

January 21, 2014

The Honorable Patrick Leahy
United States Senate
437 Russell Senate Office Building
Washington, D.C. 20510-4502

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Re: Leslie Caldwell, Nominee for Assistant Attorney General, U.S. Department
of Justice

Dear Chairman Leahy and Ranking Member Grassley:

We are friends, admirers, and former officials of the United States Securities and Exchange Commission (“SEC”) who have worked with or know Leslie Caldwell, and we write in strong support of her nomination to be the next Assistant Attorney General for the Criminal Division at the U.S. Department of Justice. All of us have held, at one time or another, senior positions within the SEC, and have worked or are familiar with Ms. Caldwell.

Before entering private practice, Ms. Caldwell had a long and very distinguished career with the Department of Justice as an experienced prosecutor and manager. She has a depth and breadth of experience with criminal justice issues that will serve her well as Assistant Attorney General. She was an Assistant United States Attorney in both the Eastern District of New York and Northern District of California from 1987-2002, and was Director of the Department of Justice’s Enron Task Force from 2002-2004. For much of that time, she worked on matters involving securities fraud, in partnership with various offices of the SEC. Starting in 1997, she prosecuted numerous securities fraud cases in the Eastern District of New York. In 1999, she was recruited by then U.S. Attorney Robert S. Mueller, III to the Northern District of California for the purpose of spearheading an increase in white collar crime prosecutions, with an emphasis on securities fraud. In that role, Ms. Caldwell proactively reached out to SEC officials in San Francisco, Los Angeles, and Washington, D.C., and developed close working relationships that led to many successful joint investigations and prosecutions, including of accounting fraud, insider trading, and market manipulation. As a result of her experience, management skills, and strong working relationship with the SEC, Ms. Caldwell was in 2002 named Director of the Department’s Enron Task Force. In that role, she continued to work closely with the SEC in coordinating the very complex investigation that led to the criminal and/or civil prosecution of more than 40 individuals. In all these matters, Ms. Caldwell’s respectful and collaborative approach ensured that the SEC and the Department were able to work efficiently and effectively toward successful outcomes, while not losing sight of the agencies’ different enforcement goals.

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Ms. Caldwell has held several management positions and has the necessary management skills to oversee the 750 plus individuals working in the Criminal Division. She is thoughtful and pursues a principled approach to matters and policy issues. We believe that her proven ability to work effectively and respectfully with those outside the Department of Justice is also an important component of her ability to lead. We believe Ms. Caldwell possesses the characteristics to be a strong and effective leader of the Criminal Division. We thank the Committee for allowing us to present this information about her and believe that our country would be well-served to see her confirmed.

Respectfully,

David Bayless, *Regional Director, San Francisco*

Marc Fagel, *Regional Director, San Francisco*

Rob Khuzami, *Director, Enforcement*

Randall Lee, *Regional Director, Los Angeles*

Matt Martens, *Chief Litigation Counsel*

Bill McLucas, *Director, Enforcement*

Helane Morrison, *Regional Director, San Francisco*

Linda Thomsen, *Director, Enforcement*