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November 1, 2023

Honorable Richard J. Durbin, Chair
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510
Sarah_Bauer@judiciary-dem.senate.gov

Honorable Lindsey O. Graham, Ranking Member
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510
Ryan_Giles@judiciary-rep.senate.gov

RE: Nomination of John D. Russell

Senator Durbin & Senator Graham:

I have known John Russell for over 30 years. I tried cases against him when he was a prosecutor in the United States Attorney's Office for the Northern District of Oklahoma, as well as have co-counseled criminal defense cases with him when he left the Department of Justice and was in private practice.

John's knowledge of the law and ability to articulate that through writing and oral argument is without equal. When John was a prosecutor most criminal defense lawyers had mixed feelings about John being their opponent. They had great respect for his ability, but they also knew he was going to make them work very hard to be successful against him. His legal adversaries in the private world all have the same opinion of John's legal ability.

I have seen John in stressful cases in the courtroom and in other settings. Never have I seen him become angry or even raise his voice. It would be difficult to conjure up a person with a better temperament to have the power, authority, and responsibility of a United States district judge.

I highly recommend the you give John Russell all consideration possible to insure his appointment to this important position.

Sincerely,



Allen M. Smallwood

AMS:bw