

The Honorable Mitch McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

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

The Honorable Charles Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Jacky Rosen
United States Senate
144 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Lindsey Graham
Chairman Committee on the Judiciary
United States Senate
290 Russell Senate Office Building
Washington, DC 20510

The Honorable Catherine Mastro
United States Senate
516 Hart Senate Office Building
Washington, D.C. 20510

October 28, 2019

**Re: The Nomination of Lawrence VanDyke to serve on
the United States Court of Appeals for the Ninth Circuit**

Dear Majority Leader McConnell, Minority Leader Schumer, Chairman Graham, Ranking Member Feinstein, and Senators Rosen and Mastro:

As 22 current and former state Solicitors General, we write in our personal capacity in support of the nomination of our former counterpart, Lawrence VanDyke, to serve as a Judge on the U.S. Court of Appeals for the Ninth Circuit. Our backgrounds, political philosophies, and state interests are diverse, yet we are united in our judgment that Mr. VanDyke's character, legal acumen, and commitment to public service will make him an exceptional member of the federal bench.

As frequent advocates before the U.S. Courts of Appeals, we are well-acquainted with the qualifications and characteristics that make an excellent appellate judge, including intellect, prudence, integrity, and temperament. Through our experiences with Mr. VanDyke as state Solicitors General, whether litigating against him in disputes between states or working with him in cases where multiple states cooperate to advance their mutual interests, we can attest to his having these necessary qualities for a federal appellate judge.

Mr. VanDyke's remarkable legal career makes him particularly well-suited for service on the Ninth Circuit given his tenure serving two Ninth Circuit states (Nevada and Montana) as their Solicitor General. The role of state Solicitor General requires high intellect, the ability to write clearly and cogently, a large breadth of knowledge over diverse areas of state and federal law, and great

tenacity and diligence. The role is also one of public service, requiring the judgment necessary to keep the public good—rather than the bare desire to win—always at the forefront. Over the years, Mr. VanDyke has demonstrated all of these qualities, proving he is eminently capable of navigating complex legal matters with wisdom, fairness, and intellectual curiosity. He is also unshakably committed to the rule of law. He has briefed over one hundred appellate cases and argued dozens of them, including fifteen arguments before the Ninth Circuit. In our experience as appellate attorneys, these qualifications make Mr. VanDyke well-suited to serve on the Ninth Circuit Court of Appeals.

More than simply possessing the intellectual rigor required to be a judge on the U.S. Court of Appeals, Mr. VanDyke is also a man of character with an authentic and thoughtful demeanor. Even though we have worked for state Attorneys General of differing political affiliations, we routinely turned to him for advice and leadership on issues of shared interest. He has always approached interpersonal interactions with the utmost kindness and sincerity. We consider him a trusted colleague and a good friend, and are convinced he possesses the temperament to make an excellent judge.

In sum, each of us admires and respects Lawrence deeply and believe that he has the personal and professional qualities that should typify the federal appellate judiciary. We are grateful for his willingness to serve in this role, and encourage you to confirm Mr. VanDyke to the U.S. Court of Appeals for the Ninth Circuit.

Respectfully,

Andrée S. Blumstein

Edmund LaCour

Nicholas Bronni

Elbert Lin*

John Bursch*

Aaron Lindstrom*

Parker Douglas*

Mithun Mansinghani

Dominic E. Draye*

Elizabeth Murrill

Edward DuMont*

Andrew Pinson

Robert Ellman*

John Sauer

Tom Fisher

Lindsay See

Tyler Green

O.H. Skinner

Kyle D. Hawkins

Misha Tseytlin*

Scott Keller*

Fred Yarger*

*Denotes former state Solicitor General