



TULANE LAW SCHOOL

TULANE ENVIRONMENTAL LAW CLINIC

January 24, 2023

The Honorable Richard Durbin, Chairman  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20515

The Honorable Charles E. Grassley, Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20515

The Honorable Lindsey O. Graham, Ranking Member  
Committee on the Judiciary  
United States Senate  
Washington, D.C. 20515

Re: Nomination of Orelia Merchant to the United States  
District Court for the Eastern District of New York

Dear Chairman Durbin and Ranking Members Grassley and Graham,

I write to provide my enthusiastic support for the nomination of Orelia Merchant to serve as a judge for the United States District Court for the Eastern District of New York. Ms. Merchant's vast and varied experience in her decades of public service practice – beginning in the clinic I now direct – renders her highly qualified to serve as a U.S. District Court judge.

I first met Ms. Merchant when she was a third-year law student here at the Tulane Environmental Law Clinic in 1997-1998. Ms. Merchant spent that year under my supervision representing a local grassroots group in Cancer Alley and its regional and national partners in multifaceted legal proceedings challenging the permitting of a massive polyvinyl chloride complex in an historic Black community already overburdened with pollution. Then and now, our clinic serves the dual role of educating law students in being effective, ethical, and loyal advocates while expanding access to the legal system for ordinary individuals and communities unable to afford to hire an attorney. During her time as a student attorney, Ms. Merchant demonstrated and mastered the skills, judgment, professionalism, and work ethic we hope to see in our students as they prepare to enter the legal profession. The Shintech matter was high profile, as it pitted the local community against powerful entities. Thus our work was demanding and under constant scrutiny. Yet even as a law student Ms. Merchant consistently rose to the occasion, staunchly and consistently adhering to her oath as student attorney to be “useful through my clinical education in the service of justice.”

Tulane Environmental Law Clinic

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Letter of Recommendation for Orelia Merchant as U.S. District Judge

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I have followed Ms. Merchant's legal career since her graduation. Her wide and deep experience representing agencies and state officials in both a defense and prosecution capacity provide her a strong background to serve as a federal judge. As a practitioner with many years of experience litigating in federal court, and as a former state prosecutor, I have litigated before many judges. In addition to legal knowledge and experience, fairness is a hallmark of any good judge. Ms. Merchant's temperament and years of experience on both sides of litigation uniquely qualify her not only as knowledgeable, but fair.

In sum, I am proud to have played even a small role in Ms. Merchant's impressive career, and even more gratified to be in a position to recommend her for a U.S. District Court judgeship. I am confident that, if confirmed, she will bring honor to the position for many years to come. Thank you.

Respectfully,



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Lisa W. Jordan  
Clinical Professor of Law and Director,  
Tulane Environmental Law Clinic