June 30, 2017

The Honorable Charles Grassley, Chairman Committee on the Judiciary United States Senate Washington, DC 20510

The Honorable Dianne Feinstein, Ranking Member Committee on the Judiciary United States Senate Washington, DC 20510

Re: Nomination of Stephanos Bibas to the United States Court of Appeals for the Third Circuit

Dear Chairman Grassley and Ranking Member Feinstein:

We write to express our strong support for the nomination of Professor Stephanos Bibas to the U.S. Court of Appeals for the Third Circuit. We are a diverse group of law professors who represent a broad range of perspectives. We do not necessarily agree with the views or policies of the current administration. But we are united in our belief that Professor Bibas is superbly qualified to serve as a federal appellate judge, and we urge the Senate to confirm him.

Professor Bibas' credentials are impeccable. He was educated at Columbia University, Oxford University, and Yale Law School. He clerked for Justice Anthony Kennedy on the U.S. Supreme Court and Judge Patrick Higginbotham on the U.S. Court of Appeals for the Fifth Circuit. After working as an associate at a law firm and as a federal prosecutor, Professor Bibas began teaching. He has distinguished himself as a professor at the University of Iowa College of Law and at the University of Pennsylvania School of Law. While at the University of Pennsylvania he has also served as the Director of the Law School's Supreme Court Clinic, and he has litigated a wide range of cases in that role.

Professor Bibas is widely respected in academia both as a scholar and as a person. His influential contributions to criminal law and procedure scholarship demonstrate a commitment to values of dignity, healing, and respect for all persons in criminal justice, and they are rigorous, balanced, and constructive. His fair-mindedness, conscientiousness, and personal integrity are beyond question. We have no doubt that his judicial temperament will reflect these qualities and that he will faithfully discharge his duty to apply the law fairly and even-handedly in all matters before him.

In short, Professor Bibas will make an excellent addition to the Third Circuit. We strongly urge his confirmation.

Sincerely,

Jonathan H. Adler Johan Verheij Memorial Professor of Law Case Western Reserve University School of Law¹

Larry Alexander Warren Distinguished Professor University of San Diego School of Law

Ronald J. Allen John Henry Wigmore Professor of Law Northwestern University Pritzker School of Law

Akhil Reed Amar Sterling Professor of Law and Political Science Yale University

Laura I. Appleman Associate Dean of Faculty Research and Professor of Law Willamette University College of Law

Hadar Aviram President, Western Society of Criminology Harry and Lillian Hastings Research Chair, Professor of Law UC Hastings College of the Law

Miriam H. Baer Professor of Law Associate Director of the Center for the Study of Business Law and Regulation Brooklyn Law School

William Baude Neubauer Family Assistant Professor of Law University of Chicago Law School

Shima Baradaran Baughman Professor of Law University of Utah College of Law

Valena Beety Associate Professor

¹ All institutional affiliations are for identification purposes only.

West Virginia University College of Law

Jeffrey Bellin Professor William & Mary Law School

Vera Bergelson Robert E. Knowlton Professor of Law, Rutgers School of Law

Douglas A. Berman Robert J. Watkins/ Procter & Gamble Professor of Law The Ohio State University Moritz College of Law

William W. Berry III Associate Professor of Law University of Mississippi

Richard A. Bierschbach Professor of Law Benjamin N. Cardozo School of Law

Robert M. Bloom Professor of Law Boston College Law School

Josh Bowers
F. Palmer Weber Professor of Law
Co-Director, Law & Public Service Program
University of Virginia School of Law

Darryl Brown
O.M. Vicars Professor of Law
University of Virginia School of Law

Alafair Burke Professor Law Maurice A. Deane School of Law at Hofstra University

Michael T. Cahill Co-Dean and Professor of Law Rutgers Law School I. Bennett Capers Stanley A. August Professor of Law Brooklyn Law School

Paul G. Cassell

Ronald N. Boyce Presidential Professor of Criminal Law University Distinguished Professor of Law S.J. Quinney College of Law at the University of Utah

Gabriel J. Chin

Edward L. Barrett Jr. Chair and Martin Luther King Jr. Professor of Law University of California, Davis School of Law

Beth A. Colgan Assistant Professor of Law UCLA School of Law

Russell D. Covey Professor of Law Georgia State University College of Law

Margaret M. deGuzman Associate Professor of Law Temple University, Beasley School of Law

