

STATE OF TENNESSEE

Office of the Attorney General



JONATHAN SKRMETTI
ATTORNEY GENERAL AND REPORTER

P.O. BOX 20207, NASHVILLE, TN 37202
TELEPHONE (615)741-3491
FACSIMILE (615)741-2009

May 28, 2025

The Honorable Charles Grassley
Chairman, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Richard Durbin
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of Whitney Hermandorfer for the United States Court of Appeals for the Sixth Circuit

Dear Chairman Grassley and Ranking Member Durbin:

It is my joy and privilege to recommend Whitney Hermandorfer for appointment to the United States Court of Appeals for the Sixth Circuit. When my office recruited Whitney to come back home to Tennessee and stand up our new Strategic Litigation Unit, I knew she was extremely talented. But I have since come to appreciate that she is truly one of the very best attorneys in America.

I trust that you are familiar with her many accolades, some of which are unprecedented among her peers, but I would like to highlight a few for your specific attention. Whitney has built a career practicing law at the highest level in both public service and private practice. Immediately prior to joining my office, Whitney was an appellate and regulatory litigator at Williams & Connolly LLP, one of our nation's apex litigation firms. She earned respect from colleagues and opponents alike as she represented major clients in high-stakes cases.

Perhaps the most striking and unique credential on Whitney's resume is that she clerked for *three* current Supreme Court Justices. She worked for Justice Kavanaugh when he served on the D.C. Circuit and then moved up to One First Street to clerk under Justice Alito and then again under Justice Barrett. As you are aware, securing any one of these clerkships only comes at the end of

an extraordinarily competitive process. To my knowledge, she may be the only lawyer of her generation with such a distinguished clerkship pedigree.

In her role as Director of the Strategic Litigation Unit in our office, Whitney spearheaded some of the most sophisticated and impactful litigation in the nation. She led teams of lawyers from Tennessee and across the country and specialized in blockbuster constitutional and regulatory litigation against federal agencies. Due in significant part to her outstanding leadership, writing, and argumentation, Tennessee scored one major victory after another, including, most recently, against the Biden administration's unlawful and unconstitutional Title IX rule. Whitney has also defended our State in complicated constitutional cases. She has litigated in state and federal court, first-chaired proceedings in trial and appellate court, and won victories all the way up to the Supreme Court of the United States.

Beneath her dazzling resume and the litany of momentous cases, Whitney is a lawyer's lawyer. She is careful and thoughtful and cares deeply about the law as the reservoir of our nation's fundamental aspirations as expressed by the American people through time-tested institutions. She consistently delivers analytical rigor, a keen wit, sound judgment, and a relentless work ethic. One of my favorite qualities of Whitney's is her golden pen; she is an exceptional writer of punchy, intelligent, deft, and memorable prose. While she has spent years honing this talent, she comes by it honestly and in true Tennessee fashion: Whitney is the daughter of an accomplished Nashville songwriter.

Permit me also to share with you the person Whitney is. Her incomparable legal acumen and resume aside, she is, more importantly, a woman of impeccable integrity, a patriot with a deep loyalty to our nation and its laws, a loving and devoted mother and wife, a servant leader in her community, an indefatigable optimist, and a humble and kind friend. I know she is precisely the person America needs for this crucial office. She will elevate the Court's already renowned analysis and reasoning, mentor clerks to lead the next generation of dedicated attorneys, and model for the entire nation true fidelity to the Constitution and the rule of law.

I have treasured working with Whitney these past few years. My team and I will miss her in her role as an attorney, as will the people of Tennessee, whom she served with brilliance, constancy, and distinction. But her nomination fills us all with hope—hope that the elevation of Whitney, the best of Tennessee and the best of America, will sustain and strengthen the Court of Appeals and our very system of constitutional self-government for many years to come.

Thank you for your consideration of this letter, and please let me know if you need any further information or if I may otherwise assist you in connection with Whitney's nomination.

Sincerely,



Jonathan Skrmetti
Attorney General and Reporter
State of Tennessee