

March 18, 2022

The Honorable Richard Durbin
Chair of the U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Durbin and Committee Members:

We, the undersigned public interest organizations, write to express our opposition to the confirmation of Jennifer H. Rearden to the Federal District Court for the Southern District of New York. Rearden was previously nominated by former President Trump on May 4, 2020.¹ Rearden is a partner in the law firm of Gibson Dunn & Crutcher (Gibson Dunn). As discussed further below, Rearden's record litigating cases defending housing discrimination, seeking to overturn worker protections, and challenging improved access to transportation for wheelchair users makes her unsuitable for this appointment.

Rearden's firm has further represented corporations against efforts to hold them accountable for lying about climate science and blocking solutions to the climate crisis, preventing measures to address systemic racism, opposing vital protections for workers, and violating human rights at home and abroad. Multiple courts have also sanctioned and condemned Gibson Dunn for egregious tactics, including a \$9.9 million award imposed by the Montana Supreme Court for engaging in "legal thuggery."² While the available public record does not indicate that Rearden directly worked on these cases, we urge the Committee to thoroughly investigate any involvement she may have had. We believe that as a long time Gibson Dunn partner and member of the firm's crisis management practice group, Rearden bears moral responsibility for work by her firm contrary to the public interest, even if she did not herself work on each case. Regardless, the Committee and public should have more information about the extent of her involvement prior to any further confirmation proceedings.

President Biden has committed to nominating judges that "represent the best of America" and "whose legal experiences have been historically underrepresented on the federal bench, including those who are public defenders, civil rights and legal aid attorneys, and those who represent Americans in every walk of life."³ Based on a review of her own litigation record and her firm's representation of corporate interests opposed to the interests of everyday Americans, we believe

¹ PN1745, *Nomination of Jennifer H. Rearden for The Judiciary*, 116th Cong. (2019-2020), <https://www.congress.gov/nomination/116th-congress/1745>. On January 3, 2021, her nomination was returned to the President after it expired before this committee. *Id.* See also Andre Kragie, *The 26 Trump Judicial Picks Getting Left Behind*, Law360 (Jan. 7, 2021) available at <https://www.law360.com/articles/1334070/the-26-trump-judicial-picks-getting-left-behind>.

² *Seltzer v. Morton*, 2007 MT 62, 154 P.3d 561, 609 available at <https://www.wsj.com/public/resources/documents/montana031207.pdf> ("[B]latantly and maliciously trying to intimidate [its adversary] with the apparent power, prestige and resources of a large, nationally prominent law firm coupled with an ominous lawsuit that they knew threatened to ruin and devastate [the opposition] professionally, personally, and financially. . . GDC's [Gibson Dunn & Crutcher] use of the judicial system amounts to legal thuggery.").

³ Letter from White House Counsel-Designee Dana Remus to Democratic Senators (Dec. 22, 2020) available at https://www.huffpost.com/entry/joe-biden-courts-progressive-nominees_n_5fecc527c5b6e7974fd18321.

Rearden's confirmation would accomplish the opposite of the president's laudable aspiration.

Rearden has worked against the interests of historically oppressed members of our communities, exacerbating social inequalities.

In her 2020 nomination questionnaire list of ten important litigation matters, submitted after she was nominated by former President Trump, Rearden highlighted a case where she represented New York real estate company the LeFrak Organization against allegations that they had discriminated against tenants living with HIV/AIDS.^{4,5} Similarly, in a section discussing her *pro bono* work, Rearden lists her work helping a charter school organization overturn a New York Department of Labor ruling that charter schools were subject to "prevailing wage" requirements.⁶ Rearden has also represented Uber Technologies Inc. in a case challenging a rule requiring improved access to transportation for wheelchair users.⁷ Under the new rule reached via settlement of Rearden's case, "average estimated wait times for WAVs [wheelchair accessible vehicles] for Lyft and Uber were up to five times longer than for inaccessible vehicles."⁸

Rearden has spent nineteen years at Gibson Dunn, three as an associate and the last sixteen as a partner.⁹ In addition to being a partner in the firm, Rearden is also a member of the firm's litigation, securities litigation, and crisis management practice groups.¹⁰ As part of the crisis management team, Rearden defends corporations accused of wrongdoing. Based on her record, she is not a suitable nominee for a lifetime appointment to the federal bench.

