

Hon. Timoth K. Lewis

March 7, 2024

Senator Chuck Schumer

c/o Mike Lynch - Chief of Staff to Sen. Schumer:

Senator Mitch McConnell

c/o Sharon Soderstrom - Chief of Staff to Sen. McConnell:

RE: *Nomination of Adeel Mangi to the United States Court of Appeals for the Third Circuit*

Dear Sens. Schumer and McConnell:

As a former judge on the United States Court of Appeals for the Third Circuit, I am writing to you about a current nominee for that same court. I have been deeply disturbed by the unfounded and disturbing attacks against Adeel Mangi, and I strongly support his nomination.

Without any doubt, Mr. Mangi is eminently qualified for the position. He was born in Pakistan, got his law degree at Oxford, and then an LLM at Harvard. For nearly a quarter century, he has worked at the firm Patterson Belknap in New York, becoming a partner in 2010. He is a highly respected attorney working in complex commercial litigation in both federal and state courts. His skills garnered headlines around the country in a trade secrets case when he won the largest jury verdict in the history of Virginia.

He has also fulfilled the lawyer's obligation to provide pro bono service. And in so doing, he has made a real difference in people's lives. His able representation helped Muslim communities in two New Jersey towns get permits to build a mosque when town officials had unlawfully blocked them. He also represented the family of a mentally ill man who was killed by security officials in a New York prison. He achieved a settlement in which the state not only paid damages to the family, but also agreed to install video cameras and microphones throughout the prison to deter future abuse.

This is a nominee who should – and ordinarily would – have widespread bipartisan support.

Instead, he is being subjected to attacks against his character. His accusers claim he supports terrorism and is anti-Semitic. Those allegations are absolutely unfounded.

By reputation, and by accounts of numerous colleagues I hold in the highest regard, Adeel Mangi is exactly the kind of jurist we need on my former court – fair minded, holding the utmost respect for the rule of law, and prepared to make decisions by applying the law without fear or

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favor. Mr. Mangi bears no resemblance whatsoever to the caricature being painted of him in some quarters.

Unfortunately, there is a constituency in this current politicized environment for such a smear campaign directed at someone who would become the first Muslim American ever to serve on a federal appellate court. But this is not a constituency whose fears and ignorance any United States senator should entertain, let alone advance. As the Anti-Defamation League has said, “[j]ust as associating Jewish Americans with certain views or beliefs regarding Israeli government actions would be deemed antisemitic, berating the first American Muslim federal appellate judicial nominee with endless questions that appear to have been motivated by bias towards his religion is profoundly wrong.”¹

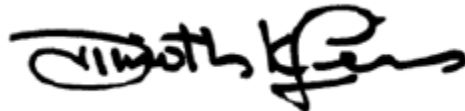
I cannot help but contrast Mr. Mangi’s experience as a nominee with my own. I had the great honor of being nominated to the Third Circuit by President George H. W. Bush in the fall of 1992. That, too, was a presidential election year, and I was one of only two Black judges to be nominated to a federal appellate court by President Bush, the other being now-Associate Justice Clarence Thomas to the D.C. Circuit. Nevertheless, I was treated with respect not just by senators of the party of the president who nominated me, but also by the Democratic senators who held the majority. I was confirmed by unanimous consent less than a month before Election Day.

Rejecting Mr. Mangi’s nomination would have a toxic long-term impact on the entire federal judiciary. We need more diversity on the bench. But if people from underrepresented communities believe they will be unfairly attacked, stereotyped, and rejected by the Senate, they are likely to think twice about being nominated, thus hindering efforts to make our courts look more like America.

It does not have to be this way.

I urge the Senate to treat Mr. Mangi with the same respect that I received in 1992. If it does, then senators will reject the baseless attacks and instead recognize a talented lawyer whose skills and experience would be a welcome addition to the Third Circuit.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy K. Lewis". The signature is stylized with a large, looped "T" and a cursive "Lewis".

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¹ ADL Statement on the Mistreatment of Adeel Mangi at Senate Judiciary Hearing, <https://www.adl.org/resources/press-release/adl-statement-mistreatment-adeel-mangi-senate-judiciary-hearing>.