John J. Cotter

January 26, 2026

Senator Nader Hashim
Chair Senate Committee on Judiciary

Dear Senator Hashim:

I write to you and your committee to express strong support for the confirmation of Michael Drescher for the position of Vermont Supreme Court Justice.

I realize that in the current political climate that my voice may not be a popular one. However, my personal beliefs are strongly allied with those who oppose the actions of the Trump administration on most, if not all, issues. In particular, I am appalled at the treatment being visited upon immigrants to our country and the violence that has erupted as a result towards citizens and non-citizens alike. We, as a country and a civil society, are faced with a grave crisis that can ultimately only be resolved through faithful adherence to the Constitution and laws of our land. It is, I believe, at times like this that courts would benefit by someone of Mr. Drescher's character deciding cases.

I met Michael Drescher in late December of 1999 when I filed a petition for the investigation of MCI WorldCom while working as a staff attorney at the Vermont Department of Public Service. Mr. Drescher served as local counsel for MCI. MCI was also represented by its own in-house attorneys from out of state. It was at times an extremely difficult case, largely because of MCI's in-house counsels' approach to litigation. The case ultimately resulted in a substantial financial settlement that benefitted Vermont's school system and significant commitments from MCI to bring its business practices into compliance with Vermont law. I firmly believe that the settlement was only made possible because of Mr. Drescher's influence on MCI's in-house attorneys. Mr. Drescher was able to make MCI's in house counsel see reason and abandon their scorched earth tactics for litigation. He did so through the consistent, firm, yet always reasonable, application of the law to the facts, always in a forthright and ethical manner. It was his faithful adherence to the law and facts, and his ethical and reasoned approach to the matter at hand, that convince me he is more than qualified for the position under consideration.

I believe that the opposition he is facing from some of your committee members and members of the public is based on a misplaced conflation of Mr. Drescher's responsibilities working as a United States Attorney with his character as person and his qualifications for the position under

consideration. As a U.S. attorney, Mr. Drescher did not get to choose his clients. As any attorney, when he represented a client, he had an obligation to do so to the best of his ability within the confines of the law. As far as I can tell from public reports, that is what he did. He did not engage in any of the malicious behavior that we see emanating from the Department of Justice at this time. Instead, he elected to place himself in the direct path of public criticism and controversy rather than step aside and force a subordinate into that unenviable position. Frankly, I think he deserves to be commended for that decision. What he does not deserve, is for people to make assumptions about his character based on what appears to be reasoned decision making in difficult circumstances. I have seen no reports or heard any complaints that his actions in any way deprived anyone of their due process rights or that he in any way treated anyone unfairly or inappropriately. Rather, the impression I have is that he fully respected the rights of the individuals involved, as an ethical attorney would do in that situation.

My professional interactions with Mr. Drescher leave me in no doubt that if his nomination is confirmed, that Vermont will be well served by a thoughtful, ethical, and fair Justice who will serve free of the bias that many people are unfairly attributing to him simply because he found himself in an unenviable and difficult position; one that he navigated with dignity and with respect for those involved.

Sincerely,

John J. Cotter

Cc: Senator Ann Cummings
        Senator Anne Watson
        Senator Andrew Perchlik