

February 6, 2012

Honorable Robert Casey
U.S. Senate
393 Russell Senate Office Building
Washington, D.C. 20510

Honorable Patrick Toomey
U.S. Senate
502 Hart Senate Office Building
Washington, D.C. 20510

Re: **Nomination of Gerald A. McHugh, Jr. to the Eastern District**

Dear Senators Toomey and Casey:

Please consider this letter in support of the potential nomination of Gerald McHugh to the federal trial bench.

The signatories to this letter represent a broad cross-section of the trial bar. We hail from firms large and small; represent government, corporations, management, labor, and individuals from all walks of life. We include Democrats, Republicans, and Independents. Some of us have prosecuted accused criminals, and others defended them. We find ourselves on opposite sides of the courtroom on a regular basis. What we share in common is Fellowship in the American College of Trial Lawyers.¹

The College is the oldest and most respected institution of the trial bar. Past Presidents have included Justice Lewis Powell and Attorney General Griffin Bell, among other legendary members of the bar.

Fellowship in the College is limited to the top one percent of practicing trial attorneys in any state. In addition to showing exceptional ability, a proposed Fellow must show exceptional integrity and character. The vetting process is painstaking and lengthy.

Membership in the College is so cherished that upon elevation to the United States Supreme Court, each new Justice is offered, and gladly accepts, admission. Members of the High Court have regularly addressed the College, and advice from the College's standing committees on the administration of justice is welcomed by the federal judiciary.

In addition to sharing that Fellowship, the other common thread uniting us, and the motivation for this letter, is the firm conviction that Jerry McHugh would make an outstanding federal judge.

¹ This letter does not represent an official position of the American College, but a personal communication from individual lawyers who are Fellows of the College.

Honorable Robert Casey
Honorable Patrick Toomey
February 6, 2012
Page 2

Some of us know him as a colleague or as co-counsel. Others know him as an opponent. Some of us have sought his advice or asked his representation of our clients, family and friends. Many of us have learned from his lectures, or relied upon his treatise on Pennsylvania torts. Yet others have worked with him on projects to improve the administration of justice or access to the courts.

These multiple interactions bring all of us to the same place: Jerry McHugh would be a judge to whom we could entrust our most important matters, and whatever the outcome, we would be confident that our clients will receive an impartial, informed decision, soundly rooted in the law. We are equally confident that his temperament is uniquely suited to presiding over a courtroom and fulfilling the duties of a judge

We assume there is no need to recount the many professional achievements which account for Jerry McHugh's stature in the bar. There is one revealing footnote, however, the significance which would only be understood by Fellows of the College. Each year, at the induction ceremony, one new Fellow is selected by the President of the College to deliver remarks on behalf of the inductees, an intimidating array of the best of the trial bar from around the United States. In Jerry McHugh's year, after weighing the accomplishments of a characteristically impressive class, the President accorded him that signature honor.

As lawyers who are privileged to litigate some of the most important cases in our federal courts, we harbor no doubt that an appointment of Jerry McHugh would be acclaimed across Pennsylvania.

Respectfully yours,

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Honorable Robert Casey
Honorable Patrick Toomey
February 6, 2012
Page 3

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Honorable Robert Casey
Honorable Patrick Toomey
February 6, 2012
Page 4

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