

CHERYL A. KRAUSE

cheryl.krause@dechert.com
+1 215 994 2139 Direct
+1 215 655 2139 Fax

March 13, 2014

Via Electronic Mail

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

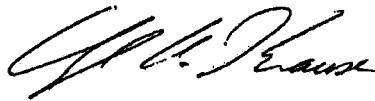
The Honorable Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Grassley:

I write to apologize for and clarify two inadvertent misstatements I made at my nomination hearing yesterday in response to Senator Grassley's question regarding my law review article on the after-acquired evidence defense to employment discrimination claims. First, I incorrectly stated it was written in 1994 rather than 1993. And second, I incorrectly stated that the Supreme Court had cited the article in a 1995 opinion. The article was cited in U.S. Court of Appeals opinions but not by the Supreme Court.

Again, my apologies for these mistakes in my testimony.

Respectfully,



Cheryl Ann Krause