The Committee should determine whether Rearden worked on cases in which her firm defended corporations from efforts to hold them accountable for driving the climate

⁴ Donald Trump has described the leader of the LeFrak Organization, Richard LeFrak, as one of his good friends. Katherine Clarke, *How loyal is LeFrak?*, The Real Deal (Sept. 1, 2017) available at https://therealdeal.com/issues_articles/how-loyal-is-lefrak/.

⁵ Jennifer Rearden Senate Questionnaire for Federal Judicial Nomination at 26-27 (Dec. 17, 2019) available at <https://s3.documentcloud.org/documents/21079480/jennifer-rearden-senate-questionnaire-for-federal-judicial-nomination.pdf>. See also Nat'l Fair Housing Alliance, *Where You Live Matters: 2015 Fair Housing Trends Report* at 34-35 (Apr. 30, 2015) available at <https://nationalfairhousing.org/wp-content/uploads/2017/04/2015-04-30-NFHA-Trends-Report-2015.pdf>; Adam Klasfeld, *NYC Housing Giant Accused of HIV Bias*, Courthouse News Serv. (Apr. 26, 2013) available at <https://www.courthousenews.com/nyc-housing-giant-accused-of-hiv-bias/>.

⁶ Rearden 2020 Senate Questionnaire, *supra* n.5, at 31.

⁷ Rearden 2020 Senate Questionnaire, *supra* n.5, at 22-23.

⁸ NY Lawyers for the Public Interest, *Still Left Behind: For-Hire Vehicle Providers in New York City Continue to Fail Wheelchair Users and Violate Accessibility Laws* (May 2019) available at <https://nylpi.org/wp-content/uploads/2019/05/Still-Left-Behind-Report%E2%80%9494Updated.pdf>. The Justice Department has since sued Uber, alleging a pattern of discrimination violating the Americans with Disabilities Act through the company's practice of charging "wait-time" fees to passengers who need more time to enter the car due to disabilities. Michelle Diamant, *Justice Department Sues Uber for Disability Discrimination*, Disability Scoop (Nov. 11, 2021) available at <https://www.disabilityscoop.com/2021/11/11/justice-department-sues-uber-for-disability-discrimination/29591/>.

⁹ LinkedIn, *Jennifer H. Rearden*, <https://www.linkedin.com/in/jennifer-rearden-a117354> (last visited Mar. 3, 2022); Gibson Dunn, *Jennifer H. Rearden, Partner*, <https://www.gibsondunn.com/lawyer/rearden-jennifer-h/> (last visited Mar. 3, 2022).

¹⁰ *Id.*

emergency, poisoning the environment, and violating human rights.

We believe that after 16 years as a partner at Gibson Dunn, and a member of the crisis management group, Rearden bears moral responsibility for the firm's actions and approach even if she did not work directly on its most troubling matters. At a minimum, the Committee should ask her to detail the extent of her involvement in and support for the firm's most controversial anti-environmental, labor, and human rights work, as detailed below.

As fossil fuel-caused superstorms, fires, droughts, and other disasters kill people and ravage the planet, Gibson Dunn is one of the firms most prominently defending fossil fuel producers from efforts to hold them accountable for lying about climate science, spending billions of dollars on disinformation campaigns to mislead people, and blocking the adoption of clean alternatives to their dirty products.^{11,12} Law Students for Climate Accountability, an organization that scores law firms based on their environmental activities, gave the firm an F in 2020, the lowest score possible, and law students are boycotting the firm for its behavior.¹³

Gibson Dunn also profits from the more mundane but similarly harmful work of helping its clients win approval for new fossil fuel projects, despite “code red” warnings from the world's scientists that these projects will cause catastrophic climate damages.¹⁴ Gibson Dunn touts these

¹¹ For example, Gibson Dunn is currently defending fossil fuel producers in 14 of the 20 climate accountability cases brought by dozens of governments seeking to hold polluters accountable for their climate damages. *See, e.g.,* Center for Climate Integrity, *Cases Underway to Make Climate Polluters Pay* (Jan. 13, 2022) available at <https://payupclimatepolluters.org/uploads/media/CCI-CaseChart-01132022.pdf>.

