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Senator Chuck Grassley
Chairman, U.S. Senate Judiciary Committee
Dirksen Senate Office Building
Room 226
Washington, DC 20510

Delivered Electronically – No Hard Copy to Follow

RE: The nomination of Zach West to the U.S. District Court for the Northern District of Oklahoma

Chairman Grassley and members of the Judiciary Committee,

I write to you today in support of Zach West's nomination by President Trump to serve on the U.S. District Court for the Northern District of Oklahoma. I have known Zach in my professional capacity and as someone I consider a friend.

Professionally, we have been on the same side of cases and opposed each other in cases.

We served as co-counsel in *State of Oklahoma v. U.S. Department of Health and Human Services*, a Spending Clause/Weldon Amendment matter which originated in the Western District of Oklahoma, 5:23-CV-01052, and was successful at the U.S. Supreme Court by "grant, vacate, and remand," Case No. 24A146. I have also served as an expert for Zach in a state election law case before the Oklahoma Supreme Court in *McVay v. Cockroft*, Case No. 123179.

Our names appeared in opposition to each other in the alcohol regulation case *Institute for Responsible Alcohol Policy v. State*. The case was before the Oklahoma Supreme Court as Case No. 118021, was reassigned to the District Court, and then decided by the Oklahoma Supreme Court in Case No. 118209. We also held opposite positions in the Ninth Circuit case *Apache Stronghold v. United States*, Case No. 21-15295.

Both in opposition and agreement, Zach has remained a consummate professional capable of taking a few minutes to address an issue, whether over the phone or over an Oklahoma-shaped pancake at a local breakfast spot. I have never seen Zach get angry or express frustration. And when setbacks occurred, he approached them with grace and composure. Once confirmed by the Senate, the term "judicial temperament" will be defined by a review of his time on the bench.

Some have highlighted the need for criminal law experience in the seat for which he is nominated. The Northern District is a hotbed of criminal matters in light of the U.S. Supreme Court ruling in *McGirt v. Oklahoma*, and judges from around the nation have been supporting the case load in the District. I would argue that Zach possesses as much or more criminal law experience than any of the recent nominees to the Northern District had before selected. As a clerk for Judge Leon Holmes in the District of Arkansas, Zach was required to contemplate many of the issues he will face on the NDOK criminal docket. This does not even include his time as

a clerk to 10th Circuit Judge Bobby Baldock, where he weighed criminal appeals. His clerkships for Judges Holmes and Baldock were not just the usual one-year term, but for each he served two years weighing complex criminal issues.

But his recent years serving three different Oklahoma Attorneys General have placed him in a position to address and contemplate death penalty cases that require rigorous attention to nuance in the administration of justice. While death penalty cases before the NDOK may be light, his experience dealing with major criminal cases, including post-trial civil matters, will serve as a major attribute to the bench and should not be overlooked by the Senate.

As someone that I consider a friend, Zach stands out as a truly friendly, engaging, and cheerful person. If (once) confirmed, Zach will be an example of the type of district court judge that this Committee — Republican and Democrat alike — should seek to select.

It is my honor to give my highest recommendation to Zach West for the Northern District of Oklahoma seat, and I ask this Committee to send his nomination to the floor for confirmation.

Respectfully,

A handwritten signature in blue ink, appearing to read "Anthony J. Ferrante", is written over the printed name.

Anthony J. Ferrante