

# United States Senate

WASHINGTON, DC 20510

May 24, 2021

The Honorable Joseph R. Biden  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President:

We are pleased to recommend United States District Court Judge Arenda Wright Allen, United States District Court Judge Hannah Lauck, and Virginia Solicitor General Toby J. Heytens for the vacancy on the United States Court of Appeals for the Fourth Circuit following Judge Barbara M. Keenan's decision to take senior status, effective August, 2021. All three candidates possess the requisite fairness, temperament, and integrity to serve as a U.S. Court of Appeals Judge, and have our highest recommendation.

The Honorable Arenda Wright Allen is a United States District Court Judge in the Norfolk Division of the Eastern District of Virginia. Prior to joining the bench in 2011, Judge Allen served in the Federal Public Defender's Office for the Eastern District of Virginia from 2005-2011. From 1990 to 2005, Judge Allen served in the U.S. Attorney's Office in both the Eastern District of Virginia and the Western District of Virginia. Judge Allen also has an exemplary record of military service, serving as a Navy JAG Trial Attorney and Staff Judge Advocate from 1985-1990. Judge Allen continued her service as a Commander in the United States Navy Reserves until she retired in 2005.

Judge Hannah Lauck has had an impressive legal career to date, and is currently serving as a United States District Court Judge in Richmond, Virginia. Prior to becoming a United States District Court Judge, she served as a federal Magistrate Judge in the Eastern District of Virginia, from 2005 to 2014. Additionally, she was the first woman District Court Judge and Magistrate Judge appointed in the Richmond Division for the Eastern District of Virginia.

Toby Heytens is the Solicitor General of Virginia, a position he has held since 2018. As the Solicitor General, Mr. Heytens exclusively represents the Commonwealth, its officers, and its agencies. In the last three years he has represented the Commonwealth in federal and state courts, including three arguments before the Supreme Court of the United States, defense of the Commonwealth's new firearms laws and the Governor's COVID-19 related orders in trial courts and on appeal. Prior to joining the Virginia Attorney General's office, Heytens was a professor at his alma mater, the University of Virginia School of Law, from 2010 to 2018.

Ultimately, we believe each of these individuals would win confirmation from the Senate and serve capably on the bench. We are honored to recommend them to you.

Sincerely,



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Mark R. Warner  
United States Senator



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Tim Kaine  
United States Senator