

February 27, 2023

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

The Honorable Lindsey Graham  
Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

**Re: Nomination of Michael A. Delaney to the United States Court of Appeals for the First Circuit**

Dear Senators Durbin and Graham:

We write as a group of trial attorneys who frequently represent as plaintiffs various victims of sexual and violent crimes in civil litigation matters, and we write particularly in response to the confirmation hearings recently held to consider First Circuit Judicial nominee Michael Delaney. Notably absent from the confirmation hearings was any meaningful discussion of Michael's nearly 30-year professional career, both as a public servant and a private practice trial attorney. We all know Michael well. We know from our experience working with and against him in various civil matters that he is not only an excellent advocate on behalf of his clients, but also a highly ethical and compassionate attorney. He represents his clients with utmost skill and with empathy toward all litigants, including the opposing parties. Additionally, many of us have witnessed firsthand Michael's specific efforts to protect the victims of sexual and violent crimes when he served as New Hampshire's Attorney General.

At Michael's confirmation hearing, we understand that questions were raised about his advocacy for a school client in one very challenging case. As practicing lawyers, we understand the duty Michael had as an advocate in that case to represent his client to the best of his abilities. And having known Michael for a long time, some of us working either with him or adverse to him in many sensitive cases throughout his nearly thirty year legal career, we know that he is a trusted, compassionate and ethical lawyer who will advocate for the best interests of his client, but above

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all else, demonstrates a keen respect for the rule of law and the interests of justice in the cases he has litigated.

We can assure the Judiciary Committee that based on our collective experience working with Attorney Delaney, he unfailingly has upheld his professional and ethical obligations to the highest standards on behalf of his clients, as well as with regard to opposing litigants and the tribunal. In sum, we believe Attorney Delaney has all the necessary qualities and characteristics to serve as a top notch appellate judge in our federal judiciary.

We urge your support of his confirmation.

Simon Brown  
Peter McDonough  
John Harding  
Patricia LaFrance  
Roger Chadwick  
Michael Craig  
Andru Volinsky  
Peter Hutchins  
Neil Nicholson  
John Kenison  
Kirk Simoneau  
Jeremy Walker  
Phil Waystack  
David Gottesman  
Paul Chant  
Matt Leahy  
Kathleen Brown  
Jeffrey Osburn  
Scott Ewing  
Roy Tilsley

Michael Pignatelli  
John Kacavas  
Chris McLaughlin  
Patricia Conway  
Arthur Gatzoulis  
Thomas Craig  
Mary Tenn  
Michael Lewis  
David Slawsky  
John Fagan  
Mark Morrisette  
Leslie Nixon  
Mark Abramson  
Richard Fradette  
Paul McDonough  
Michael Rainboth  
Joseph F. McDowell  
Gordon Rehnborg  
Robert Carey