November 4, 2026

Honorable Charles Grassley, Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Honorable Richard Durbin, Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

RE: Support for the Nomination of Philip J. Axt to the United States District Court for the District of North Dakota

Dear Chairman Grassley and Ranking Member Durbin:

We write as North Dakota energy lawyers to express our strong support for Phil Axt's nomination to serve as a United States District Judge for the District of North Dakota. We respectfully urge the Senate to confirm him.

Mr. Axt brings exceptional legal ability, sound judgment, and a deep understanding of issues important to North Dakota. Since 2023, he has served as Solicitor General of North Dakota, overseeing constitutional challenges to state laws and litigation involving the State, the federal government, and other states. That work demands disciplined legal analysis, careful attention to statutory and constitutional text, and the ability to address consequential questions fairly and professionally.

Mr. Axt's background also reflects the breadth of experience needed for federal judicial service. He is a graduate of the United States Military Academy at West Point and Yale Law School. Before becoming Solicitor General, he practiced as a litigation associate at Gibson, Dunn & Crutcher and clerked for Judge Jennifer Walker Elrod of the United States Court of Appeals for the Fifth Circuit. Through those roles, he has developed substantial experience with complex litigation, appellate practice, and the careful application of law to disputed facts.

North Dakota's energy sector frequently presents significant legal questions involving property rights, infrastructure, regulation, interstate commerce, and constitutional authority. In his current role, Mr. Axt has defended the State's position concerning pore space for amalgamation. Regardless of one's views on particular policy questions, his work in this area demonstrates his ability to engage seriously and effectively with legal issues that materially affect North Dakota landowners, energy development, and the State's economic future.

Although Mr. Axt has not previously served as a judge, we believe his litigation experience, appellate clerkship, public service, intellectual rigor, and professional temperament have prepared him well for the responsibilities of the federal bench. He understands that a federal judge must

decide each matter impartially, respect the role of every litigant and attorney appearing before the court, and faithfully apply the governing law.

For these reasons, we respectfully urge favorable consideration and confirmation of Phil Axt to the United States District Court for the District of North Dakota.

Respectfully submitted,

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