

[REDACTED]

February 19, 2009

VIA FACSIMILE AND HAND DELIVERY

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

Re: Nomination of Christine A. Varney for Assistant Attorney General for Antitrust,
U.S. Department of Justice

Dear Chairman Leahy and Senator Specter:

This letter is respectfully submitted to the Senate Committee on the Judiciary to communicate our enthusiastic support for the nomination of Christine A. Varney to serve as Assistant Attorney General ("AAG") for Antitrust within the U.S. Department of Justice ("DOJ"). We are a group of 20 former chairs of the American Bar Association Section of Antitrust Law. Our group includes practicing and retired partners at major law firms, former senior federal antitrust agency officials and in-house counsel, each specializing in antitrust law.¹ Ms. Varney has not requested that we submit this letter. Instead, we write because each of us believes that Ms. Varney is a highly accomplished, capable nominee who will serve consumers and this country with distinction as Assistant Attorney General for Antitrust.

Ms. Varney is an experienced, respected antitrust lawyer. It is our collective view that the Department of Justice Antitrust Division and consumers are best served by an AAG with substantial experience in antitrust law. Such a person is, in our opinion, best positioned to hit the ground running, which is essential given the importance of protecting competition in this fragile economy. As you are aware, Ms. Varney previously has obtained valuable experience as a Commissioner at the Federal Trade Commission, which shares antitrust enforcement jurisdiction with the DOJ's Antitrust Division.

She also has been recognized for the quality of her representation of clients in the private sector. For example, she has achieved the recognition of her peers in the form of coveted rankings by Chambers USA, Washington, DC Super Lawyers, and International Who's Who of Competition Lawyers and Economists. These accolades are well-deserved; many of us have interacted with Ms. Varney while representing clients before her when she was a Commissioner or have served as co-counsel with her in various matters in the private sector. Not only is she

¹ This letter of support represents our personal views, and not necessarily the views of our law firms, any client, the ABA, or the ABA Section of Antitrust Law.

smart and knowledgeable about the antitrust laws, she is an effective leader, cooperative, hardworking, pragmatic, and of high character and integrity.

Importantly, Ms. Varney is known in the international realm, too, particularly for her contributions to the development of international competition policy through the Organization for Economic Cooperation and Development ("OECD"), an important international body in which the U.S. antitrust agencies are active participants and leaders. Today, antitrust enforcement has become global and Ms. Varney's background and relationships will be critical in dealing with foreign enforcers and international organizations, including the OECD and the International Competition Network ("ICN").

In short, due to her experience and the quality of her reputation as an antitrust lawyer, we believe Ms. Varney would be an AAG with immediate credibility among the antitrust bar, the business community, international enforcers, the staff, and, of course, American consumers.

We have confidence that Ms. Varney has the expertise, leadership skills, integrity, and commitment to vigorously enforce the antitrust laws to the benefit of this country's consumers. We applaud President Obama's selection for this key position within his Administration, and highly recommend that Ms. Varney be confirmed as AAG for Antitrust. A representative of our group would be honored to testify before the Committee in support of this nomination, or to discuss Ms. Varney's impressive qualifications with your staff.

Respectfully submitted,

Joseph Angland
White & Case LLP

John DeQ. Briggs
Axinn, Veltrop & Harkrider LLP

Roxane C. Busey
Baker & McKenzie

Michael L. Denger
*Gibson, Dunn &
Crutcher LLP*

Ky P. Ewing, Jr.
Retired

Kathryn M. Fenton
Jones Day

Kevin E. Grady
Retired

Caswell O. Hobbs
Potomac River Associates

Robert T. Joseph
*Sonnenschein Nath &
Rosenthal LLP*

Donald C. Klawiter
Mayer Brown LLP

James R. Loftis III
Retired

Janet L. McDavid
Hogan & Hartson LLP

Phillip A. Proger
Jones Day

Harry M. Reasoner
Vinson & Elkins L.L.P.

James F. Rill
Howrey LLP

The Honorable Patrick Leahy
The Honorable Arlen Specter
February 19, 2009
Page 3

Irving Scher
Weil, Gotshal & Manges LLP

Alan H. Silberman
*Sonnenschein Nath &
Rosenthal LLP*

Robert P. Taylor
*Mintz Levin Cohn Ferris
Glovsky and Popeo P.C.*

Richard J. Wallis
Microsoft Corporation

Robert C. Weinbaum
Retired

cc: Members of the Committee
Christine A. Varney, Esq.

