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Please respond to:

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August 21, 2018

VIA E-MAIL ONLY

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

VIA E-MAIL ONLY

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

**Re: Nomination of John M. O'Connor to the United States District
Court for the Northern, Eastern, and Western Districts of
Oklahoma**

Dear Chairman Grassley and Ranking Member Feinstein:

I write in support of the American Bar Association's Standing Committee on the Federal Judiciary's unanimous Not Qualified rating of Mr. O'Connor. As I have discussed with Senate Judiciary Committee staff member Steve Kenny, the Committee's rating is based on the ABA Standing Committee's criteria as set forth in the Committee's Background, available at: <http://ambar.org/fjcbackgrounder>.

Regarding professional competence, which encompasses such qualities as intellectual capacity, judgment, writing and analytical abilities, knowledge of the law, and breadth of professional experience, the Committee found Mr. O'Connor to be not qualified. The consensus based on confidential peer review is that Mr. O'Connor lacks sufficient litigation experience, going to the depth and breadth of his law practice to date. His judgment was also found to be deficient.

The Committee also evaluated the integrity of Mr. O'Connor by considering his character and general reputation in the legal community as well as the nominee's industry and diligence. In this category as well, Mr. O'Connor was found to be not qualified. The confidential peer review revealed several instances of ethical concerns, including candor with the court, evidence of overbilling of clients and billing practices criticized by courts, an improper ex parte communication with a court, and improper contact with adverse parties in litigation.

The Honorable Charles E. Grassley
The Honorable Dianne Feinstein
August 21, 2018
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Thank you for the opportunity to present the Committee's views on Mr. O'Connor.

Sincerely,



Paul T. Moxley

PTM/mc

cc: John M. O'Connor (via e-mail and U.S. Mail)
Donald F. McGahn, II, Esquire (via e-mail only)
Lola A. Kingo, Chief Nominations Counsel, Office of Legal Policy,
U.S. Department of Justice (via e-mail only)
ABA Standing Committee on the Federal Judiciary (via e-mail only)
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