

July 13, 2017

The Honorable Charles E. Grassley, Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein, Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein:

We are all of Justice Eid's former law clerks (except those currently clerking for a federal judge and not permitted to sign) since she began her tenure on the Colorado Supreme Court in 2006, and we write to give our fullest support to her nomination to be a judge on the United States Court of Appeals for the Tenth Circuit. We come from a diverse set of geographic, economic, cultural, and political backgrounds, yet we are united in our belief that Justice Eid is a jurist and a person of the highest caliber and character. We have each learned so much from her.

Justice Eid was raised by a single mother in Spokane, Washington under challenging circumstances, after her father abandoned her family. Justice Eid began college at the University of Idaho, but with the support and encouragement of her mother and a professor there, Justice Eid transferred to Stanford University where she graduated with distinction and was a member of the Phi Beta Kappa honor society. After Stanford, she served as a speechwriter to President Ronald Reagan's Secretary of Education, William Bennett, and then went on to attend the University of Chicago Law School, where she served as Articles Editor on the Law Review, graduated with High Honors, and was elected Order of the Coif. Justice Eid began her legal career as a law clerk for Judge Jerry Smith on the United States Court of Appeals for the Fifth Circuit. She then served as a law clerk to Justice Clarence Thomas on the United States Supreme Court.

In private practice at Arnold and Porter following her clerkships, Justice Eid practiced both commercial and appellate litigation for a variety of clients. She departed private practice and joined academia where she became a tenured professor at the University of Colorado Law School, teaching Legislation, Constitutional Law, and Torts, and serving as the faculty clerkship advisor. During her time at the University of Colorado, Justice Eid continued her service in the Colorado legal community as President of the Colorado Association of Corporate Counsel. In 2005 she was appointed by Colorado Attorney General John Suthers to serve as the Solicitor General of Colorado. One year later, Governor Bill Owens appointed Justice Eid to the Colorado Supreme Court where she has served for 11 years and was successfully retained by the voters of Colorado on a statewide ballot.

As law clerks we had the distinct privilege and opportunity to learn by observing Justice Eid throughout her decision making process. We learned that she never fails to provide her full attention and dedication to each individual case, mastering the relevant facts and carefully analyzing the law, whether the text of a statute or the words of a contract. As Justice Eid is so fond of saying, she “goes where the law takes her.” In other words, she treats each case individually without any preconceived notion of desired outcome.

As young lawyers, we took particular note of the respect that Justice Eid shows the parties and their attorneys both in her written work product and during oral argument. We also observed her belief in the importance of respect and collegiality with her colleagues, particularly during times of disagreement. Her chambers are always open, and she wants to hear different viewpoints (even ours), but she remains fiercely independent, ultimately deciding cases as she believes the law requires. And her opinions do just that—in clean and succinct prose, time and again, Justice Eid resolves the dispute between the parties and announces a clear rule of law that can be readily discerned by future litigants. Her majority opinions in particular are a testament to the care, dedication, and consensus-building attitude she brings to her role as a Judge.

While serving as a Justice on the Colorado Supreme Court, Justice Eid has continued to teach at the University of Colorado. She also serves as the Chair of the Supreme Court Water Court Committee, which works to identify rule and statutory changes to achieve efficiencies in water court cases, while maintaining quality outcomes for all. Justice Eid was appointed by Chief Justice John Roberts to serve on the Federal Advisory Committee on Appellate Rules—a prestigious appointment where she has served alongside federal judges, law professors, and lawyers to craft revisions to the Federal Rules of Appellate Procedure—and by President George W. Bush to the Permanent Committee for the Oliver Wendell Holmes Devise (an organization that writes the history of the United States Supreme Court and sponsors the Oliver Wendell Holmes Lecture).

Justice Eid is active in her community and church, and as the mother of two children, Justice Eid has also been involved in her children’s school over the years. In addition to her service on the Colorado Supreme Court, these other responsibilities connect her to the Colorado community, specifically the challenges and issues facing citizens of this State and will allow her to bring an important perspective and diverse set of experiences to the United States Court of Appeals for the Tenth Circuit.

Her qualifications to serve are unparalleled and speak for themselves. At each stage of her education and career Justice Eid has excelled at the highest levels and has received praise, awards, and the utmost respect of her colleagues and those who have worked for her. This is in no small part due to her incredible work ethic and her leadership by example. And we as law clerks have carefully observed and learned from her simultaneous and unfaltering commitment to both her family and her position on the Colorado Supreme Court.

We close by reflecting on our fond memories of our experiences as law clerks under Justice Eid, whether it was a lunch to celebrate a birthday, officiating numerous of our weddings, or the annual holiday and summer parties that she hosts. We all remember the genuine interest and support Justice Eid provided to us as people and new lawyers. We will never forget her heartfelt appreciation for our hard work and the care and time she has taken to guide us through

our clerkships and beyond. She has been an important and steady mentor in each of our lives. We urge the Senate to take swift action on her nomination and are available to speak to any member or their staff about Justice Eid and her qualifications to serve on the United States Court of Appeals for the Tenth Circuit.

Sincerely,

Marie Williams

Clerk for Justice Eid, 2006-07

Chris Chrisman

Clerk for Justice Eid, 2006-07

Holly E. Sterrett

Clerk for Justice Eid, 2006-07

Catherine Bazile

Clerk for Justice Eid, 2007-08

Jared Butcher

Clerk for Justice Eid, 2007-08

Katie Yarger

Clerk for Justice Eid, 2008-09

Clark Smith

Clerk for Justice Eid, 2008-09

Sara Rundell

Clerk for Justice Eid, 2009-10

Kate Field

Clerk for Justice Eid, 2009-10

Maranda Compton

Clerk for Justice Eid, 2010-11

Tim Zimmerman

Clerk for Justice Eid, 2010-11

Trina Ruhland

Clerk for Justice Eid, 2010-11

Lee Fanyo

Clerk for Justice Eid, 2011-12

Victoria Cisneros

Clerk for Justice Eid, 2011-12 / 2012-13

Jon Gillam

Clerk for Justice Eid, 2011-12

Kate Cahoy

Clerk for Justice Eid, 2012-13

Jake Durling

Clerk for Justice Eid, 2012-13

Lidiana Ríos

Clerk for Justice Eid, 2013-14

Doug Marsh

Clerk for Justice Eid, 2013-14

Ayesha Lewis

Clerk for Justice Eid, 2013-14

Jamen Tyler

Clerk for Justice Eid, 2014-15

Matt Mellema

Clerk for Justice Eid, 2014-15

Ben Fischer

Clerk for Justice Eid, 2014-15

Emma Kaplan

Clerk for Justice Eid, 2015-16

Julie Hamilton
Clerk for Justice Eid, 2016-17

Mairead Dolan
Clerk for Justice Eid, 2016-17

Rob Rankin
Clerk for Justice Eid, 2016-17

Cc: The Honorable Michael F. Bennet
The Honorable Cory Gardner
White House Counsel Donald F. McGahn II