A. Douglas Melamed

March 3, 2009

VIA FACSIMILE AND HAND DELIVERY

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

The Honorable Arlen Specter
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Re: Nomination of Christine A. Varney for Assistant Attorney General for
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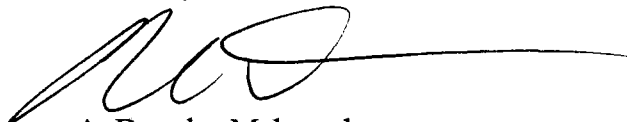
Dear Chairman Leahy and Senator Specter:

I am writing in support of the nomination of Christine Varney as Assistant Attorney General for Antitrust. I have known Ms. Varney since the 1990s, when she was a Federal Trade Commissioner and I was the Principal Deputy Assistant Attorney General for Antitrust. She and I worked together in government, and we have since worked together in private practice.

Ms. Varney is bright, knowledgeable, energetic and wise. She is experienced in the ways of government and understands business. Especially at this time of economic crisis, government agencies responsible for economic policy, including the Antitrust Division, require strong, effective leadership. I have no doubt that Ms. Varney will provide that kind of leadership.

I hope that your committee and the Senate will promptly confirm Ms. Varney as Assistant Attorney General for Antitrust.

Sincerely,



A. Douglas Melamed



O'MELVENY & MYERS LLP

BEIJING
BRUSSELS
CENTURY CITY
HONG KONG
LONDON
LOS ANGELES
NEWPORT BEACH

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TOKYO

OUR FILE NUMBER

March 3, 2009

The Honorable Patrick Leahy
Chairman
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United States Senate
SD-224 Dirksen Senate Office Building
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WRITER'S DIRECT DIAL

WRITER'S E-MAIL ADDRESS

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

**Re: *Nomination of Christine A. Varney for Assistant Attorney General for
Antitrust, U.S. Department of Justice***

Dear Chairman Leahy and Senator Specter:

This letter is respectfully submitted to the Senate Committee on the Judiciary to communicate my support for the nomination of Christine A. Varney to serve as Assistant Attorney General ("AAG") for Antitrust within the U.S. Department of Justice ("DOJ"). I have been an antitrust lawyer for twenty years. From 1998 - 2001 I was Director of the Bureau of Competition at the Federal Trade Commission. I write because I believe that Ms. Varney is a highly qualified nominee who will serve consumers and this country with distinction as Assistant Attorney General for Antitrust.

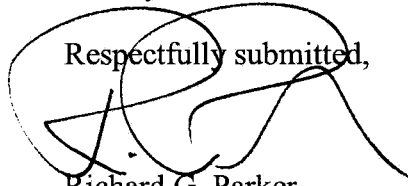
Ms. Varney is an experienced, respected antitrust lawyer. I have worked with her, both in and out of government, and have personal knowledge of her considerable skill and competence.

She has been recognized for the quality of her representation of clients in the private sector. For example, she has achieved the recognition of her peers in the form of rankings by Chambers USA, Washington, DC Super Lawyers, and International Who's Who of Competition Lawyers and Economists. These accolades are well-deserved. Not only is she knowledgeable

about the antitrust laws, she is an effective leader, cooperative, hardworking, pragmatic, and of high character and integrity.

In sum, due to her experience and her outstanding reputation as an antitrust lawyer, I believe Ms. Varney would be an AAG with immediate credibility among the antitrust bar, the business community, international enforcers, the staff, and, most importantly, American consumers. I applaud President Obama's selection for this key position within his Administration, and highly recommend that Ms. Varney be confirmed as AAG for Antitrust.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard G. Parker", is written over the text "Respectfully submitted,".

Richard G. Parker
of O'MELVENY & MYERS LLP

HOGAN & HARTSON

Hogan & Hartson LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
+1.202.637.5600 Tel
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March 4, 2009

Janet L. McDavid
Partner

Via FACSIMILE (202-228-0861)

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

Re: Christine Varney

Dear Chairman Leahy and Senator Specter:

I am writing in enthusiastic support of the nomination of Christine Varney to become Assistant Attorney General in charge of the Antitrust Division of the Department of Justice. As a former Chair of the ABA Antitrust Section, I signed a letter to you in support of Christine's nomination from 20 other former Chairs of the Antitrust Section, but I also wanted to write separately.

