

July 29, 2025

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

The Honorable Richard Durbin
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of Eric Tung for the U.S. Court of Appeals for the Ninth Circuit

Dear Chairman Grassley and Ranking Member Durbin:

We are former law clerks to Neil Gorsuch on the U.S. Court of Appeals for the Tenth Circuit or the Supreme Court of the United States. We hold a broad set of views on legal philosophy, politics, and other topics. But while we may disagree on much, we agree on this: Eric Tung is well-qualified to serve as a Judge on the U.S. Court of Appeals for the Ninth Circuit.

Working for Justice Gorsuch taught us all so much. We saw firsthand how important hard work is to good judging. We learned how vital it is to write clearly so that litigants—not just their lawyers—can understand opinions. We learned how to analyze legal issues with the utmost rigor. Perhaps most importantly, we learned (to quote the Justice’s common refrain) how to disagree without being disagreeable.

Eric absorbed these and other lessons well. His first job out of law school was as a law clerk to then-Judge Gorsuch on the Tenth Circuit, and he later returned to clerk during Justice Gorsuch’s first full Term on the Supreme Court. Eric’s experience clerking not once but twice for Justice Gorsuch, in addition to clerking for Justice Antonin Scalia, is perhaps the best training that one could receive for serving as a federal appellate judge.

Beyond his legal ability, we also know Eric as a wonderful person. He has been a friend and mentor to many in the Gorsuch clerk community, always willing to take the time to provide advice to others. He has been a warm presence at clerk reunions and in our lives. And he has a consistently calm, patient, and understanding demeanor.

In sum, we are confident that Eric will uphold the rule of law, take seriously the legal arguments made to him, and treat all litigants with respect. We urge the Senate to swiftly confirm him.

Sincerely,

Note: the undersigned individuals have signed on to this letter in their personal capacities and not in any official or representative capacity. Some former clerks were prohibited from signing due to codes of conduct or other restraints.

Leah Bressack
Law Clerk 2009-2011

James Burnham
Law Clerk OT 2020

Louis J. Capozzi III
Law Clerk OT 2021

Dwight Carswell
Law Clerk 2011-12

Joseph Celentino
Law Clerk 2016-17

Mark Champoux
Law Clerk 2007-08

Ethan P Davis
Law Clerk OT 2018

Mike Davis
Law Clerk 2006-07, OT 2016

Paul M. Dubbeling
Law Clerk 2012-13

Trevor W. Ezell
Law Clerk OT 2020 & OT 2022

David J. Feder
Law Clerk 2014-15, OT 2016 & 2017

Michael Francisco
Law Clerk OT 2018

Kyle Grigel
Law Clerk OT 2022

Josh Halpern
Law Clerk OT 2023

Alex J. Harris
Law Clerk 2015-16

Stefan Hasselblad
Law Clerk 2015-16

Krista Perry Heckmann
Law Clerk OT 2020

Tara Helfman
Law Clerk OT 2022

Kelly Holt Rodriguez
Law Clerk OT 2019

Nathan Jack
Law Clerk 2016-17

Sean E. Jackowitz
Law Clerk 2012-13

Kurt A. Johnson
Law Clerk OT 2019

Alexander Kazam
Law Clerk OT 2018

Michael E. Kenneally
Law Clerk 2013-14

Leigh Llewelyn
Law Clerk 2013-14

Michael H. McGinley
Law Clerk 2009-10

Timothy Meyer
Law Clerk 2007-08

Marissa R. Miller
Law Clerk 2013-14

Jane Nitze
Law Clerk 2008-09 & OT 2016

Matthew S. Owen
Law Clerk 2008-09, OT 2016 & 2017

Edward Pickup
Law Clerk OT 2024

Patrick Price
Law Clerk 2007

Michael Qin
Law Clerk 2016-17

John D. Ramer
Law Clerk OT 2020

Ben Strawn
Law Clerk 2010-11

David Kenneth Suska
Law Clerk OT 2022

John Tienken
Law Clerk OT 2023

Allison K. Turbiville
Law Clerk 2015-2016

Katherine Yarger
Law Clerk 2009-10

Stephen Yelderman
Law Clerk 2010-11, OT 2019

Tobi M. Edwards Young
Law Clerk OT 2018

Lucas M. Walker
Law Clerk 2009-10, OT 2017

Lael Weinberger
Law Clerk OT 2022