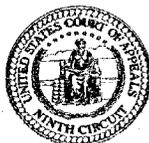


MARY M. SCHROEDER
CHIEF JUDGE
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT



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November 12, 2004

The Honorable Dianne Feinstein
United States Senator
Washington D.C. 10544

Dear Senator Feinstein:

I write to thank for your strong support for the Ninth Circuit and all that you have done and continue to do for the federal judiciary. I wish to thank you specifically for your most recent effort to stop the split of the Ninth Circuit by placing a hold on S. 878, legislation that passed the House of Representatives on October 5, 2004.

I want to assure you that we are doing our best to communicate with the judges, the lawyers and the public about why this effort to split the Circuit is misguided. We have been in contact with many bar associations both within the Ninth Circuit and nationally, including the American Bar Association, the Federal Bar Association, both the national office and many local chapters throughout the Ninth Circuit; the Arizona State Bar, the Los Angeles County Bar Association, the San Diego County Bar Association, the San Francisco Bar, and many more. We have a strong cadre of leading California lawyers who are also providing strong support. That list includes among others, Eric George, Ron Olson, Bill Coblenz, Joe Cotchett, Joe Russoniello, Jerry Braun, et al.

A number of our judges, both circuit and district, have been in contact with their Senators expressing opposition to any effort to split the circuit, particularly during this upcoming lame duck session of Congress. Contact has been made with Senators Inouye, Leahy, Reid, Murray, Baucus, Kyl and Cantwell. We understand Senator Baucus has also placed a hold on S.878.

The Governors of Arizona, California and Washington are also strong supporters of keeping the circuit together, and we are in contact with them as well to ask for their ongoing support. Within the California delegation, we have been in close contact with Nancy Pelosi, Howard Berman, Chris Cox, Zoe Lofgren, David Drier, Adam Schiff, and others.

We will continue our efforts as Congress returns next week, and also when the 109th Congress convenes in January 2005.

With warm regards and appreciation,

Sincerely,

A handwritten signature in black ink that reads "Mary M. Schroeder". The signature is written in a cursive style with a large, stylized "M" and "S".

Mary M. Schroeder
Chief Judge