I have had the pleasure of working with Christine for more than 20 years as a colleague, and practicing before the Federal Trade Commission during her tenure as a Commissioner. Based on my experience, she is exceptionally well qualified to lead the Antitrust Division. Her former role as a Federal Trade Commissioner provides a particularly valuable credential because she has already demonstrated her commitment to the vigorous but principled enforcement of the antitrust laws. Her experience at the FTC is especially important at a time when the FTC and the Antitrust Division have sometimes diverged on antitrust enforcement because she is well positioned to help reduce differences between the two agencies' approaches.

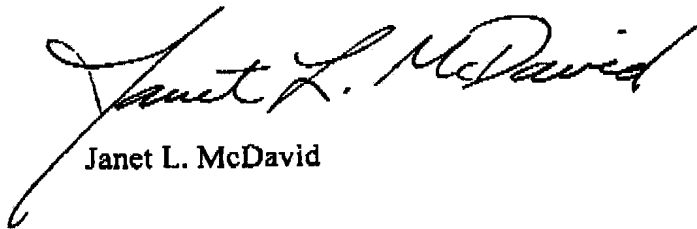
But her many years of practicing antitrust law and advising clients on antitrust issues are also important. She has an excellent understanding of both the antitrust laws and the economic analysis that under-pins antitrust. Equally significantly, she understands how businesses work and how business decisions are made, and those insights will be valuable to her at the Antitrust Division. She has demonstrated her skills as an effective leader, consensus builder, and innovative thinker. She also is pragmatic, strategic, and a person of unquestioned integrity with strong loyalties.

The Honorable Patrick Leahy
The Honorable Arlen Specter
March 4, 2009
Page 2

As a result of her prior government experience and high profile in the antitrust bar, she will have immediately credibility with international antitrust enforcers, state attorneys general, the business community, and the antitrust bar. I recommend that the Committee confirm her.

I would be pleased to respond to any questions from the Committee.

Sincerely,

A handwritten signature in cursive script, reading "Janet L. McDavid". The signature is written in black ink and is positioned above the printed name.

Janet L. McDavid



THE NEW YORK CITY DEPARTMENT OF EDUCATION

JOEL I. KLEIN, *Chancellor*

OFFICE OF THE CHANCELLOR

52 CHAMBERS STREET - NEW YORK, NY 10007

March 4, 2009

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

Dear Chairman Leahy and Senator Specter:

I am writing to support the nomination of Christine Varney as Assistant Attorney General for the Antitrust Division of the Department of Justice. As a former occupant of that position (from 1996 to 2000), I am confident that she has the integrity, professionalism, intellectual ability, judgment, and knowledge of antitrust law and competition policy necessary to perform the duties of this job with distinction.

I came to know Christine well, first when we worked together in the White House and then when she became a member of the Federal Trade Commission. We worked together on, and had the opportunity to discuss, numerous issues of competition law and policy as well as to work through, as colleagues, issues relating to the respective roles of the Antitrust Division and FTC. We also served together, representing our respective agencies at the OECD, and worked together there on important issues of global competition policy. In all of these experiences, Christine demonstrated the skills and talents I referenced above. She is a terrific colleague who is eager to hear others' views and to make sure she is fully informed before she makes a decision. She is inclusive in the way she works and has a terrific sense of humor, something that doesn't always characterize antitrust lawyers.

The issues facing our economy, especially as globalization and technology continue to reshape the competitive landscape, will require strong and intelligent antitrust enforcement as well as a clear vision of effective competition policy. I have no doubt that President Obama has selected the right person to assume those responsibilities.

I would be happy to provide any additional information the Committee requires.

Thank you,

Joel I. Klein
Chancellor

Administrative Office

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Kansas City, Missouri 64110-3329
Telephone: [816] 756.3140
FAX: [816] 756.3144

**Government Affairs Office**

1108 K Street NW, Second Floor
Washington, DC 20005-4094
Telephone: [202] 639.0550
FAX: [202] 639.0559

NATIONAL RURAL HEALTH ASSOCIATION

March 4, 2009

The Honorable Patrick Leahy
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510-1501

The Honorable Arlen Specter
United States Senate
152 Dirksen Senate Office Building
Washington, DC 20510-1501

Dear Chairman Leahy and Ranking Member Specter:

On behalf of the National Rural Health Association (NRHA), I am writing to ask you to consider rural health issues as you consider the nomination of Christine Varney for Assistant Attorney General of the Antitrust Division, Department of Justice.