¹² *See, e.g.,* Letter from Chairwoman Carolyn Maloney, House Comm. on Oversight and Reform, and Chairman Ro Khanna, Subcomm. on Env't, to Michael Wirth, Chief Executive Officer, Chevron Corp. (Sept. 16, 2021), and sources cited therein, available at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2021-09-16.CBM%20Khanna%20to%20Wirth-Chevron%20re%20Disinformation%20FINAL%20v2.pdf>; Press Release, House Comm. on Oversight and Reform, *Oversight Committee Launches Investigation of Fossil Fuel Industry Disinformation on Climate Crisis* (Sept. 16, 2021) available at <https://oversight.house.gov/news/press-releases/oversight-committee-launches-investigation-of-fossil-fuel-industry>.

¹³ Law Students for Climate Accountability, *2021 Law Firm Climate Change Scorecard* at 22 (Aug. 2021) (finding that Gibson Dunn conducted the second most anti-climate litigation of any law firm) available at <https://static1.squarespace.com/static/5f53fa556b708446acb4dcb5/t/611dba29c5ad3077663d4947/16293381623%2066/2021+Law+Firm+Climate+Change+Scorecard.pdf>. In April 2021, 87 law student organizations across the country signed a letter calling on Gibson Dunn to change its contracting standards. *#DoneWithDunn*, Law Students for Climate Accountability, <https://www.ls4ca.org/donewithdunn> (last visited Mar. 3, 2022). Following Gibson Dunn's refusal to respond to this petition, in December 2021 Law Students for Climate Accountability announced a boycott of Gibson Dunn so individual students could too announce that they are *#DoneWithDunn*. *Id.* *See also* Leehi Yona & David Cremins, *It's Time to Hold Law Firms Accountable for Their Role in Climate Change*, *The Nation* (Jan. 12, 2022), <https://www.thenation.com/article/activism/law-firms-climate-change/>.

¹⁴ *See, e.g.,* Press Release, United Nations, *Secretary-General Calls Latest IPCC Climate Report 'Code Red for Humanity', Stressing 'Irrefutable' Evidence of Human Influence* (Aug. 9, 2021) available at <https://www.un.org/press/en/2021/sgsm20847.doc.htm>; Intergovernmental Panel on Climate Change, *Special Report: Global Warming of 1.5°C*, at SPM-15 (2018) available at <http://www.ipcc.ch/report/sr15/>; Stockholm Env'tl Inst., Int'l Inst. for Sustainable Dev., et al., *The Production Gap: The discrepancy between countries' planned fossil fuel production and global production levels consistent with limiting warming to 1.5°C or 2°C (2020)* available at <https://www.iisd.org/publications/production-gap-discrepancy-between-countries-planned-fossil-fuel-production-and-global>; Oil Change Int'l, *Drilling Toward Disaster: Why U.S. Oil and Gas Expansion Is Incompatible with Climate Limits* (Jan. 2019) available at <http://priceofoil.org/drilling-towards-disaster>.

activities on its own website.¹⁵

In its defense of corporate wrongdoing, Gibson Dunn applies its “kill step” litigation strategy to help corporations invalidate foreign judgments by delegitimizing legal opponents—and in one case, the entire judiciary of another nation.¹⁶ In one of its highest-profile cases, Gibson Dunn effectively blocked enforcement of the more than \$9 billion Ecuadorian judgment against Gibson Dunn client Chevron for the dumping of over 16 billion gallons of toxic oil waste into the Amazon.¹⁷ By preemptively suing the Ecuadorians and their lead lawyer Steven Donziger, Gibson Dunn prevented the Ecuadorians from bringing their judgment to the United States to be evaluated on its merits.¹⁸ Gibson Dunn highlights this case (which resulted in Donziger’s extraordinary detention) in its marketing materials as “successful.”¹⁹ But the case has been widely condemned, including by the United Nations Working Group on Arbitrary Detention.²⁰ The UN Working Group concluded that Mr. Donziger’s detention violated international law and urged his immediate release along with access to compensation and reparations.²¹ What is more, the UN opinion found that Chevron’s principal fact witness admitted to having received “large amounts of money and other benefits” prior to his testifying in court.²² The witness ultimately stated under oath that he lied because he wanted Chevron to pay him more money.²³ Firm billing records show Rearden’s involvement in this case.²⁴

