

Received(Date): 24 JAN 2002 16:17:00

From: "Dinh, Viet" <Viet.Dinh@usdoj.gov> ("Dinh, Viet" <Viet.Dinh@usdoj.gov> [UNKNOWN])

To: "Newstead, Jennifer" <Jennifer.Newstead@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) ("Newstead, Jennifer" <Jennifer.Newstead@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) [UNKNOWN]), "Benczkowski, Brian A" <Brian.A.Benczkowski@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) ("Benczkowski, Brian A" <Brian.A.Benczkowski@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) [UNKNOWN]), Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

Subject: : FW: FW: Basic background -- Pickering

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:"Dinh, Viet" <Viet.Dinh@usdoj.gov> ("Dinh, Viet" <Viet.Dinh@usdoj.gov> [UNKNOWN])

CREATION DATE/TIME:24-JAN-2002 16:17:00.00

SUBJECT:: FW: FW: Basic background -- Pickering

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READ:UNKNOWN

TO:"Benczkowski, Brian A" <Brian.A.Benczkowski@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) ("Benczkowski, Brian A" <Brian.A.Benczkowski@usdoj.gov> (Receipt Notification Requested) (IPM Return Requested) [UNKNOWN])

READ:UNKNOWN

TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

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FYI.

Jen, can you get me talkers on this? thanks

-----Original Message-----

From: Ben Wittes [mailto:wittesb@washpost.com]

Sent: Thursday, January 24, 2002 3:09 PM

To: Dinh, Viet

Subject: Re: FW: Basic background -- Pickering

I've just finished reading Pickering's decision in Fairley (814 F. Supp. 1327). I have to say, it's not a model of what I think of when I think of judicial restraint. It seems, rather, like a lengthy policy essay decrying voting rights history--all totally unnecessary to resolve the matter before him. Have you looked at it? And are you willing to defend it?

/b

Benjamin Wittes
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"Dinh, Viet"
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"wittesb@washpost.com" <wittesb@washpost.com>
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Requested) (IPM Return Requested)
cc:
01/24/2002 02:55 Subject: FW: Basic
background -- Pickering
PM

-----Original Message-----
From: [REDACTED] P6/b6
Sent: Thursday, January 24, 2002 9:18 AM
To: [REDACTED] P6/b6
Subject: Basic background -- Pickering

Charles W. Pickering

Nominee to the United States
Circuit Court of Appeals for the Fifth Circuit

Legal and Personal Background

U. S. District Judge Charles W. Pickering, Sr., has served on the federal trial bench since his nomination to that position on October 2, 1990. Prior to his appointment, he practiced law for almost thirty years, gaining extensive trial experience.

Judge Pickering graduated at the top of his law school class at the University of Mississippi in 1961. While in law school, he was on the Law Journal and served as Chairman of the Moot Court Board. Upon graduating, he became a partner in a law firm in Mississippi and in 1969 he became a City of Laurel Municipal Court Judge. Judge Pickering was appointed and served as City Prosecuting Attorney of Laurel and was elected and served four years as County Prosecuting Attorney of Jones County. In addition, he was elected to two terms in the Mississippi State Senate, 1972 to 1980; was the Republican nominee

for
Attorney General in 1979; and served as Chairman of the Mississippi
Republican
Party from 1976 to 1978.

Throughout his career Judge Pickering has shown a commitment to his community in both a professional and personal capacity. His numerous civic contributions include serving as the head of the March of Dimes campaign in Jones County; as the Chairman of the Jones County Chapter of the American National Red Cross; and as the Chairman of the Jones County Heart Fund. In

1963
he was recognized as one of the three Outstanding Young Men in Mississippi.

Judge Pickering is active in his church and has served many years as a Sunday School teacher, as Chairman of the Deacons, Sunday School Superintendent, and Church Treasurer.

Judge Pickering is married and has three daughters and one son. They have eighteen grandchildren.

The Facts on Judge Pickering

Judge Pickering's record in his community and as a judge indicates that he is fully committed to improving racial relations and enforcing laws protecting civil rights.

Judge Pickering has expressed his commitment to civil rights through 5 consecutive decades of action. Pickering:

- Testified against the Imperial Wizard of the KKK for fire bombing a civil rights activist in Mississippi in 1967, at great risk to both himself and his family

- Worked with the FBI to investigate and prosecute other KKK members
- Hired the first African-American Republican political worker in Mississippi in 1976

- Represented a black man falsely accused of robbing a 16-year-old white girl in 1981

- Chaired a race relations committee for Jones County Mississippi in 1988
- Served on the board of the Institute for Racial Reconciliation at the University of Mississippi since 1999

- Worked with at-risk African-American youth in Laurel, Mississippi in

2000

This is why there has been a broad outpouring of support for Judge Pickering???

s
nomination to the 5th Circuit from the African-Americans who know him best.

Federal District Judge Henry Wingate of Jackson, Mississippi

Sixth Circuit Court of Appeals Judge Damon Keith

Thaddeus Edmonson, president of the city council in Laurel, Mississippi

Melvin Mack, member of the Board of Supervisors for Jones County, MS

Deborah Gambrell, a civil rights attorney who has practiced before Judge Pickering in Mississippi

Reverend Nathan Jordan, a former President of an NAACP chapter in the Southern District of Mississippi

Reverend George Barnes of Laurel, Mississippi, who has known Judge Pickering and his family for years

Judge Pickering is committed to following controlling precedent of the Supreme Court and of his Circuit, even when he may not personally agree with it.

Judge Pickering has served as a district court judge for over eleven years and has handled approximately 4000 to 4500 cases. Yet in all of these years, and after all of these cases, he has been reversed about 28 times. Thus, Judge Pickering???'s reversal rate is one half of one percentage point (.05%).

Judge Pickering understands and appreciates the distinction between a political stance that one takes as an advocate, and the role of an appellate court judge.

Judge Pickering, who has 3 daughters and 9 granddaughters, has shown a strong commitment to ensuring equal rights for women.

More than 25 years ago, Judge Pickering worked to include a recommendation in the Republican platform that women should receive equal pay and equal

rights.

Numerous women who know and have worked with Judge Pickering have endorsed his nomination, including civil rights attorney Deborah Gambrell, and Deputy U.S. Marshal Melanie Rube.

Judge Pickering, through a career of service to this community, is well-qualified for the position to which he has been nominated.

The American Bar Association has rated Judge Pickering ???well qualified,??? the highest rating a nominee can receive.

In his 1990 confirmation hearing, he was unanimously voted out of the Senate Committee on the Judiciary.

Judge Pickering???s nomination has received support from a wide array of individuals, including:

Numerous past Presidents of The Mississippi Bar Association

William Winter, the former Democratic Governor of Mississippi

Danny Cupit, former Chairman of the Mississippi Democratic Party

Carroll Ingram, female Democratic attorney and former State Senator, who served with Pickering in State Senate