

**Responses of Louis B. Butler, Jr.
Nominee to the U.S. District Court for the Western District of Wisconsin
to the Written Follow-up Questions of Senator Tom Coburn, M.D.**

- 1. In response to a prior written question asking you to recount the subject matters that were discussed by you during conversations you had with your home state Senators, you refused to answer stating: I believe it would be inappropriate for me to describe in any further detail my private conversations with United States Senators. . . . No one involved in the process of selecting me as a judicial nominee discussed with me any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning my position on such case, issue or question.” This answer is nonresponsive. Canon 5 of the Model Code of Judicial Conduct states that a “candidate for a judicial office *shall* not: with respect to cases, controversies, or issues that are likely to come before the court, make pledges, promises or commitments that are inconsistent with the impartial performance of the adjudicated duties of the office. . .” I believe that all members of the Committee are entitled to information about the topics of discussion and whether these topics included “cases, controversies, or issues that are likely to come before the court.” Please reconsider the questions I asked and provide the Committee with answers.**

Response: Senator, I can assure you that with respect to Canon 5 of the Model Code of Judicial Conduct, I have not, with respect to cases, controversies, or issues that are likely to come before the court, made pledges, promises or commitments that are inconsistent with the impartial performance of the adjudicated duties of the office. If I am confirmed as a United States District Court Judge, I will decide cases based on the facts and the law, following established precedent from the United States Supreme Court and the Seventh Circuit Court of Appeals.