

May 15, 2013

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

Re: *Tony West*

Dear Senator Leahy:

I write you in support of the nomination of Tony West to be Associate Attorney General of the United States Department of Justice. I came to know Mr. West as a worthy adversary in the prosecution and conviction of John Walker Lindh, and I hold him in the highest regard.<sup>1</sup>

Mr. Lindh came into the custody of the United States in Afghanistan shortly after the attacks of September 11<sup>th</sup>, and was brought to the Eastern District of Virginia for prosecution. In January 2002, in my capacity as Senior Litigation Counsel and Assistant United States Attorney for the Eastern District of Virginia, I was appointed along with David N. Kelley of the Southern District of New York to lead the prosecution of Mr. Lindh. Tony West and two colleagues from the law firm of Morrison & Foerster were retained to represent Mr. Lindh. From the very first hearing, the case was as intensely and hotly contested as any in which I have been involved during my seventeen years as a federal prosecutor.

From January 2002 until Mr. Lindh was sentenced in October 2002, I had almost daily contact with Mr. West and observed him in virtually every litigation context. What impressed me most about Mr. West was his extraordinary professionalism throughout this difficult case. I have no doubt that the skills and talent I witnessed firsthand will serve him well if he is confirmed as Associate Attorney General.

First, in the highest traditions of the Bar, he took on the representation of a client who was the subject of massive negative publicity. He understood his categorical obligation to provide zealous representation and I never saw him flinch from that duty even for an instant. Second, Mr. West's word was his bond. Although I had never met Mr. West prior to his representation of John Walker Lindh, I came to accept his representations without qualification. Third, he demonstrated time and again that he is simply a brilliant litigator, a judgment I base not just on the exceptional quality of his pleadings but on his entire approach to the litigation. Finally, Mr. West remained at all

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<sup>1</sup> In October 2002, shortly after the prosecution of Mr. Lindh was completed, I left the Department of Justice to become a Circuit Court Judge in Fairfax County, Virginia. In accordance with Virginia Judicial Ethics Advisory Opinion 06-1, I would note that this letter is personal and does not constitute official court business.

times unflappable, affable and courteous – despite the concentrated and pressurized pace of this litigation and the need by both sides to leave no stone unturned.

In summary, for ten months in 2002, and from the vantage point of an adversary, I had the privilege of seeing in action one of the finest attorneys I have ever known. I recommend Tony West's nomination to you without reservation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. I. Bellows", with a stylized, flowing script.

Randy I. Bellows