The NRHA is a national nonprofit membership organization with more than 18,000 members, which provides leadership on rural health issues. Our membership is diverse as we represent hospitals, clinics, physicians, nurses, and other health professionals, educators, researchers and state employees. Our diverse membership is united in the goal of improving the health of rural Americans through advocacy, communications, education and research.

Rural health care providers face a unique set of challenges. The 62 million Americans who live in rural areas are, per capita, older, sicker and poorer than the rest of the country. Rural health providers are typically smaller and less financially stable than their non-rural counterparts because of the population they serve. Rural markets suffer from a chronic shortage of qualified health care professionals and hospitals, as well as long-term problems in attracting and retaining qualified health care professionals. Antitrust enforcement should be sensitive to the nature of individual markets.

With a new Administration, we have a new opportunity to ensure that rural health providers are able to provide the best possible care to their patients. The agenda of the antitrust enforcement agencies ought to focus on balancing the competitive interests of providers and insurers alike and curbing barriers to procompetitive collaboration among healthcare providers. Rural healthcare providers are particularly harmed by the imbalanced approach to enforcement. We urge you to consider these issues in considering the nomination of Christine Varney for Assistant Attorney General of the Antitrust Division, Department of Justice.

The NRHA thanks you for recognizing the needs of rural health providers and the patients they serve. We look forward to continuing to support your efforts that improve the health of 62 million rural Americans.

Sincerely,

A handwritten signature in cursive script that reads "Beth Landon".

Beth Landon
President

March 4, 2009

VIA FACSIMILE – (202)-228-0861 AND U.S. MAIL

The Honorable Patrick J. Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510-6275

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
United States Senate
224 Dirksen Senate Office building
Washington, DC 20510-6275

**Re: Nomination of Christine A. Varney for Assistant Attorney General
for Antitrust, U.S. Department of Justice**

Dear Chairman Leahy and Senator Specter:

We strongly support the nomination of Christine A. Varney to be Assistant Attorney General in charge of the U.S. Department of Justice Antitrust Division. Ms. Varney is an excellent choice to lead the United States' antitrust enforcement program.

We both have appeared before Ms. Varney during her tenure as a member of the Federal Trade Commission. She demonstrated a high degree of expertise regarding the substance and economic underpinnings of the antitrust laws. Her approach was extremely balanced and exhibited a deep commitment to examining and resolving each matter on the basis of its own particular factual setting. Her breadth of interest led her to develop a special competency in dealing with innovation markets and technological developments, of particular relevance to today's economy.

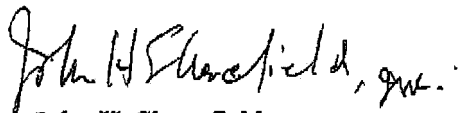
In addition to her work on domestic competition matters, Ms Varney had substantial involvement with international antitrust issues, having been actively involved in the work of the Competition Committee of the Organization for Economic Cooperation and Development. As a consequence, she will bring to the increasingly important international antitrust field a depth of interest and experience that will well serve the interests of the United States.

Our experience with working on matters with Ms Varney in private practice is the same. Her advocacy is clear and effective, and her practice covers a wide range of firms throughout the economy. She has shown the same diligence, balance, and intellect in this capacity as she had at the Federal Trade Commission. We believe it is on these bases that she has been cited for excellence by the various rating publications that cover the antitrust bar.

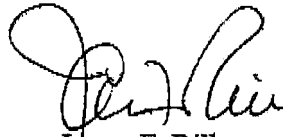
The Honorable Patrick J. Leahy
The Honorable Arlen Specter
March 4, 2009
Page Two

Our support for Christine Varney's confirmation derives from the prism of our experience in the field of antitrust and our own experience as Assistant Attorneys General for Antitrust in, respectively, the Administrations of President Jimmy Carter and President George H. W. Bush. We believe Ms. Varney is extraordinarily well qualified to lead the Antitrust Division.

