

Meaghan McCormick
Virginia Law, Class of 2016

Lewis McCorkle
Virginia Law, Class of 2016

Anna Riddle
Virginia Law, Class of 2016

Nicholas W. Rotz
Senior Associate, Hogan Lovells US LLP
Virginia Law, Class of 2016

Emiline Cairncross
Virginia Law, Class of 2016

John Kennedy
Associate, Reed Smith LLP
Virginia Law, Class of 2016

Griffin T. Almy
Associate, Skadden Arps Slate Meagher
& Flom
Virginia Law, Class of 2016

Sara Shahmiri
Associate, Ropes & Gray, LLP
Virginia Law, Class of 2016

Keith W. Neely
Virginia Law, Class of 2016

Lara J. Mangum
Virginia Law, Class of 2016

Stephen Cobb
Trial Attorney, HUD
Virginia Law, Class of 2016

Karthik Ravishankar
Kirkland & Ellis LLP
Virginia Law, Class of 2016

Lucie Hidlay Duvall
Virginia Law, Class of 2016

Lara J. Mangum
Virginia Law, Class of 2016

Patrick Dorsey
Associate, Arnold & Porter
Virginia Law, Class of 2016

Taylor Steffan
Virginia Law, Class of 2015

Matthew Brooker
Virginia Law, Class of 2015

John Todd Garcia, Jr.
Virginia Law, Class of 2015

Robert Charles Merritt
Virginia Law, Class of 2015

Ashleigh M. Pivonka
Virginia Law, Class of 2015

David T. Martin
Virginia Law, Class of 2015

Steve Goff
Virginia Law, Class of 2015

Caitlin Eberhardt
Virginia Law, Class of 2015

Derrick W. Aud
Associate, Sullivan & Cromwell LLP
Virginia Law, Class of 2015

Alexander T. Jones
Associate, Wright Lindsey & Jennings LLP
Virginia Law, Class of 2015

Komal Patel
Virginia Law, Class of 2015

Emily Batt Simmons
Virginia Law, Class of 2015

Benjamin Seel
Virginia Law, Class of 2015

Joel S. Johnson
Virginia Law, Class of 2015

Arielle A. Schneider
Virginia Law, Class of 2015

Lide E. Paterno
Virginia Law, Class of 2015

Ashley C. Merritt
Virginia Law, Class of 2015

Saverio S. Romeo
Virginia Law, Class of 2014

David L. Amos
Virginia Law, Class of 2014

Margaret L. Sullivan
Virginia Law, Class of 2014

Kassie Bagley
Virginia Law, Class of 2014

Kirk M. Sosebee
Virginia Law, Class of 2014

Nicholas A. Mongelluzzo
Virginia Law, Class of 2014

River Bellamy
Virginia Law, Class of 2014

Madeline M. Gibson
Virginia Law, Class of 2014

Jessica Thompson
Virginia Law, Class of 2014

Victoria D. Whitney
Virginia Law, Class of 2014

Michelle Marie Carmon
Virginia Law, Class of 2014

Francesca Fitch Cataldo
Virginia Law, Class of 2014

Simon Cataldo
Virginia Law, Class of 2014

Aaron Gober-Sims
Virginia Law, Class of 2014

Annalise K. Peters
Virginia Law, Class of 2014

Victoria Galvez Godfrey
Virginia Law, Class of 2014

Andrew D. Garrahan
Virginia Law, Class of 2013

Daniel Evens
Virginia Law, Class of 2013

Ryan O. Mowery
Virginia Law, Class of 2013

Stephen John Sovinsky
Virginia Law, Class of 2013

Kathleen Taylor Greenstreet
Virginia Law, Class of 2013

Philip J. Messier
Virginia Law, Class of 2013

Sara A. Brubaker
Virginia Law, Class of 2013

Tara H. Curtin
Virginia Law, Class of 2012

Janice Wang
Virginia Law, Class of 2012

J. Wells Harrell
Virginia Law, Class of 2011

Debo Adesina
Virginia Law, Class of 2009

Lee Peifer
Virginia Law, Class of 2009

Michael L. Akavan
Virginia Law, Class of 2009

Brandon Graves
Virginia Law, Class of 2009

Charity Brunson Wyatt
Virginia Law, Class of 2009

Kathleen Tarbox Muñoz
Virginia Law, Class of 2009

Bryan Starrett
Virginia Law, Class of 2009

Robin Freeman Wilson
Virginia Law, Class of 2009

G. Phillip Worley
Virginia Law, Class of 2009

Brittini Goldman Robinson
Virginia Law, Class of 2009

*All affiliations listed in the signatures above are provided for identification purposes only.