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Members of the Vermont Senate Judiciary Committee

RE: Michael Drescher

Dear Senators:

I am writing to you to express my strong support for Michael Drescher and to urge you to approve his nomination for the Vermont Supreme Court. I worked with Mike for many years and I know that the criticism of him as a Trump lackey is unfair and meritless. I believe it to be based primarily on ignorance of the man, misunderstanding of his role in recent events, and, I assume, understandable consternation at recent events in our nation. I share the consternation, but Mike is not responsible for the events.

I worked as a federal prosecutor, as an AUSA for the District of Vermont, for nearly 35 years, many of them with Mike. (I also worked on a detail in Afghanistan, training prosecutors, and then in DC, prosecuting fraud in our spending in Afghanistan.) I know Mike to be a completely non-political prosecutor. I know little of his political beliefs, as he did not often speak of them, other than his dedication to the rule of law and the Constitution. I have no reason to believe him to be supportive of either extreme right or left-wing beliefs. It is important to remember that Mike was never appointed to any position by our current president.

I know that there is significant opposition to Mike based on his role in recent immigration-related litigation. Without going into the details of the litigation, I know that Mike struggled with his proper role but decided the case would inevitably move forward – either a demonstrably political appointee would be appointed or a junior prosecutor, with a mortgage and children, would be placed in an untenable position. I think Mike felt obliged to present the government position, regardless of his personal beliefs, and that he had confidence that the Vermont federal judges would come to a just decision. Mike ensured that the Government's position was submitted to the Court honestly and factually. (We all

know that attorneys under the direct control of DC authorities have sometimes, recently, not been allowed to present cases factually and properly.)

Mike decided to handle the case personally; the judicial system was able to proceed; a good decision was the result; and Mike is now being vilified.

Mike is a man of principle, a very good lawyer, and a legal scholar. I am certain that he will be a fine judge and will serve with distinction on the Vermont Supreme Court if given the chance. His public spirited but unpopular actions at the US Attorney's Office should not cost him that opportunity.

Thank you for your consideration.

Sincerely,

James J. Gelber