Additional examples of work by Rearden’s firm that run contrary to the public interest include

¹⁵ Gibson Dunn, *Oil and Gas*, <https://www.gibsondunn.com/practice/oil-and-gas/> (last visited Mar. 3, 2022).

¹⁶ *Report Shows Chevron Lawyers at Gibson Dunn Falsified Evidence to Target Steven Donziger in Ecuador*, CRSwire (Aug. 15, 2018) (describing Gibson Dunn’s so-called “kill step” strategy) available at https://web.archive.org/web/20200513000439/https://www.csrwire.com/press_releases/41282-report-shows-chevron-lawyers-at-gibson-dunn-falsified-evidence-to-target-steven-donziger-in-ecuador-pollution-case#.

¹⁷ Gibson Dunn, *Crisis Management*, <https://www.gibsondunn.com/practice/crisis-management/> (last visited Mar. 3, 2022); United Nations Human Rights Council, Working Group on Arbitrary Detention, *Opinion No. 24 (United States of America)* at 2 (Sept. 6, 2021) available at <https://static1.squarespace.com/static/5ac2615b8f5130fda4340fcb/t/61537ea231d36d4b49f955fe/1632861862416/2021-09-24-advance-un-human-rights-working-group-on-arbitrary-detention-letter.pdf>.

¹⁸ Rex Wyler, *Chevron’s SLAPP suit against Ecuadorians: corporate intimidation*, Greenpeace Int’l (May 11, 2018), <https://www.greenpeace.org/international/story/16448/chevrone-slapp-suit-against-ecuadorians-corporate-intimidation/>.

¹⁹ Gibson Dunn, *Crisis Management*, <https://www.gibsondunn.com/practice/crisis-management/> (last visited Feb. 25, 2022).

²⁰ UN Opinion No. 24, *supra* n.17, at 2.

²¹ UN Opinion No. 24, *supra* n.17, at 13.

²² UN Opinion No. 24, *supra* n.17, at 4-5.

²³ Eva Hershaw, *Chevron’s Star Witness Admits to Lying in the Amazon Pollution Case*, VICE News (Oct. 26, 2015) available at <https://www.vice.com/en/article/neye7z/chevrone-star-witness-admits-to-lying-in-the-amazon-pollution-case>; *In the Matter of Arbitration Between Corp., et al., Claimants, and the Republic of, Respondent*, PCA Pollution Case No. 2009-23, at 744, para. 4 (Apr. 21, 2015) (hearing transcript) available at <https://chevroninecuador.org/assets/docs/2015-april-may-arbitration-transcripts.pdf>. See also CRSwire, *supra* n.16.

²⁴ See, e.g., *Chevron Corp. v. Donziger, et al.*, Case 1:11-cv-00691 ECF No. 1891 (S.D.N.Y.) (declaration of Gibson Dunn attorney and attached exhibits detailing billing records in support of motion for award of attorney’s fees).

the following:²⁵

- represented plaintiffs seeking to strike down the Indian Child Welfare Act,²⁶ a vital law protecting against the removal of American Indian children from their communities;²⁷
- represented the nation's largest tobacco companies in litigation over the companies' deceptive marketing practices and misrepresentation of the health consequences of smoking;²⁸
- represented Uber in arguing workers were not exempt from forced arbitration clauses, and against claims drivers were misclassified as independent contractors in efforts to erode labor rights;²⁹
- represented Walmart in a class action lawsuit to evade responsibility for systematically discriminating against female employees for promotions and pay;³⁰ and
- represented a for-profit college trade group against the Obama administration regulation requiring that graduates of career training programs could find jobs in their desired fields with incomes sufficient to repay their student loans.³¹

