

Mark A. Myhra



February 13, 2013

RECEIVED FEB 13 2013

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

Re: Nomination of B. Todd Jones as ATF Director

Dear Chairman:

I do not profess to understand politics, at least the kind that rears its ugly head whenever a willing, highly-qualified American is scrutinized upon being nominated to fill an important post. I hail from a long line of farmers and teachers from the great state of North Dakota. My people are staunch Republicans; they fish and hunt when time allows; they generally root for the Minnesota Twins in the summer months and a college hockey team formerly called the Fighting Sioux in the winter months. More importantly, they objectively commend a person of integrity and honor, even though that person has different political affiliations, if the person is a public servant. I heard my father say, on several occasions during his lifetime, "good people are hard to find and great ones nearly impossible, especially those willing to serve public office." I apologize for a potentially patronizing tone in quoting my father's obvious proposition, but isn't it so true, more today than ever before?

I write today, of my own accord, to share something of my long history with B. Todd Jones – a history spanning nearly 30 years. By almost every measure that society today employs to define people and judge worthy our relationships – heritage, party affiliations (including shades of conservatism/liberalism), social tendencies, religious views, etc. – Todd and I have little in common. We reside on diametrically opposite sides of the political, social and professional spectrum. Yet, I know Todd to be a man of great integrity and honor, a great leader, and willing to serve in public office. And so I write.

To put my comments in perspective, allow me to share three points of departure. First, Todd and I served together as Infantry Officers in the Marine Corps with 1st Battalion, 7th Marines. Second, Todd and I were partners at a boutique litigation firm in Minneapolis. Third, we remain friends of the most worthy kind; over the years, we have gone months without contact, only upon re-entry to rekindle honest and earnest discussion about the state of our country, our beloved Corps, the legal profession, the local church, fallen warriors, our families, etc.

I know Todd as a man of immense leadership skill and self-discipline. Our service as Marine Officers overlapped closely by nearly three years in the mid-1980s when we were stationed together at Camp Pendleton. The quality of a junior military officer, serving in a combat unit during peace time, may be interrogated in three related ways: from the eyes of senior officers in the command, from the eyes of other company-grade officers in the unit, and from the eyes of the enlisted men. I worked closely with Todd at the Marine rifle company level. We were roommates in the BOQ for six months during our unaccompanied tour to Okinawa, Japan in 1984. I know, from close and constant observation, that Todd was a very special Marine officer. He was highly regarded by the senior officers in the Battalion, and was given opportunities involving both command and staff advisor reserved for only the best and the brightest. He was highly trusted by his fellow Lieutenants, the ones who know first-hand who on your flank is to be trusted if bullets begin to reign. And, he was genuinely respected by the enlisted Marines in his Weapons Platoon and, later, in all of Company B, which he eventually commanded. Enlisted Marines are trained to respect their officers, but respecting the man beyond the rank is another matter. Todd earned and held the respect of all enlisted Marines, from PFCs to senior NCOs. All of this is an undisputable sign of great leadership.

In a Marine rifle company, there are no politics, and rank does not equate to automatic regard, trust or respect. These, rather, are earned by judgment, discipline, fairness, and consistent performance. Todd was an exceptional Marine Officer, and I know that the qualities which made him exceptional carried into his professional life after he left the Marines and entered the legal profession.

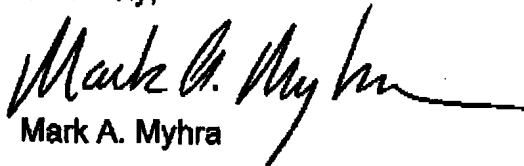
In 1994, I invited Todd to join Greene Espel, an upstart litigation boutique law firm in Minneapolis. Six lawyers passionate about the law and community had cast together a unique firm in 1993. While interested in growing the firm, we were very cautious about preserving our unique culture. I knew Todd would be a perfect addition to our group. He was an immediate leader in the firm, helping to establish it as a leading litigation firm in Minneapolis – where it remains today. Todd led the firm by example and he shaped many of the principles that still frame the firm over a decade later. He helped manage the firm, even as he won cases, served clients and developed junior lawyers. Eventually, he left a lucrative practice at the firm to serve as a federal prosecutor – not for money or personal gain, but to answer a call to public service.

Finally, I share unabashedly the fact that I consider Todd to be my friend. I do not believe this truth should be apprehended as a cause of bias, but rather one that lends deeper insight into the man. I am proud to know Todd Jones.

I know him not only as an exceptional leader and attorney, but also as a wonderful citizen, husband and father. I believe that everyone who has ever worked with Todd or for him has benefitted from his leadership. I cannot conceive of the motivation of the counter-voices of recent publicity. But, I hope the political process sees past these voices and finds the integrity and honor to confirm this nomination.

I believe each of us holds dear a "short-list" – that very careful cropping of chosen few whom we would call upon *first* when a situation calls for talented, clear-minded, resourceful leadership to address crises or equally when a situation calls simply for integrity, passion and compassion in life's private moments of joy or despair. Todd Jones is on my short-list.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Myhra", with a long, sweeping horizontal stroke extending to the right.

Mark A. Myhra