Nora V. Demleitner Roy L. Steinheimer Jr. Professor of Law Washington and Lee University School of Law

Michelle Madden Dempsey Professor of Law Villanova university Charles Widger School of Law

George W. Dent, Jr.
Professor of Law
Case Western Reserve University School of Law

Michael R. Dimino Professor of Law Widener University Commonwealth Law School

Sharon Dolovich

Professor of Law UCLA School of Law

Joshua Dressler Distinguished University Professor Frank R. Strong Chair in Law Michael E. Moritz College of Law, The Ohio State University

Cara H. Drinan Professor of Law The Catholic University of America, Columbus School of Law

Donald A. Dripps Warren Distinguished Professor University of San Diego Law School

Avlana Eisenberg Assistant Professor Florida State University College of Law

Tigran W. Eldred Professor New England Law

Daniel Epps Associate Professor of Law Washington University in St. Louis

Stephen Galoob Associate Professor of Law University of Tulsa

Brandon L. Garrett Justice Thurgood Marshall Distinguished Professor of Law University of Virginia School of Law

Stephen P. Garvey Professor of Law Cornell Law School

Adam M. Gershowitz Associate Dean for Research and Faculty Development & Professor of Law

William & Mary Law School

Gregory M. Gilchrist
Professor of Law
University of Toledo College of Law
Cynthia Godsoe
Associate Professor of Law
Brooklyn Law School

Catherine M. Grosso Associate Professor of Law Michigan State University College of Law

Lauryn P. Gouldin Associate Professor of Law Syracuse University College of Law

David A. Harris Distinguished Faculty Scholar/Professor University of Pittsburgh School of Law

Todd Haugh Assistant Professor of Business Law and Ethics Indiana University, Kelley School of Business

Paul Heaton Senior Fellow Academic Director, Quattrone Center for the Fair Administration of Justice University of Pennsylvania Law School

Stephen E. Henderson Judge Haskell A. Holloman Professor of Law The University of Oklahoma College of Law

Carissa Byrne Hessick

Anne Shea Ransdell and William Garland "Buck" Ransdell, Jr. Distinguished Professor of Law University of North Carolina School of Law

F. Andrew Hessick Professor of Law University of North Carolina School of Law

Joseph L. Hoffmann

Harry Pratter Professor Indiana University Maurer School of Law

Shon Hopwood Associate Professor of Law Georgetown University Law Center

Thea Johnson Associate Professor University of Maine School of Law

Dan M. Kahan Elizabeth K. Dollard Professor of Law & Professor of Psychology Yale Law School

Sam Kamin Vicente Sederberg Professor of Marijuana Law and Policy University of Denver, Sturm College of Law

Joseph E. Kennedy Professor of Law University of North Carolina School of Law

Orin S. Kerr Fred C. Stevenson Research Professor George Washington University Law School

Susan R. Klein Alice McKean Young Regents Chair in Law The University of Texas at Austin School of Law

Joshua Kleinfeld Associate Professor of Law Northwestern Law School

Cecelia Klingele Associate Professor of Law University of Wisconsin Law School

Adam Kolber Professor of Law

Brooklyn Law School

Eugene Kontorovich Professor Northwestern University Pritzker School of Law

Professor Joan H. Krause Dan K. Moore Distinguished Professor of Law UNC School of Law

Jason Kreag Associate Professor of Law University of Arizona James E. Rogers College of Law

Jennifer E. Laurin Professor of Law University of Texas at Austin School of Law

Youngjae Lee Professor of Law Fordham University School of Law

Andrew D. Leipold Edwin M. Adams Professor University of Illinois College of Law

Richard A. Leo Hamill Family Professor of Law and Psychology University of San Francisco

Kay Levine Professor of Law Emory Law School

Leah M. Litman Assistant Professor of Law University of California, Irvine School of Law

Arnold H. Loewy George Killam Professor of Criminal Law Texas Tech School of Law

Erik Luna

Amelia D. Lewis Professor of Constitutional & Criminal Law Arizona State University College of Law

Michael J. Zydney Mannheimer Professor of Law Associate Dean for Faculty Development Salmon P. Chase College of Law Northern Kentucky University

Justin Marceau
Professor of Law
University of Denver, Sturm College of Law
Paul Marcus
Haynes Professor of Law
William and Mary School of Law