Gibson Dunn has also been repeatedly sanctioned and condemned for employing reprehensible tactics in litigation, including the \$9.9 million Montana Supreme Court sanction mentioned above, and these additional instances:

- In 2020, a Delaware judge described Gibson and Dunn's pretrial practices as constituting "fraud."³²
- In 2019, a California appellate court ruled an oil industry trade association's lawsuit initiated by Gibson Dunn (and continued by another firm) was an improper SLAPP suit (i.e., strategic litigation against public participation).³³ SLAPP suits are brought to harass

²⁵ See also The Revolving Door Project, *BigLaw Revolving Door Report: Gibson Dunn* (May 2021) available at <https://therevolvingdoorproject.org/wp-content/uploads/2021/05/Gibson-Dunn-Final.pdf>.

²⁶ Sarah Rose Harper & Jesse Phelps, *Texas, Big Oil Lawyers Target Native Children in a Bid to End Tribal Sovereignty*, Lakota People's Law Proj. (Sept. 17, 2021) available at <https://lakotalaw.org/news/2021-09-17/icwa-sovereignty>; Native Am. Rights Fund, *Brackeen v. Bernhardt – Indian Child Welfare Act* (last visited Mar. 3, 2022), <http://www.narf.org/cases/brackeen-v-bernhardt/>.

²⁷ *Brackeen v. Bernhardt*, 937 F.3d 406 (5th Cir. 2019); see also *Brackeen v. Haaland*, 994 F.3d 249 (5th Cir. 2021) (*en banc*).

²⁸ *Tobacco litigation means work for Gibson Dunn, Jones Day, others*, Nat'l L. J. (Oct. 16, 2008) available at <https://www.law.com/nationallawjournal/almID/1202425316584/?slreturn=20220110132056>. It is well-documented that big tobacco and fossil fuel companies have historically operated from the same aggressive and unscrupulous strategic playbook. See generally Naomi Oreskes and Erik M. Conway *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (2010).

²⁹ *BigLaw Revolving Door*, *supra* n.25, at 8-9.

³⁰ *BigLaw Revolving Door*, *supra* n.25, at 9.

³¹ *BigLaw Revolving Door*, *supra* n.25, at 9.

³² Alison Frankel, *Delaware judge excoriates Gibson Dunn in Anbang/Mirae busted deal ruling*, Reuters (Dec. 1, 2020) available at <https://www.reuters.com/article/legal-us-otc-gibson/delaware-excoriates-gibson-dunn-in-anbang-mirae-busted-deal-ruling-idUSKBN28B6M9>.

³³ Press Release, Ctr. for Biological Diversity, *Court Rejects Oil Industry's Retaliatory Lawsuit Against L.A. Youth Groups* (Feb. 15, 2019) available at https://www.biologicaldiversity.org/news/press_releases/2019/oil-industry-slapp-suit-02-15-2019.php; *Youth for Envtl. Justice, et al. v. City of Los Angeles, et al.*, 2:16-cv-07381, ECF No. 9 (C.D. Cal. Nov. 6, 2015) (First Am. Cross-Compl. by Cal. Ind. Petroleum Ass'n). The case was launched by Gibson Dunn and continued by Alston & Bird.

and intimidate public interest litigants — which in this case included two environmental justice youth groups who had sued the City of Los Angeles over the harms of its oil permitting.³⁴ The oil trade association was later ordered to pay \$2.2 million in attorney’s fees for the retaliatory suit.³⁵

