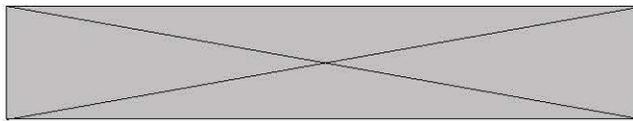


From: "Kavanaugh, Brett M."
To: "Gonzales, Alberto R.," "Leitch, David G.," "Walker, Helgard C.," "Newstead, Jennifer G.," "Bartolomucci, H. Christopher," "Sampson, Kyle," "Francisco, Noel J.," "Powell, Benjamin A.," "Ullyot, Theodore W."
Subject: being circulated by Committee for Justice (Boyden's group)
Received(Date): Fri, 14 Mar 2003 17:12:26 -0500
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Contact: Sean Rushton - (202) 481-6850
March 14, 2003

What, besides ethnicity, explains the disparate treatment of these two judicial nominees?

Jay S. Bybee
Nominee, 9th Circuit Court of Appeals

Miguel A. Estrada
Nominee, District of Columbia Circuit Court

Born:

Born:

[P6/b6]

Education:

1973-1977, Brigham Young Univ.,
B.A. degree, magna cum laude

Education:

1980-1983, Columbia College,
A.B. degree, magna cum laude, Phi Beta Kappa

1977-1980, Brigham Young Univ. Law School,
J.D. degree, cum laude, Law Review

1983 - 1986 Harvard Law School,
J.D. degree, magna cum laude, Law Review

Bar Admittance:

1981 District of Columbia; 2001 Nevada

Bar Admittance:

1987 New York; 1998 District of Columbia

Experience:

1984-1989, U.S. Department of Justice
Office of Legal Policy 1984-1986
Civil Division 1986-1989

1989-1991, The White House,
Associate Counsel to the President

1991-1998, Louisiana State Univ. Law Center
Assistant Professor 1991-1994, Associate Professor 1994-
1998, Professor 1998

1999-2000, University of Nevada Law School
Professor

2001-Present, U.S. Department of Justice,
Assistant Attorney General, Office of Legal Counsel

Experience:

1986-1987, Law Clerk to Hon. Amalya L. Kearse,
U.S. Court of Appeals for the 2nd Circuit

1988-1989, Law Clerk to Hon. Anthony M. Kennedy,
Supreme Court of the United States

1990-1992, U.S. Attorney's Office Southern District
of New York, Assistant U.S. Attorney

1992-1997, U.S. Department of Justice
Solicitor General's Office
Assistant to the Solicitor General

1997-Present, Gibson, Dunn & Crutcher, LLP
Of Counsel Attorney, 1997-99
Partner, 2000-present

Days since nomination:

295

Days since nomination:

673

ABA rating:

Majority, well qualified.

ABA rating:

Unanimous, well qualified.

Cases argued before U.S. Supreme Court:

0

Cases argued before U.S. Supreme Court:

15

Senators' questions answered:

60

Senators' questions answered:

125

**Surrendered internal advice from
Office of Legal Counsel requested by Democrats:**

0

**Surrendered internal advice from
Office of Solicitor General requested by Democrats:**

0

Status:

Confirmed by 75 to 18 vote, March 13, 2003

Status:

Subject of unprecedented 36-day filibuster