

Senator Chuck Grassley
c/o Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Senator Ron Johnson
328 Hart Senate Office Building
Washington D.C. 20510

Senator Dianne Feinstein
Committee on the Judiciary
331 Hart Senate Office Building
Washington D.C. 20510

Senator Tammy Baldwin
709 Hart Senate Office Building
Washington D.C. 20510

Re: Nomination of Michael B. Brennan to serve on the United States
Court of Appeals for the Seventh Circuit

January 19, 2018

Dear Senators:

I write in support of the nomination of Michael B. Brennan to serve on the United States Court of Appeals for the Seventh Circuit.

I served as the elected District Attorney of Milwaukee County, Wisconsin, from January of 1969 to December of 2006. My high regard for Mr. Brennan is premised principally on my professional work with him during that time.

Mr. Brennan and I first met when he served as a Pro Bono Assistant District Attorney for Milwaukee County from June 1992 to September 1992. He was employed at the time by the Milwaukee law firm of Foley and Lardner and under a program between that office and the district attorney's office pursuant to statute served three months in the misdemeanor courts. Key personnel in our office and I, in short order, became impressed with Mr. Brennan's high energy, his mastery of the law, his integrity, and his good judgment. Thereafter, Mr. Brennan returned to Foley and Lardner with our great respect.

Several years later, Mr. Brennan completed a judicial law clerkship with Judge Daniel Manion of the United States Court of Appeals for the Seventh Circuit. At my invitation, he accepted an appointment as an assistant district attorney starting in August of 1997 and served in that capacity until July of 1998. As an assistant district attorney, he was assigned some very challenging cases. Mr. Brennan continued to exhibit those qualities of scholarship, integrity, and judgment which had initially earned our respect.

In July of 1998, with my concurrence as there was a need for a very skilled attorney, Mr. Brennan accepted a gubernatorial appointment to serve as staff counsel to a new committee designated by law to study and reclassify offenses under the criminal statutes, develop judicial sentencing guidelines, and initiate other significant changes in state criminal law. I served on that new committee with a number of other experienced judges and lawyers, many of whom were expert in the law and who strongly held divergent opinions on what changes should be adopted. Mr. Brennan provided splendid research and appropriate materials to the committee and with his gracious manner moved the committee through its very substantial workload so felicitously that the contentious disputes I and others had

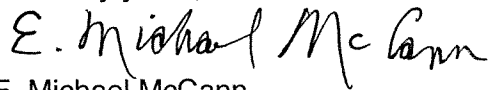
expected simply did not occur.

In the latter part of 1999, after the committee completed its work, Governor Tommy Thompson appointed Mr. Brennan to serve as a circuit court judge for Milwaukee County. I enthusiastically supported the appointment. In the years that Judge Brennan was assigned to the criminal courts, the Milwaukee County District Attorney's Office was a party to each of the many thousands of criminal cases he handled. He was an excellent judge in all regards. He was properly respectful of lawyers, witnesses, victims and of the rights of defendants. His courtroom was a model of judicial decorum. In jury trials and trials to the court and in the hearing of motions, he was thoughtful, patient, knowledgeable, and scholarly. He had mastery of the law and was cognizant of the problems in the justice system. He was fair, unbiased, devoid of prejudices and committed to justice. The comparatively very few motions for change of judge filed in his court quietly speaks eloquently of the perceptions of lawyers and litigants that they were receiving justice from him. Michael B. Brennan was a superb, widely respected Milwaukee County circuit judge.

At the end of 2006, I retired and increasingly thereafter family health matters caused me in great measure to withdraw from public life. While I cannot speak in detail of Mr. Brennan's work thereafter, he continues to possess an excellent reputation.

I urge you to confirm this nomination. Michael B. Brennan is an honorable man of immense integrity, ideally qualified by fine intellect, even disposition, extensive judicial experience, a strong work ethic, sound judgment, good character and a firm commitment to justice. He will be an excellent appellate judge.

Sincerely yours,

A handwritten signature in black ink that reads "E. Michael McCann". The signature is written in a cursive, flowing style.

E. Michael McCann
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