Respectfully submitted,



John H. Shenefield
Counsel
Morgan Lewis
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004



James F. Rill
Partner
Howrey LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004

March 4, 2009

[REDACTED]

The Honorable Patrick Leahy
Chairman
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Re: Christine Varney

Dear Chairman Leahy and Senator Specter:

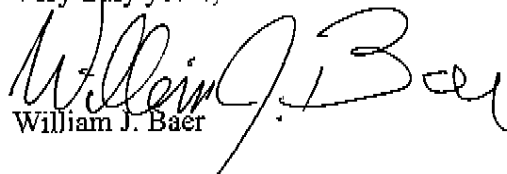
I am writing concerning the Committee's consideration of the nomination of the Honorable Christine Varney to become Assistant Attorney General of the Antitrust Division of the Department of Justice.

I have known Christine Varney since 1995, when she was a Commissioner at the Federal Trade Commission and I was Director of the FTC's Bureau of Competition. We worked closely together for the next three years. I became an immediate fan and remain one today. Christine is smart, disciplined, quick and fair. She understood well the unique law enforcement responsibilities of the FTC and championed effective use of its authority to advance consumer welfare.

Christine's unique combination of experiences in the public sector and as a Partner at Hogan & Hartson qualify her well to assume the role of Assistant Attorney General. She will enforce the antitrust laws vigorously, but fairly. In my experience, some antitrust lawyers get caught up in the jargon and technical complexities of antitrust law. Christine understands the complexities, but her focus has been and will be on the bottom line: the unique role of antitrust enforcement in the U.S. economy – as the proverbial economy cop on the beat, making markets work efficiently and delivering high quality goods and services to the American public at competitive prices.

She is a talented and very worthy nominee for the head of the Antitrust Division. I respectfully urge that the Senate confirm her nomination.

Very truly yours,


William J. Baer

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March 5, 2009

Thomas B. Leary
Of Counsel

[REDACTED] 2
[REDACTED] n

VIA FACSIMILE AND HAND DELIVERY

Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
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Honorable Arlen Specter
Ranking Member
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United States Senate
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Washington, D.C. 20510-6275

Re: Nomination of Christine A. Varney for Assistant Attorney General
for Antitrust, U.S. Department of Justice

Dear Chairman Leahy and Senator Specter:

It is a pleasure to support the nomination of my sometime law partner and longtime friend, Christine Varney.

It is not necessary to repeat the highlights of Ms. Varney's remarkable and varied experience. It has already been done by others -- including, most notably, the 20 former Chairs of the ABA Antitrust Law Section, who wrote to you on February 19, 2009. I will simply emphasize here a special qualification that Ms. Varney will bring to the job.

As you know, Christine Varney served as a Federal Trade Commissioner from 1994 to 1997. Like other independent agencies, the Federal Trade Commission has a bi-partisan membership and a tradition that fosters consensus decisions. There is also a tradition in this country that antitrust enforcement at the Justice Department should be non-political, as well, and that is a role that Ms. Varney is uniquely qualified to fill.

Let me illustrate her sensitivity to these matters with a personal anecdote. I am a lifelong Republican, who was appointed to serve as a Federal Trade Commissioner by President Clinton. Christine Varney, a lifelong Democrat, was the first person to raise the possibility of an

Honorable Patrick Leahy
Honorable Arlen Specter
March 5, 2009
Page 2

appointment with me, and was thereafter extraordinarily helpful in making it happen. I assure you that Ms. Varney did not act out of personal friendship; she does not confuse personal and public matters. She acted because she wanted an upcoming slot at the agency to be filled by someone with the appropriate experience. And, this letter of support is written for the same reason.

One other aspect of Ms. Varney's experience is worthy of mention. The Federal Trade Commission has responsibility for both competition and consumer protection law, and Ms. Varney has practiced actively in both areas. It is well understood that consumer protection law needs to be tempered by respect for the competitive market system. What is less well understood is that the reciprocal is also true; competition law needs to be tempered by a respect for the sovereignty of individual consumers. The economic models that underlie competition law enforcement have tended to treat consumers as an undifferentiated mass, who respond to price signals in predictable ways. Consumer protection lawyers know that consumers are unique individuals with individual preferences, which cannot always be captured by statistics. Christine Varney's experience as a consumer protection lawyer, in both the public and the private sector, will enable her to bring a rich perspective to the Department of Justice that is unlike anything we have seen before.

I respectfully request that your Committee approve the nomination of Christine Varney to lead the Antitrust Division of the Department of Justice.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tom Leary", with a long, sweeping underline that extends down towards the text below.

