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To: Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])
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PLEASE SEE ATTACHED LETTER AND ENCLOSURE.

Kind regards, Victor

Victor E. Schwartz
Shook, Hardy & Bacon L.L.P.
600 14th Street, N.W.
Suite 800
Washington, D.C. 20005-2004
Telephone 202-662-4886
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vschwartz@shb.com

"MMS <shb.com>" made the following annotations on 05/19/2003 02:12:18 PM

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Shook, Hardy & Bacon LLP
1200 Main Street
Kansas City, MO 64105-2118
816-474-6550

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Shook, Hardy & Bacon International LLP
25 Cannon Street
London EC4M 5SE
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- att1.htm - Cavanaugh.DOC - StephanieMiddletonResume.doc
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Victor E. Schwartz
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May 19, 2003

Brett Cavanaugh, Esquire
Senior Assistant to the President of the United States
The White House
Washington, D.C. 20510

Dear Brett:

As we have worked together for the past several years, I have refrained from making any recommendations to you or the Administration about who should be appointed as a federal judge. As you might imagine, rarely a month goes by without someone asking me to do so. Either because I did not know the person well or because I felt his or her qualifications did not meet the Administration's standards, I have made no recommendations.

By way of contrast, it is a professional pleasure for me to know of someone who would meet the Administration's high standards and would make an extraordinary federal judge. That person is Stephanie A. Middleton, Esquire, currently the Chief Litigation Counsel at CIGNA Corporation, headquartered in Philadelphia. My understanding is that there will be a number of vacancies in her geographic area, due to some federal district judges and Judge Becker on the Court of Appeals for the Third Circuit taking on senior status.

The Senators Specter-Santorum panel has reviewed Ms. Middleton's candidacy. When I learned of this fact, I asked Ms. Middleton if I might write you. I was pleased when she said yes.

I first met Ms. Middleton in 1985, when she was a Senior Counsel at CIGNA. After working with her on some matters, I told CIGNA's then General Counsel, Tom Wagner, "Tom, you have a winner there!" At the time, there were very few women attorneys working for CIGNA. It was comforting to meet and work with a potential star.

As a former law professor, much of my life has been spent assessing legal talent. In this case, my judgment about Ms. Middleton proved to be correct. As you will see from Ms. Middleton's resume, she has had just the right balance of experience to be an excellent judge: private practice, government (working as a Deputy General Counsel to Governor Tom Ridge), and in her present position at CIGNA. Her current responsibilities are broad and significant. She manages all litigation for CIGNA – commercial disputes to class actions to antitrust and employment matters. She advises the company on audit matters and the corporate security department on fraud issues. She has oversight of the company's Human Resources Division.

Brett Cavanaugh, Esquire
May 19, 2003
Page 2

SHOOK, HARDY & BACON LLP

I have worked hand-in-hand with Ms. Middleton when the company has faced serious legal challenges. I have been impressed by her disciplined approach, and her skill in reasoning through problems and making sound and effective decisions. The people who work with her respect her, and that – as you can appreciate – is an essential ingredient for an effective federal judge.

Of equal importance is that Ms. Middleton is a good listener, and she is fair. Her judicial philosophy is sound; I do not believe that she is an “activist.” On the other hand, she is not a rote legal machine. She is a person with creative abilities who would use them when they are needed. She understands the appropriate roles of judge versus legislator.

I appreciate your taking the time to allow me to share these thoughts with you, and would be pleased to further discuss Ms. Middleton’s merits, should it be helpful to you or others at the White House.

With appreciation for your time and thought, I am,

Sincerely,

Victor

Victor E. Schwartz

Enclosure

STEPHANIE A. MIDDLETON

Office Address:

CIGNA Corporation
1601 Chestnut St., TL48E
Philadelphia, PA 19192
215.761.4936

Home Address:

P6/b(6)

EDUCATION

Law School of the University of Pennsylvania
Juris Doctor - May, 1981
Arthur Littleton Legal Writing Fellow

Yale University
Bachelor of Arts, *cum laude*, English - June, 1972
Phi Beta Kappa

PROFESSIONAL EXPERIENCE

August, 1998 to
present

CIGNA Corporation
Chief Counsel, Litigation

Manage all litigation involving CIGNA Corporation and its subsidiaries, including commercial disputes, class actions, antitrust, claims, and employment matters. Advise corporate audit and corporate security departments on fraud issues. Also serve as chief counsel for the Human Resources Division, with responsibility for employee benefits, policies, compliance, compensation, and arbitration program.

