

January 19, 2012

Senator Patrick J. Leahy
*Chairman, U.S. Senate Committee on the
Judiciary*
224 Dirksen Senate Office Building
Washington, DC 20510

Senator Chuck Grassley
*Ranking Member, U.S. Senate Committee on
the Judiciary*
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of Andrew D. Hurwitz for U.S. Circuit Judge, Ninth Circuit

Dear Chairman Leahy and Ranking Member Grassley:

On November 2, 2011, President Obama nominated Vice Chief Justice Andrew D. Hurwitz of the Arizona Supreme Court for a seat on the United States Court of Appeals for the Ninth Circuit. As former law clerks to Justice Hurwitz, we are uniquely qualified to attest to the many outstanding qualities that would make him an excellent addition to the Ninth Circuit bench. We write today to share some of these with the Committee and, in so doing, we urge the Committee to promptly report Justice Hurwitz's nomination to the full Senate for consideration.

First and foremost, Justice Hurwitz has an intellect that is second to none. His mastery of the law and his facility for legal reasoning is evident from the moment he begins considering a case, to his questions during oral argument, and ultimately to the careful and considered opinions he writes. His understanding of the intricacies of the law has made him an outstanding judge and an outstanding teacher, in the classroom at the Arizona State University Sandra Day O'Connor College of Law, in the myriad of public events he attends as a representative of the Arizona Supreme Court, and most especially to those of us who spent a full year working with him at the Court.

Second, Justice Hurwitz is deliberate. His clerks all have had the experience of watching draft opinions go through twenty-five rounds of revisions as he refines his language. This drafting process occurs as part of an ongoing dialogue about a case with his colleagues and frequent meetings with his law clerks to ensure that no stone is left unturned. The inevitable result of his hard work is an opinion which is both well-reasoned and a concise statement of the law, providing clarity for both practitioners and the general public.

Third, Justice Hurwitz is fair. Every person who has appeared before the Arizona Supreme Court during his tenure has received the benefit of his full and unbiased consideration of the issues. Justice Hurwitz understands that the purpose of his work is the proper resolution of the case before him. Because of his hard work and comprehensive examination of every case, the parties are not penalized for the poor advocacy of their attorneys. Justice Hurwitz always cuts through the folderol to reach the issues at the heart of the case, and he studies those issues for as long as necessary to reach the correct result.

Finally, Justice Hurwitz has a magnetic personality that makes him approachable by all. His wit and broad knowledge make a lunchtime conversation with him a true pleasure, whether the topic is politics, sports, history, the arts, or the law. He will bring to the Ninth Circuit a level of collegiality that is crucial to the proper functioning of an appellate court.

A clerkship with Justice Hurwitz has been described by at least one senior attorney in the Phoenix area as “attending the Andy Hurwitz Finishing School.” We have all been fortunate enough to have our legal careers molded in part at that “Finishing School,” and for that, we are proud and grateful. Justice Hurwitz has served the State of Arizona well for the past eight years, and our State’s loss will most certainly be the Ninth Circuit’s gain. We respectfully urge the Committee promptly report Justice Hurwitz’s nomination to the full Senate.

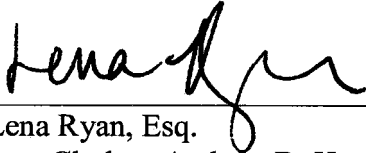
Sincerely,



D. Andrew Gaona, Esq.
Law Clerk to Andrew D. Hurwitz, 2010-11



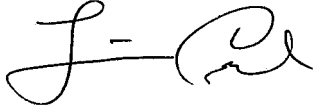
Shane Ham, Esq.
Law Clerk to Andrew D. Hurwitz, 2009-10



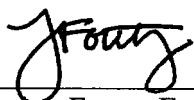
Lena Ryan, Esq.
Law Clerk to Andrew D. Hurwitz, 2008-09



Kathleen O'Meara, Esq.
Law Clerk to Andrew D. Hurwitz, 2007-08



Lincoln Combs, Esq.
Law Clerk to Andrew D. Hurwitz, 2006-07



Jaclyn Foutz, Esq.
Law Clerk to Andrew D. Hurwitz, 2005-06



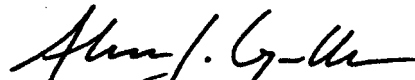
Matthew du Mée, Esq.
Law Clerk to Andrew D. Hurwitz, 2010-11



William Furnish, Esq.
Law Clerk to Andrew D. Hurwitz, 2009-10



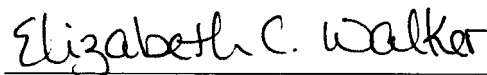
Brunn W. Roysden III, Esq.
Law Clerk to Andrew D. Hurwitz, 2008-09



Alastair J. Gamble, Esq.
Law Clerk to Andrew D. Hurwitz, 2007-08



Kory Langhofer, Esq.
Law Clerk to Andrew D. Hurwitz, 2006-07



Elizabeth C. Walker, Esq.
Law Clerk to Andrew D. Hurwitz, 2005-06