Thomas B. Leary

(Former Federal Trade Commissioner
1999-2005)

March 5, 2009

VIA E-MAIL AND HAND DELIVERY

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
Room SD-224
Dirksen Senate Office Building
Washington, DC 20510-6275

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
United States Senate
Room SD-224
Dirksen Senate Office Building
Washington, DC 20510-6275

RE: Nomination of Christine A. Varney for Assistant Attorney General
for Antitrust, U.S. Department of Justice

Dear Chairman Leahy and Senator Specter:

We respectfully submit this letter to the Senate Committee on the Judiciary to express our strong support for the nomination of Christine A. Varney to serve as Assistant Attorney General (“AAG”) for Antitrust in the Department of Justice (DOJ). As former chairmen of the Federal Trade Commission (“FTC”) (Mr. Pitofsky chaired the FTC from 1995 to 2001, and Mr. Muris chaired the FTC from 2001 to 2004), we believe we are well-positioned to comment on the qualifications required to enforce the federal antitrust laws of the United States effectively so as to benefit consumers and competition. We believe that Ms. Varney possesses the requisite expertise and experience to perform the duties of the AAG for Antitrust in an exemplary manner.

Most notably, Ms. Varney served from 1994 to 1997 as a Commissioner at the FTC, which shares antitrust enforcement jurisdiction with the DOJ’s Antitrust Division. As a Commissioner, she made important contributions to both the antitrust and consumer protection missions of the FTC. On the antitrust side, Ms. Varney took particular interest in health care and intellectual property issues, assisting the Commission in promoting an aggressive agenda to the benefit of both competition and consumers. Promoting competition in the health care industry and promoting innovation through the sound application of the antitrust laws to intellectual property remain crucial to encouraging economic growth and revitalizing our economy. Ms. Varney’s experience in these areas renders her well-positioned to promote these goals as she addresses these important issues and others at DOJ. Moreover, her broad experience working with Internet companies will serve her well in meeting the business and antitrust challenges of these growing parts of our economy.

With respect to the FTC's consumer protection mission, then-Commissioner Varney was instrumental in incorporating into the FTC's agenda the protection of consumers' sensitive personal information. During her tenure at the FTC, she led the agency's examination of privacy issues in the information age; her efforts led to congressional hearings, FTC workshops, proposed industry standards, and precedent-setting enforcement of the laws protecting consumer privacy.

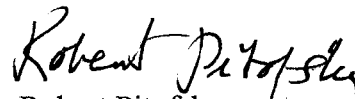
Ms. Varney also has participated in the development of international antitrust law and policy through her work with the Competition Committee of the Organization for Economic Cooperation and Development (OECD). Through its work with the competition authorities of both industrialized nations and developing countries, the Competition Committee of the OECD plays an important role in coordinating international antitrust enforcement and developing sound antitrust and competition policy on a global scale. This experience will be particularly important as, increasingly, antitrust enforcement is global and requires cooperation with competition agencies around the world.

As a private practitioner, Ms. Varney's experience has garnered acclamation from her peers through recognition in The International Who's Who of Competition Lawyers and Economists, Chambers USA, and Washington, D.C. Super Lawyers. These honors are well-deserved, as Ms. Varney is an experienced, innovative, hard-working, and capable lawyer, manager, and leader.

We wholeheartedly endorse and recommend Christine A. Varney for the important position of Assistant Attorney General for Antitrust. We would be pleased to discuss our recommendation and Ms. Varney's impressive credentials with you or members of your staff.

Very truly yours,


Timothy J. Muris


Robert Pitofsky

cc: Members of the Committee
Christine A. Varney, Esq.

JONES DAY

51 LOUISIANA AVENUE, N.W. • WASHINGTON, D.C. 20001-2113
TELEPHONE: 202-879-3939 • FACSIMILE: 202-626-1700

JP372483:dn

March 6, 2009

VIA HAND DELIVERY AND FACSIMILE: 202-228-0861

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
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Re: Nomination of Christine A. Varney for Assistant Attorney General
for Antitrust, U.S. Department of Justice.