June, 1997
to August, 1998

CIGNA Corporation
Vice President, State, Civic and Industry Affairs

Responsible for managing the CIGNA*s involvement in regulatory and legislative issues associated with its domestic businesses, including policy development and implementation. Also oversight and direction of contributions policy and programs, grass roots education and support for lobbying activities, as well as coordination of CIGNA*s involvement in state, local and national trade and business organizations.

January, 1995
to April, 1997

*Governor*s Office of General Counsel*
Deputy General Counsel to Governor Tom Ridge

Appointed January 17, 1995 to provide legal advice to Governor Thomas J. Ridge and his Cabinet, including handling of litigation. Supervised six agency chief counsels and 120 assistant counsels in the Departments of Labor and Industry, Banking, Transportation, Aging,

and the Office of Administration, which handles personnel, benefits, and technology matters for executive branch. Reviewed and approved all regulations promulgated by these agencies and briefs filed in the Pennsylvania Supreme and Commonwealth Courts by agency counsel. Also directly involved in significant litigation affecting the Administration. Administered the program through which the Governor nominates candidates to fill judicial vacancies in the courts of common pleas and state appellate courts, and served as chair of Judicial Nominating Commissions of Butler and Lehigh Counties.

July, 1985
to January, 1995

CIGNA Corporation
Senior Counsel

Counseled on employment related matters, corporate policies and business litigation for CIGNA and its domestic and international operations. Directly handled all phases of employment-related litigation as trial and appellate counsel throughout the U.S., primarily in Pennsylvania, Connecticut, California, Arizona, Texas and Florida. Advised internal audit department with respect to business ethics enforcement.

July, 1981
to July, 1985

Morgan, Lewis & Bockius
Associate

Represented public and private sector management to employment and labor related matters in federal and state courts and administrative agencies. Handled all phases of litigation including case investigation, discovery, motion practice, trial preparation, jury selection, trial proceedings, settlement negotiations, appellate procedure, state court injunctions, unfair labor practice charges, representation campaigns, unemployment compensation hearings, grievance arbitrations and counseling on labor and employment related matters.

Summer 1980

Morgan, Lewis & Bockius
Law Clerk

Legal research on litigation, business and finance, and tax matters.

Summer 1979

Law School of the University of Pennsylvania
Research Assistant to Professor Curtis Reitz

Research on judicial interpretation of privity requirements under the Uniform Commercial Code.

1972 - 1973

Upper Darby High School
English teacher

BAR ADMISSIONS

Member of bars of the Supreme Court of Pennsylvania; U.S. District Court for the Eastern and Middle Districts of Pennsylvania; and United States Courts of Appeals for the Third Circuit.

Member -- Delaware County Bar Association, Pennsylvania Bar Association and American Bar Association.

ACTIVITIES

Current:

Vice Chair - Committee of Seventy (Philadelphia "Good Government" nonprofit)
Board Member -- Board of Pensions, Presbyterian Church USA (health and pension funds for denomination's ministers, U.S. employees and retirees)
Member, Board of Directors – Crozer Keystone Health System
"50 Best Business Women in Pennsylvania" 1999
Member -- International Association of Defense Counsel
Member -- Yale Alumni Schools Committee (interview student applicants)

Former:

Governor*s appointee to five-member Board of Pennsylvania Intergovernmental Cooperation Authority (PICA)
Lecturer -- Pennsylvania Bar Institute, Council on Education in Management, and American Corporate Counsel Association
Member - American Inns of Court, University of Pennsylvania
Judge of Elections, Rose Valley Borough
Volunteer - Support Center for Child Advocates
Volunteer - Volunteers for the Indigent Program
Vice President, Board of Trustees, Green Tree School (school for emotionally disturbed and disabled students)
Pattern Jury Instructions Committee, U.S. District Court Eastern District of Pennsylvania Employment Law Panel