- In 2015, the High Court of England sanctioned Gibson Dunn for fabricating evidence to frame the political rival of the firm’s client, the President of Djibouti, Africa.³⁶
- In 2011, a federal judge from Oregon found that Gibson Dunn had repeatedly used the discovery process to deliberately harass its opposing counsel.³⁷
- In 2010, the Northern District of California dismissed a SLAPP suit brought by Gibson Dunn on behalf of Chevron against a human rights lawyer, designed to silence criticism of Chevron; the District Court also assessed costs.³⁸
- Again in 2010, the Los Angeles Superior Court similarly ordered Gibson Dunn clients to pay attorney’s fees to a documentary filmmaker for costs in defending against an unwarranted SLAPP suit.³⁹
- In 2008, a New York federal judge sanctioned the firm for hiding a key document in discovery that would have helped its adversary.⁴⁰
- In 2005, a federal court in California monetarily sanctioned Gibson Dunn for discovery

³⁴ Michael Hiltzik, *Column: This oil industry group sued its environmentalist critics and landed itself in bankruptcy* (Sept. 16, 2021) available at <https://www.latimes.com/business/story/2021-09-16/oil-industry-bankruptcy-after-suing-its-environmentalist-critics>.

³⁵ *Id.*

³⁶ *Boreh v. Republic of Djibouti & Ors* [2015] EWHC 769 (Comm) (Mar. 23 2015) (Eng.) available at <http://www.bailii.org/ew/cases/EWHC/Comm/2015/769.html>. Then-Gibson Dunn partner Peter Gray was found personally responsible for the deliberate falsification based on emails and other internal law firm communications. *Id.*

³⁷ Press Release, Amazon Defense Coalition, *Federal Judge Sanctions Chevron Lawyers at Gibson Dunn for Harassing Witness in Ecuador Case* (Dec. 7, 2011) available at <https://chevroninecuador.org/news-and-multimedia/2011/1207-federal-judge-sanctions-chevron-lawyers-for-harassing-witness>; *Chevron Corp. v. Salazar, et al.*, No. 11-0691 (Dist. Or. Nov. 30, 2011) (order) available at <https://chevroninecuador.org/assets/docs/2011-12-05-cvx-fee-order.pdf>.

³⁸ *Chevron Corp. v. Bonifaz*, No. 09-05371-CW (N.D. Cal. May 12, 2010); *Chevron Corp. v. Bonifaz*, No. 09-05371, slip op. at 1 (N.D. Cal. Oct. 8, 2010) (awarding Bonifaz costs after finding Gibson Dunn’s challenge to be an unlawful SLAPP suit). See also Taylor Anvid, *When the Gloves Come Off: Use of SLAPP Suits in Human Rights Litigation*, Int’l Rights Advocates Blog, <https://www.internationalrightsadvocates.org/blog/when-gloves-come-use-slapp-suits-human-rights-litigation> (last visited Mar. 3, 2022).

³⁹ *Dole Food Co., Inc. v. Gertten*, No. BC417435 at 10 (L.A. Super. Ct. Nov. 17, 2010) (awarding plaintiffs attorney’s fees after finding Gibson Dunn’s challenge was a SLAPP suit) available at http://www.bananasthemovie.com/wp-content/uploads/resources/slapp_ruling_nov17_10.pdf. See also *Dole ordered to pay filmmakers’ attorney fees in SLAPP case*, Reporters Comm. For Freedom of the Press (Nov. 30, 2010) available at <https://www.rcfp.org/dole-ordered-pay-filmmakers-attorney-fees-slapp-case/>; Anvid, *supra* n.38.

⁴⁰ *Shaw Family Archives, Ltd. v. CMG Worldwide, Inc.*, 589 F. Supp.2d 331, 341-42 (S.D.N.Y. 2008) (sanctioning Gibson Dunn in the amount of \$10,000 for concealing a key document that was probative of its adversary’s case and opining that the firm had engaged in “unacceptable shenanigans” by making “affirmative representations . . . that were deceptive in that they failed to apprise the court of the existence of documents that contradicted their position”).

misconduct, including tampering with a third-party witness.⁴¹

Rearden should not be confirmed to the federal bench.

Jennifer Rearden's nomination is at odds with President Biden's promise to "ensure that the nation's courts reflect the diversity that is one of our greatest assets as a country—both in terms of personal and professional backgrounds."⁴² Rearden's nomination to the Manhattan-based federal District Court for the Southern District of New York is particularly problematic, given that many of the fossil fuel companies Gibson Dunn and Rearden have played a role in representing do much of their business there.⁴³ According to her previously submitted nomination questionnaire, Rearden herself states that she has mainly represented corporations.

