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April 4, 2018

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

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Re: David Porter

Dear Senator Grassley and Senator Feinstein:

I write in support of David Porter's nomination to be a judge on the United States Court of Appeals for the Third Circuit.

By way of background, I am a trial lawyer in Pittsburgh, Pennsylvania, focusing on criminal defense and sports law. I have been appointed as an e-discovery master and a discovery special master, and have served as a mediator in federal and state court cases and in employee/employer workplace disputes. I am an appointed member of the Practitioners Advisory Group of the United States Sentencing Commission, representing the Third Circuit.

In 2011, I was appointed by then Chief-Judge Theodore A. McKee of the United States Court of Appeals for the Third Circuit to serve on the Merit Selection Committee for the Bankruptcy Judgeship in the Western District of Pennsylvania. In 2006 and 2014, I was appointed by the Chief Judge of the United States District Court for the Western District of Pennsylvania to serve on the Local Rules Advisory Committee. In 2014, I served as Chair of the Federal Court Section of the Allegheny County Bar Association ("ACBA").

Early in our careers, in the mid-1990s, Mr. Porter and I were both judicial law clerks on the United States District Court for the Western District of Pennsylvania. Mr. Porter and I served together on the Council (governing board) and as officers of the ACBA Federal Court Section. Mr. Porter was elected Chair of the Federal Court Section in 2009, when I was a Council

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member; I served as Chair in 2014. The Federal Court Section is a broad cross-section of litigation attorneys who practice in our federal courts. It includes plaintiff and defense counsel in the civil litigation bar, as well as prosecutors and defense lawyers in the criminal bar. The ACBA Federal Court Section is also fortunate to have regular and meaningful participation in its meetings and programs by federal district and circuit judges in Pittsburgh, and by ACBA leadership.

In my many dealings with Mr. Porter, he has always been scrupulously professional, fair, impartial, polite, respectful, and apolitical. He is well respected for his intellect, as well as his judgment. It has been my observation and experience that one does not become elected to the governing Council of the Federal Court Section, or become Chair of the section, unless one has earned the respect of the lawyers, judges, and bar association leaders who represent the various interests of the entire federal bar.

Mr. Porter is an excellent and worthy nominee to succeed Judge D. Michael Fisher on the Third Circuit. I am pleased to offer my unreserved support for his nomination.

Very truly yours,



Tina O. Miller

cc: The Honorable Robert P. Casey, Jr.
United States Senate
393 Russell Senate Office Building
Washington, DC 20510

The Honorable Patrick J. Toomey
United States Senate
248 Russell Senate Office Building
Washington, DC 20510