Dear Chairman Leahy and Senator Specter:

This letter is respectfully submitted to the Senate Committee on the Judiciary to express my support for the nomination of Christine A. Varney to serve as Assistant Attorney General for Antitrust within the U.S. Department of Justice. I have known and worked with Christine for almost two decades, and I view her as one of the most effective antitrust practitioners I have known. I spent more than eight years at the Antitrust Division, including four as a Deputy Assistant Attorney General for Antitrust, and view that time as perhaps the most satisfying period of my professional career. As a result, I have a very protective attitude toward the Division, and expect a lot from the people who lead it. Christine will, in my opinion, be a distinguished occupant of one of the most important economic positions in any Administration, and I strongly endorse her rapid recommendation by your Committee and confirmation by the Senate in due course.

The Honorable Patrick Leahy
The Honorable Arlen Specter
March 6, 2009
Page 2

Thank you for the opportunity to express my strong endorsement of Christine Varney as Assistant Attorney General for Antitrust.

Very truly yours,

A handwritten signature in cursive script that reads "Joe Sims (mae)".

Joe Sims

March 9, 2009

Hand Delivery

The Honorable Patrick Leahy
Chairman
Senate Committee on the Judiciary
United States Senate
SD-224 Dirksen Senate Office Building
Washington, DC 20510-6275

The Honorable Arlen Specter
Ranking Member
Senate Committee on the Judiciary
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Re: Nomination of Christine Varney as Assistant Attorney General
in charge of the Antitrust Division, U.S. Department of Justice

Dear Chairman Leahy and Senator Specter:

This letter is submitted to the Senate Judiciary Committee to express my strong support for President Obama's nomination of Christine Varney to be the Assistant Attorney General in charge of the Antitrust Division, U.S. Department of Justice. The undersigned is the head of the antitrust practice at Cadwalader, Wickersham & Taft LLP (the oldest law partnership in the United States) and formerly Assistant Attorney General in charge of the Antitrust Division under Presidents Reagan and Bush. Ms. Varney has not solicited this letter; it is being sent on my own initiative. Given her experience, accomplishments, and skills, I believe Christine Varney will make an excellent Assistant Attorney General.

Based on my background as both an appointee in the Antitrust Division in the 1980s holding various positions, including Assistant Attorney General, and subsequently as a private practitioner representing clients before the Division, I have a keen interest in seeing the President nominate a highly qualified individual to serve as Assistant Attorney General. As the country's chief antitrust law enforcement official, the person holding that position plays a key role in protecting marketplace competition and the welfare of consumers. Moreover, while the individual holding that job must be a tough and determined protector of consumer welfare, she must also be fair-minded and familiar with the realities facing companies and individuals attempting to compete in the marketplace. I am confident that Ms. Varney is someone who will bring the appropriate balance of toughness and fairness to the job.

C A D W A L A D E R

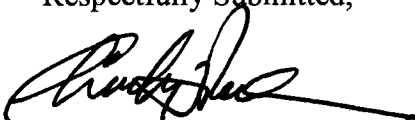
The Honorable Patrick Leahy
The Honorable Arlen Specter
March 9, 2009
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Over the last fifteen years, my path has crossed Ms. Varney's on many occasions. I appeared before her on behalf of several clients when she was an FTC Commissioner and always found her to be well-prepared, knowledgeable and open-minded. In private practice, Ms. Varney and I at times have represented clients with opposing interests, and on other occasions we have represented clients with common interests. Yet, regardless of whether she was an adversary or an ally, in every case, I found her to be pleasant, capable, and professional. She is a lawyer who can be a tough and formidable adversary without making personal enemies. While we often disagree on political matters, I can find no fault but only praise for her professional abilities and her demeanor.

Christine Varney is one of the leading lights of the antitrust bar. In the 1990s, she served with distinction as a Commissioner on the Federal Trade Commission. Since that time, she has effectively represented a variety of companies, particularly those in high-tech industries. There are very few antitrust practitioners who can boast of her experience. She also is well known within the international community and respected by competition law officials around the world. Given the economic challenges that lie ahead and the questions that some are beginning to raise about the role of free and unrestrained market competition in fueling an economic revival, whoever becomes the next Assistant Attorney General will have a "tough row to hoe." Christine Varney's strong background and her stature within the antitrust bar, industry, and the international community make her an ideal candidate to face the looming challenges.

In conclusion, I strongly support Christine Varney's nomination to serve as the next Assistant Attorney General in charge of the Antitrust Division. Please let me know if you or any of the members of the Committee have any questions or if there is anything further that I can do in support of Ms. Varney's nomination.

Respectfully Submitted,



Charles F. Rule

cc: Christine Varney, Esq.