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January 3, 2018

VIA FACSIMILE – 202-224-6020

Attn: Mike Davis

Senator Chuck Grassley
135 Hart Senate Office Building
Washington, DC 20510

Re: Confirmation of Chief United States District Court
Judge Kurt Engelhardt of the Eastern District of Louisiana
to the Vacancy in the United States Fifth Circuit Court of Appeals

Dear Senator Grassley:

I am writing this letter to you urging confirmation of President Donald Trump's nominee, Judge Kurt D. Engelhardt, to fill a present vacancy at the United States Court of Appeals for the Fifth Circuit.

Kurt D. Engelhardt, now the Chief United States District Court Judge for the Eastern District of Louisiana, was first officially sworn in on December 14, 2001 at the young age of 41. He has been an excellent addition to the judiciary in the Eastern District of Louisiana. During his 15 year tenure, Judge Engelhardt has now served by designation on eight different panels of the United States Fifth Circuit Court of Appeals, and has also served on Circuit panels with over 10 current Fifth Circuit Judges.

Based upon my personal observation of my former law partner of nine years, I can say Kurt has served with distinction as a U.S. District Court Judge in the Eastern District, and has the educational background, the legal experience, the judicial temperament, and the dedication to the job to be an excellent jurist on the bench of United States Fifth Circuit Court of Appeals.

My conclusions are based upon my own 40 years of experience in federal court. I was appointed as Assistant United States Attorney under President Jimmy Carter, and Attorney General Griffin Bell. I served as Chief of the Criminal Division of the U.S. Attorney's Office in New Orleans (1978-1982) and served as an Assistant Federal Public Defender in New Orleans (1974-1978). I am a Lieutenant Colonel (Retired) JAG Corp, in the United States Army (1970-1998).

When I left the U.S. Attorney's Office, I was hired by the Law Firm of Hailey, McNamara, Hall, Larmann & Papale and have remained at the firm for over 30 years. In May 1992 our firm was looking to expand and sought to hire an attorney experienced in commercial litigation, and Kurt was immediately hired after my initial interview with him. He was soon assisting me with my trial docket, which included Environmental Law, White Collar Criminal Defense, Professional Malpractice Defense, Business Law, and Insurance Defense. For example, in 1995, Kurt and I defended Lockheed Martin against a whistleblower case falsely alleging that certain product integrity omissions lead to the "foam" deficiency causing the Challenger disaster in 1986. After a two week trial, the jury returned a defense verdict in favor of Lockheed Martin.

In 1995, Judge Engelhardt was appointed by the Governor to serve on the nine-member Louisiana Judiciary Commission which handled ethical complaints against state judges across the entire state of Louisiana.

His work ethic and enthusiasm is reflected in his rise to a position of leadership within nearly every entity or organization for which he becomes affiliated (e.g. Chief Judge of the Eastern District, Board Member and President of the New Orleans Chapter of the Federal Bar Association, Board of Directors of the Cancer Association of Greater New Orleans).

I know from my own experience that Kurt is fully prepared for every legal responsibility as a lawyer or as a Judge. Although, I have not practiced before him in the Eastern District because he automatically recuses himself to avoid even the appearance of impropriety, I am aware of his respected status within the legal community, and his confirmation has been enthusiastically endorsed by the American Bar Association, Federal Bar Association, and all such local legal organizations.

In addition, Kurt has an impeccable personal life. He has been married to Ann Wimberly for 18 years, and they reside in Metairie, Louisiana.

I whole heartedly recommend the confirmation of Chief Judge Kurt Engelhardt to fill the vacancy at the U.S. Court of Appeals for the Fifth Circuit.

With kind regards, I remain

Very truly yours,



RICHARD T. SIMMONS, JR.

Managing Partner

(Hailey, McNamara, Hall, Larmann & Papale)

Lt. Col. JAG

U.S. Army (Retired)

/mb

cc: Senator Bill Cassidy
Senator John Kennedy

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January 3, 2018

Senator Dianne Feinstein – scheduling@feinstein.senate.gov
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

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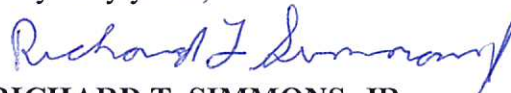
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