

United States Senate

WASHINGTON, DC 20510-1804

December 15, 2010

The Honorable Barack Obama
The White House
Washington, DC 20500

Dear President Obama:

Last month, I submitted three distinguished Louisiana legal practitioners for your potential nomination to the U.S. District Court in the Eastern District of Louisiana. Those candidates, listed in alphabetic order, were: Nanette Jolivette-Brown, Stephen Herman, and Jane Triche-Milazzo. Since then, your offices have moved with all deliberate speed and, as I understand it, a final decision on a nominee for U.S. Senate confirmation is imminent. I truly appreciate these timely efforts.

The Eastern U.S. District Court of Louisiana, however, now faces two additional vacancies. Just last week, the U.S. Senate found Judge Thomas Porteous guilty on four articles of impeachment, effectively and immediately removing Mr. Porteous from bench. In addition, Judge Mary Ann Vial Lemmon indicated earlier this month that she will enter into Senior Status effective January 1st, 2011. Thus, by the beginning of the New Year, the U.S. District Court for the Eastern District of Louisiana will have three empty seats on the bench.

To address these growing vacancies in the most prudent, fair, and expeditious manner possible, I submit for your review a total of six potential candidates to replace the two newest vacancies created by the departures of Mr. Porteous and Judge Lemmon. Given the talent and professional caliber of the group I submitted to you last month, I propose that you draw two of six candidates from whomever does not receive a nomination to replace Judge Stanwood Duval. In the case that you do not nominate Stephen Higginson to replace Judge Jacques Weiner on the U.S. 5th Circuit Court of Appeals, I would also submit Attorney Higginson as the third potential nominee for these two U.S. District Court vacancies. Lastly, in addition to the three distinguished attorneys who I have already submitted, I offer three new outstanding candidates: Allan Kanner, Gerald Meunier, and Susie Morgan.

Allan Kanner is the founder and senior member of Kanner and Whiteley, LLC, where he specializes in litigating complex class action lawsuits. The author of a textbook and over sixty published articles, Attorney Kanner is an expert in the areas of environmental law, toxic tort, commercial litigation, and consumer fraud. His practice has also provided him the opportunity to work with both EPA Administrator Lisa Jackson and HHS Secretary Kathleen Sebelius at different points in their respective careers. In addition to his trial work, Attorney Kanner served as an Adjunct Professor at Tulane Law School for almost

twenty years and offered his expertise as a Visiting Professor or Lecturer of Law for a number of different universities, including the University of California Berkeley, Yale, Duke, and the University of Texas Austin. Prior to practicing law, Attorney Kanner served as a law clerk to Judge Robert Vance of the U.S. 5th Circuit Court of Appeals. Attorney Kanner is 55 years old.

Gerald E. Meunier is a member of Gainsburgh, Benjamin, David, *Meunier* & Warshauer, LLC. Attorney Meunier has extensive experience with federal litigation and is an authority on matters related to mass tort, complex litigation, and class actions. Since 1998, Attorney Meunier has also served as Chair of the Civil Justice Reform Act Advisory Group for the Eastern District of Louisiana. Attorney Meunier is an outstanding trial attorney and has the requisite judicial temperament and knowledge to excel on the federal bench. Before entering into private practice, Attorney Meunier served for four years as an assistant in the U.S. Senate Democratic Cloak Room to Majority Leader Mike Mansfield and later clerked for two difference judges on the U.S. Eastern District Court of Louisiana. Attorney Meunier is 60 years old.

Susie Morgan is a partner in the commercial litigation regional practice group in the New Orleans office of Phelps Dunbar LLC, where she practices in the areas of governmental relations, oil and gas law, and general commercial litigation. Attorney Morgan has an extensive history practicing in the federal court system and is well-informed in matters of constitutional law. Attorney Morgan is also entrenched in the Louisiana legal community, having served as Chair of Louisiana Supreme Court's Court Rules Committee since 2002. Prior to entering private practice, Attorney Morgan served as a law clerk to Chief Judge Henry A. Politz of the U.S. 5th Circuit Court of Appeals. Attorney Morgan is 57 years old.

To further aid in your efforts, I have enclosed the full resumes of each new candidate. My letter recommending a replacement for Judge Duval, dated November 2nd, provided the same requisite details for Nanette Jolivette-Brown, Stephen Herman, and Jane Triche-Milazzo. Similarly, my letter recommending a replacement for Judge Weiner, dated November 5th, will provide all of Attorney Higginson's information. Should you need any further assistance from me or my staff, please contact my Chief of Staff, Jane Campbell at jane_campbell@landrieu.senate.gov or by phone at (202) 224-0095 at work or (202) 251-1332 on her cell.

Thank you so much for your consideration. I stand ready to assist you as needed.

With warm regards, I am

Sincerely,

A handwritten signature in blue ink that reads "Mary Landrieu". The signature is written in a cursive style with a large, stylized "M" and "L".

Mary L. Landrieu
United States Senator

MLL:jlc