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September 21, 2011

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

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Senate Dirksen Office Building
Washington, DC 20510

Re: *Michael Walter Fitzgerald, Nominee for United States District Judge for the Central District of California*

Dear Senator Leahy and Senator Grassley:

I am writing to support the confirmation of Michael Walter Fitzgerald as a United States District Judge for the Central District of California. Mike has served as a prosecutor, a white-collar defense attorney, and as a civil litigator. Mike is well-liked and well-respected here in Los Angeles, as is the law firm where he is a named partner. As a retired District Judge, I care about this bench having served for 21 years in this federal court. Therefore, I'm pleased that, if Mike is confirmed, this vacancy would be filled with a strong nominee.

While I was on the district court bench, Mike appeared before me in both civil and criminal cases. He was well-prepared and effective in court without being brash. In particular, I remember his appearance in *United States v. Maurice Newman*. Mr. Newman, the former CEO of a small company, had pleaded guilty to securities fraud. In both the papers and oral argument, Mike made one of the most thorough and persuasive sentencing presentations that I saw as a District Judge. He highlighted the personal qualities of the defendant and explained the business

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realities that suggested that the defendant's wrongful actions didn't cause the collapse of the company. At the same time, he didn't downplay the wrongfulness of the defendant's conduct.

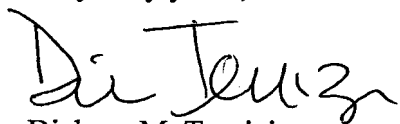
As a retired judge, I am with the JAMS alternative-dispute resolution service. By appointment of the bankruptcy court, I serve as the Monitor in regard to all the litigations and investigations arising from a failed bank because a large number of insureds and lawyers are drawing on the same set of Directors and Officers insurance policies. Among other duties, I have the obligation to review all invoices before they are presented to the insurance carriers. Mike's firm represents numerous clients in a variety of cases. Each month, I review the billings of Mike and his firm and I have the opportunity to compare them against those of other prominent lawyers and firms. Mike authors the report each month that accompanies the billings of his firm.

I have consistently found the work of Mike and his firm to be excellent. I have virtually never cut any of their bills, and I have never done so because I have found them to be excessive. Mike's firm is always the first firm to submit their billings and monthly report to me. His reports are always clearly written. In fact, I finally just directed the other firms to use the same template that Mike created for their own reports. Out of this group of prominent attorneys, Mike has shown leadership in resolving disputes with the insurance carriers, even when his firm was not being paid for that work. Based on my experiences with him as Monitor, now extending over more than two years, I'm confident that he'll handle the tough workload that goes along with a federal district judgeship in the Central District of California.

In general, I think that being a partner at a small firm gives a good overview of the Los Angeles business community and requires common sense. These traits, along with Mike's temperament and demeanor, would be very helpful on the bench, if Mike is confirmed.

Based on my first-hand experiences with Mike, I hope that the Judiciary Committee will report him favorably to the Senate. Please contact me if I can assist you or your staff further.

Very truly yours,



Dickran M. Tevrizian
United States District Judge (Ret.)

cc: Senator Dianne Feinstein
Senator Barbara Boxer