

May 23, 2022

The Honorable Richard Durbin
Chairman
Committee on the Judiciary
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

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

Dear Chairman Durbin and Ranking Member Grassley:

We write to express our strong support for the nomination of United States District Judge Sarah A.L. Merriam to the United States Court of Appeals for the Second Circuit.

We have been privileged to serve as federal prosecutors within the United States Attorney's Office for the District of Connecticut. Many of us have held leadership positions in the Department of Justice ("DOJ"), and our collective experience covers the breadth of DOJ's law enforcement responsibilities. We remain deeply committed to the principles that sustain DOJ's work: fidelity to the rule of law, independence, and fairness to all litigants. During our DOJ careers and beyond, we have had the opportunity to interact with Judge Merriam as colleagues, adversaries, and litigants in her courtroom. We know that Judge Merriam subscribes to these fundamental principles.

As a young lawyer, Judge Merriam quickly distinguished herself in Connecticut's legal community as an insightful advocate, a highly skilled writer, and a congenial member of the bar. In private practice, Judge Merriam represented corporate clients and individuals (plaintiffs and defendants) in a broad range of matters, including complex commercial disputes, corporate compliance, health care litigation, and personal injury matters.

After several successful years in private practice, Judge Merriam entered public service as an Assistant Federal Defender with the Office of the Federal Defender for the District of Connecticut. As an Assistant Federal Defender, Judge Merriam performed the essential work of securing the Constitution's protections for persons accused of and convicted of crimes. Those of us who prosecuted Judge Merriam's clients found her to be a capable and collegial adversary. Always protective of her clients' interests, Judge Merriam also demonstrated a respect for the Government's prerogatives and an appreciation for the challenges faced by law enforcement. She was a practical and credible colleague. For these reasons, Judge Merriam was selected to lead the

Federal Defender's response to the Fair Sentencing Act, which rendered hundreds of defendants eligible for sentence reductions. That effort required close coordination with the United States Attorney's Office. Judge Merriam's credibility with federal prosecutors, her high level of organization, and her practical approach to problem solving resulted in efficient and just dispositions for hundreds of people.

In 2015, Judge Merriam was appointed to serve as a United States Magistrate Judge. Her broad experience as a private practitioner and a federal defender equipped her to handle a heavy and varied workload. Judge Merriam effectively presided over complex multi-party mediations, earning a reputation for her preparedness and insight. Judge Merriam also reviewed sensitive law enforcement applications with fairness, alacrity, and due regard for the urgent public safety considerations that often accompany such applications. Judge Merriam's written rulings concerning complex litigation disputes invariably reflected her deep understanding of the law and the factual context in which those disputes arose.

In her role as a United States District Judge, Judge Merriam has continued her distinguished service as a jurist. Judge Merriam has brought an even-handed and accessible approach to the federal bench. Many of us have benefited from her intellect and the thorough consideration she gives to each case before her. While Judge Merriam is ever mindful of the human consequences of her decisions, she applies the law fairly and properly without regard to personal preference.

In sum, as experienced former federal prosecutors, we strongly recommend your favorable consideration of Judge Merriam's nomination to the United States Court of Appeals for the Second Circuit. She will bring a breadth of experience to the Second Circuit as a result of her well-rounded career as a skilled private practitioner, an assistant federal defender, a magistrate judge, and a district judge. We are confident that she will continue to serve with distinction and honor.

Respectfully Submitted,

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