

**JOHN D. CLOPPER, ESQ.**  
[jclopper@bsk.com](mailto:jclopper@bsk.com)  
P: 315.218.8242  
F: 315.218.8100

March 17, 2022

The Honorable Richard J. Durbin  
Chairman, Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Chuck E. Grassley  
Ranking Member, Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

Re: Letter in support of Nusrat Choudhury, nominee for the United States District  
Court for the Eastern District of New York

Dear Chairman Durbin and Ranking Member Grassley:

I write in support of President Biden's nomination of Ms. Nusrat Choudhury to serve as a U.S. District Court Judge on the U.S. District Court for the Eastern District of New York. I submit these comments in my personal capacity.

Nusrat is a brilliant lawyer. I know this because I have litigated against her. From 2007 to 2015, I was an Assistant U.S. Attorney in the U.S. Attorney's Office for the Southern District of New York, representing the various agencies of the federal government in civil litigation. From 2011 to 2013, I defended a lawsuit filed by Nusrat's client, the American Civil Liberties Union, against the Federal Bureau of Investigation, the Department of Justice, and the National Security Agency. During that time, I learned firsthand Nusrat's qualities as a lawyer, a colleague, and an American.

First and foremost, Nusrat is committed to public service. She has dedicated her career to the public interest and the pursuit of equal justice under the law. Nusrat possesses a remarkably broad knowledge of the law, and she is deeply committed to its unbiased application. Indeed, Nusrat is among the most open-minded lawyers I have litigated against. Over the course of the litigation in which we represented opposing parties, Nusrat consistently advocated for the reasonable and straight-forward application of the law. Given our respective clients' interests, we did not always agree on the proper interpretation of the law. But Nusrat approached every discussion with an understanding of the full range of interests at stake and with the goal of finding practical resolutions. In the end, our clients were able to resolve all the issues in the case without extensive court involvement. Nusrat's commitment to fundamental fairness,

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consideration of every aspect of the legal issues, and her temperament made resolution of the litigation possible.

Apart from her intelligence and fair-mindedness, I also found Nusrat to be a first-rate manager of federal court litigation. The litigation involved multiple agencies (and subcomponents) of the federal government, and resolving the case required significant coordination between the agencies and her client. Nusrat's collaborative approach, and her organizational and case management skills, were highly effective in the litigation and will serve her well on the bench if she is confirmed.

Finally, Nusrat is an excellent colleague. Even in adversarial settings, she is a pleasure to work with. She is a role model for collegiality in the legal profession. I also know I am not alone in holding Nusrat in such high regard. Nusrat is well-liked and well-respected by her fellow attorneys and the bench.

Nusrat is exceptionally qualified to serve as a federal district court judge. She possesses the impartiality, judgment, integrity, and intellect necessary to serve in that role. She would be an excellent addition to the U.S. District Court for the Eastern District of New York. I support her nomination without reservation, and I urge the Senate Judiciary Committee to advance her nomination to the full Senate.

Sincerely,



John D. Clapper