Jonathan S. Masur John P. Wilson Professor of Law University of Chicago Law School

Sandra G. Mayson Assistant Professor of Law University of Georgia School of Law

Tracey L. Meares Walton Hale Hamilton Professor of Law Yale Law School

Daniel S. Medwed Professor of Law and Criminal Justice Northeastern University

Ion Meyn Assistant Professor University of Wisconsin Law School

Eric J. Miller Professor Loyola Law School, Los Angeles

Marc L. Miller Ralph W. Bilby Professor of Law University of Arizona College of Law Erin Murphy Professor of Law NYU School of Law

Jeffrie G. Murphy Regents' Professor of Law, Philosophy, and Religious Studies Sandra Day O'Connor College of Law Arizona State University

Alexandra Natapoff Professor of Law University of California, Irvine School of Law

William Ortman Assistant Professor Wayne State University Law School

Lauren M. Ouziel Assistant Professor Temple University Beasley School of Law

John T. Parry Associate Dean and Edward Brunet Professor of Law Lewis & Clark Law School

Ellen S. Podgor Gary R. Trombley Family White-Collar Crime Research Professor Professor of Law Stetson University College of Law

J.J. Prescott Professor of Law University of Michigan Law School

Zachary S. Price Associate Professor University of California Hastings College of the Law

Carolyn B. Ramsey Professor of Law University of Colorado Law School Richard M. Re Assistant Professor of Law UCLA School of Law

Jenny Roberts

Professor of Law and Associate Dean for Scholarship Co-Director, Criminal Justice Clinic American University, Washington College of Law

Cassandra Burke Robertson
John Deaver Drinko—BakerHostetler Professor of Law
Director, Center for Professional Ethics
Case Western Reserve University School of Law

Paul H. Robinson Colin S. Diver Professor of Law University of Pennsylvania Law School

Carol M. Rose

Ashby Lohse Professor Emerita at the University of Arizona Gordon Bradford Tweedy Professor Emerita at Yale Law School

David Rudovsky Senior Fellow University of Pennsylvania Law School

Meghan J. Ryan

Gerald J. Ford Research Fellow and Associate Professor of Law Southern Methodist University Dedman School of Law

Laurent Sacharoff Associate Professor University of Arkansas School of Law

Barry C. Scheck Professor of Law Benjamin N. Cardozo School of Law Co- Founder, Co-Director, The Innocence Project

Bijal Shah Associate Professor of Law Arizona State University Sandra Day O'Connor College of Law **Ric Simmons**

Chief Justice Thomas J. Moyer Professor for the Administration of Justice and Rule of Law Moritz College of Law The Ohio State University

Christopher Slobogin Milton Underwood Professor of Law Vanderbilt University

Stephen F Smith Professor of Law Notre Dame Law School

Megan Stevenson Assistant Professor Antonin Scalia Law School George Mason University

John Stinneford University Term Professor University of Florida Levin College of Law

Kate Stith Lafayette S. Foster Professor of Law Yale Law School

Seth W. Stoughton Assistant Professor University of South Carolina School of Law

George C. Thomas III Rutgers University Board of Governors Professor Judge Alexander P. Waugh, Sr. Distinguished Scholar

Sandra Guerra Thompson Alumnae College Professor of Law and Criminal Justice Institute Director University of Houston Law Center

Matthew Tokson Assistant Professor of Law Salmon P. Chase College of Law Northern Kentucky University

Jenia I. Turner Amy Abboud Ware Centennial Professor in Criminal Law SMU Dedman School of Law

Eugene Volokh Gary T. Schwartz Professor of Law UCLA School of Law

Christopher J. Walker Associate Professor of Law The Ohio State University Moritz College of Law

David B. Wexler Professor of Law, University of Puerto Rico Distinguished Research Professor of Law Emeritus, University of Arizona

Ronald F. Wright Needham Y. Gulley Professor of Criminal Law Wake Forest University

Ellen Yaroshefsky Howard Lichtenstein Professor of Legal Ethics Director-Monroe Freedman Institute for the Study of Legal Ethics Maurice A. Deane School of Law Hofstra University

Tung Yin Professor of Law Lewis & Clark Law School

Corey Rayburn Yung Professor of Law University of Kansas School of Law

> cc: Peter Hyun Kolan Davis