In conclusion, for all the reasons discussed above, Jennifer Rearden should not be confirmed to a lifetime office within our federal judiciary.⁴⁴ We strongly urge you to reject this nomination.

Sincerely,

1000 Grandmothers for Future Generations
198 methods
350 Brooklyn
350 Hawaii
350 Madison
350 New Hampshire
350 Seattle
350 SLO
350 Ventura County Climate Hub
350 West Sound Climate Action
350 Yakima Climate Action
350.org
Alabama Interfaith Power & Light
Alaska Community Action on Toxics
Alliance of Nurses for Healthy Environments
Amazon Watch
Animals Are Sentient Beings Inc.

⁴¹ *E & J Gallo Winery v. EnCana Energy Servs.*, No. CV-F-03-5412, 2005 LEXIS 40143 (E.D. Cal. July 5, 2005) available at https://app.ediscoveryassistant.com/case_law/16209-e-j-gallo-winery-v-encana-energy-servs-inc (sanctioning Gibson Dunn in the amount of \$102,000 for the firm's discovery misconduct, including tampering with a third-party witness, and concluding that the firm's misconduct is "a product of a culture which permeates the portion of Gibson Dunn & Crutcher involved in this matter. That culture promoted obstruction, gamesmanship and flagrant disregard of this Court's orders to result in increased discovery abuses and to smear the legal profession and standards to which attorneys are to be held.").

⁴² Press Release, The White House, *President Biden Names Thirteenth Round of Judicial Nominees* (Jan. 19, 2022) available at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/01/19/president-biden-names-thirteenth-round-of-judicial-nominees/>.

⁴³ See, e.g., *BigLaw Revolving Door*, *supra* n.25, at 5-9.

⁴⁴ Furthermore, this letter details only readily available public information on Rearden's legal work and that of her firm. As noted above we encourage the committee to investigate and question the nominee about the extent of her involvement in and support for her firm's controversial work.

Anthropocene Alliance
Association of Young Americans (AYA)
Atchafalaya Basinkeeper
Athens County's Future Action Network
Bergen County Immigration Strategy Group
Bike Hudson County
Black Agenda Report
Bold Alliance
Breast Cancer Action
Bronx Jews for Climate Action
Broome Tioga Green Party
Bucks Environmental Action
Center for Biological Diversity
Center for Biological Diversity Action Fund
Center for Climate Integrity
Center for Environmental Health
Central Bergen Circle of GreenFaith
Central Jersey Coalition Against Endless War
Chair of the First Parish Climate Action Team
Change Begins With ME (Indivisible)
Chesapeake Climate Action Network
Citizens Action Coalition of Indiana
Citizens Alliance for a Sustainable Englewood
Citizens for Clean Air and Water in Brazoria County
Civil Liberties Defense Center
Climate Action Rhode Island-350
Climate Hawks Vote
Coalition to Protect New York
CODEPINK, Golden Gate Chapter
Colorado Jewish Climate Action
Community Church of New York
Community for Sustainable Energy
Connecticut Citizen Action Group
CURE (Clean Up the River Environment)
DC Environmental Network
Delaware INTERfaith Power & Light
Delaware Riverkeeper Network
Direct Action Everywhere
Divest LA
Divest Oregon
Earth Care Alliance of Sonoma Valley
Earth Ethics, Inc.
Eco Action Families
Eco-Justice Collaborative
Endangered Habitats League
Endangered Species Coalition

