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EXHIBIT <u>SB</u>
CASE # <u>14113-03</u>

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NOMINATIONS OF RICHARD C. WESLEY, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT; J. RONNIE GREER, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE; THOMAS M. HARDIMAN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA; MARK R. KRAVITZ, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT; AND JOHN A. WOODCOCK, OF MAINE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MAINE

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THURSDAY, MAY 22, 2003

United States Senate,  
Committee on the Judiciary,  
Washington, D.C.

The Committee met, pursuant to notice, at 2:02 p.m., in room SD-226, Dirksen Senate Office Building, Hon. Saxby Chambliss, presiding.

Present: Senators Chambliss, Specter, and Schumer.

OPENING STATEMENT OF HON. SAXBY CHAMBLISS,

A U.S. SENATOR FROM THE STATE OF GEORGIA

Senator Chambliss. [presiding.] The Committee will come to order.

We are pleased to see so many of our colleagues here. It looks like we almost have a quorum. This is great.

We want to issue a special welcome to all of our

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1 coaching.

2 Since I had that same experience of coaching my son, I  
3 used to always get asked the question: Were you tougher on  
4 them than all the other team members? Maybe I ought to ask  
5 them that.

6 [Laughter.]

7 Mr. Woodcock. I have a great respect for the Fifth  
8 Amendment, and I will take the Fifth on that.

9 [Laughter.]

10 Senator Chambliss. I understand.

11 You have spent over 25 years as a successful advocate  
12 for your clients. What do you think is the biggest  
13 challenge you will face in your new role if you are  
14 confirmed as a district court judge?

15 Mr. Woodcock. I think making the transition from  
16 advocacy to judicial bearing is always a challenge. Over  
17 the course of practicing law for numerous years, 26 years,  
18 one of the benefits I have had the opportunity to engage  
19 in, along with many other practicing lawyers, is that we go  
20 from judge to judge to judge, and we see different judges,  
21 and we are able to try to determine what characteristics of  
22 a judge we feel would be appropriate.

23 Those three characteristics that I feel most  
24 appropriate for a judge are legal competence, which we take  
25 as a given, common sense, and temperament. And those things

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1 I hope to bring to the bench if confirmed by the Senate.

— 1 Senator Chambliss. Gentlemen, let me say to each of  
2 you individually and collectively that it is pretty obvious  
3 why you have been nominated for your respective judgeships.  
4 You all possess, obviously, great legal experience and  
5 competence, or you would not be here, but you touched on  
6 something there, Mr. Woodcock, and that is temperament, and  
7 just from your response here today, I think each of you  
8 possesses that necessary judicial temperance that we need to  
9 see more often from the bench than we sometimes do.

10 I will tell you that you may receive written questions  
11 from other members of the Committee--they have until 5 p.m.  
12 on Wednesday, May 28 to submit written questions, and if  
13 there are any, they will be submitted to you in short order  
14 following that.

15 That being said, if there are no further questions or  
16 participation from anyone on the Committee, we will stand  
17 adjourned.

18 Thank you very much.

19 [Voice of unidentified woman in audience:]

20 Voice. Mr. Chairman, we are in opposition to Judge  
21 Wesley based on his documented corruption at the New York  
22 Court of Appeals.

23 Senator Chambliss. I will issue a warning that we will  
— 24 have order. The Committee will stand in recess until the

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1 police can restore order. Everyone remain seated.

2 [Pause.]

3 Voice. Are you directing that I be arrested?

4 Are you directing that I be arrested?

5 Senator Chambliss. I am directing that the police  
6 restore order.

7 Voice. Are you directing that I be arrested?

8 [Pause.]

9 Senator Chambliss. Outside witnesses are welcome to  
10 submit letters supporting or opposing nominees for the  
11 Committee's consideration, but it is not our usual procedure  
12 to invite outside witnesses to testify either in support or  
13 in opposition to the nomination.

14 I realize that this lady is disappointed that she is  
15 not able to make any statement this afternoon, but her  
16 disappointment in no way condones any disruption of this  
17 hearing.

18 Again, we will stand adjourned.

19 Thank you very much.

20 [Whereupon, at 3:32 p.m., the Committee was adjourned.]