

**Received(Date):** 14 MAR 2003 13:36:11  
**From:** "Miranda, Manuel (Frist)" <Manuel\_Miranda@frist.senate.gov> ( "Miranda, Manuel (Frist)" <Manuel\_Miranda@frist.senate.gov> [ UNKNOWN ] )  
**Bcc:** Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
**Subject:** : FW: Bybee & Estrada.  
[P\\_OYG0E003\\_WHO.TXT\\_1.html](#)  
[P\\_OYG0E003\\_WHO.TXT\\_2.doc](#)

##### Begin Original ARMS Header #####  
RECORD TYPE: PRESIDENTIAL (NOTES MAIL)  
CREATOR:"Miranda, Manuel (Frist)" <Manuel\_Miranda@frist.senate.gov> ( "Miranda, Manuel (Frist)" <Manuel\_Miranda@frist.senate.gov> [ UNKNOWN ] )  
CREATION DATE/TIME:14-MAR-2003 13:36:11.00  
SUBJECT:: FW: Bybee & Estrada.  
BCC:Brett M. Kavanaugh ( CN=Brett M. Kavanaugh/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN  
##### End Original ARMS Header #####

-----Original Message-----  
From: Sean Rushton [mailto:SRushton@CommitteeforJustice.org]  
Sent: Friday, March 14, 2003 1:24 PM  
To: SRushton@CommitteeforJustice.org  
Subject: Bybee & Estrada.

Please see attached release.

Sean Rushton  
Executive Director  
Committee for Justice

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[www.committeeforjustice.org](http://www.committeeforjustice.org)

- att1.htm - Bybee-Estradarelease.doc  
ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_OYG0E003\_WHO.TXT\_1>

ATT CREATION TIME/DATE: 0 00:00:00.00  
File attachment <P\_OYG0E003\_WHO.TXT\_2>

-----Original Message-----

**From:** Sean Rushton [mailto:SRushton@CommitteeforJustice.org]

**Sent:** Friday, March 14, 2003 1:24 PM< span style='font-size:10.0pt;font-family:Tahoma'>

**To:** SRushton@CommitteeforJustice.org

**Subject:** Bybee & Estrada.

Please see attached release.

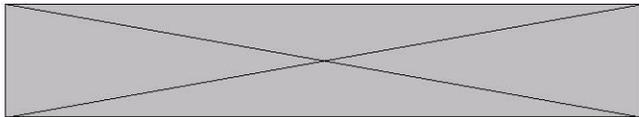
Sean Rushton

Executive Director

Committee for Justice

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Contact: Sean Rushton -  
March 14, 2003

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

**Jay S. Bybee**  
Nominee, 9<sup>th</sup> Circuit Court of Appeals

**Dem:**  
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**Education:**

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

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

**Bar Admittance:**

1981 District of Columbia; 2001 Nevada

**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

**Days since nomination:**

295

**ABA rating:**

Majority, well qualified.

**Briefs argued before U.S. Supreme Court:**

13

**Senators' questions answered:**

60

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

0

**Status:**

Confirmed by 75 to 18 vote, March 13, 2003

**Miguel A. Estrada**  
Nominee, District of Columbia Circuit Court

**Born:**  
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**Education:**

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

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

**Bar Admittance:**

1987 New York; 1998 District of Columbia

**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:**

673

**ABA rating:**

Unanimous, well qualified.

**Briefs argued before U.S. Supreme Court:**

15

**Senators' questions answered:**

125

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

0

**Status:**

Subject of unprecedented 36-day filibuster