Environmental Protection Information Center
Extinction Rebellion San Francisco Bay Area
Family Farm Defenders
Farm Forward
Farmworker Association of Florida
FC-CPR (Franklin County Continuing the Political Revolution)
Food & Water Watch
Former EPA Regional Administrator Judith Enck
FracTracker Alliance
Friends For Environmental Justice
Friends of the Earth US
Greater New Orleans Housing Alliance
Green Newton
Green Sanctuary Committee of the Unitarian Universalist Church of Palo Alto
GreenFaith
GreenLatinos
Greenpeace USA
Grey Nuns of the Sacred Heart
Gulf Coast Center for Law & Policy
Haiti Cholera Research Funding Foundation Inc.. USA
Heartwood
Hudson Center for Community and Environment
Human Dimensions Tv LLC
Humboldt Unitarian Universalist Fellowship's Climate Action Campaign
Indigenous Environmental Network
Indivisible Howard County, MD
Indivisible Ventura, CA
Inland Ocean Coalition
Interfaith Council for Peace and Justice
Kehilla Community Synagogue
Kentucky Interfaith Power and Light
Kewaunee CARES (Citizens Advocating Responsible Environmental Stewardship)
Kickapoo Peace Circle
KyotoUSA
Law Students for Climate Accountability
Liberty Tree Foundation for the Democratic Revolution
Local Clean Energy Alliance (LCEA)
Locust Point Community Garden
Long Beach Alliance for Clean Energy
Michigan Environmental Justice Coalition
Mosquito Fleet
Movement Rights
Native Movement
Network for a Sustainable Tomorrow
New York Communities for Change
New York Progressive Action Network (NYPAN), Southern Finger Lakes

New York Public Interest Research Group (NYPIRG)
New York Unitarian Universalist Justice
Nicaragua Center for Community Action (NICCA)
North American Climate, Conservation and Environment (NACCE)
North Braddock Residents For Our Future
North Quabbin Energy
Occupy Traverse City
Oil Change International
Oregon Unitarian Universalist Voices for Justice, Environmental Campaign
Palms To Pines Democratic Network
Pasifika Uprising
Pass the Federal Green New Deal Coalition
Peace and Freedom Party
Peace and Justice Action league of Spokane (PJALS)
Pelican Media
Peoples Climate Movement - NY
Physicians for Social Responsibility Pennsylvania
Plastic Free Delaware
Pollution Free Society
Port Arthur Community Action Network (PACAN)
Presente.org
Preserve Monroe (Monroe County, WV)
Preserve Wild Santee (Santee, CA)
Progressive Action for the Common Good
Project Coyote
Pueblo Action Alliance
Putting Down Roots
Rainforest Action Network
Resource Renewal Institute
Revolution LA
Revolving Door Project
Rocky Mountain Peace and Justice Center
RootsAction.org
Safe Energy Now! North County
San Antonio Bay Estuarine Waterkeeper
San Luis Valley Ecosystem Council
Santa Barbara Standing Rock Coalition
Santa Fe Forest Coalition
Saphron Initiative
Save RGV (Rio Grande Valley, TX)
SAVE THE FROGS!
Sequoia ForestKeeper®
SoCal 350 Climate Action
Social Eco Education (SEE)
SOMA Action
South Asian Fund For Education Scholarship and Training Inc (SAFEST)

South Valley Unitarian Universalist Society
SouthWest Organizing Project
Sovereign Inupiat For A Living Arctic
Stand.earth
Stop SPOT & Gulflink, Save Our Gulf Coast
Sunrise Movement
Sustainable Arizona
Syracuse Cultural Workers
TakeAction Minnesota
Terra Advocati
The BOLD Rethink
The CLEO Institute
The First Unitarian Universalist Society
The People's Justice Council
The Shame Free Zone
Third Act
Trap Free Montana Public Lands
True North Research
Turtle Island Restoration Network
Unitarian Universalist Association
Unitarian Universalist Environmental Justice Ministry
Unitarian Universalist Society of South Suffolk
Unite North Metro Denver
Upper Gila Watershed Alliance
Upper West Side Recycling
Urban Sanctuary, San Jose
Virginia Interfaith Power & Light
Wall of Women
WATCH, Inc.
Waterway Advocates
West Dryden Residents Against Pipelines
West End Revitalization Association (WERA)
Women's Earth & Climate Action Network - Tongass Forest
Women's March Santa Barbara
Youth Against Pipelines VA
Youth Vs Apocalypse

** Signatories as of 9 am EST, March 18, 2022 – New Signatories Will be Added on Rolling Basis*