

STATEMENT OF AMICI'S IDENTITY AND INTEREST¹

Amici, listed below, are former judges, prosecutors, and state and federal executive officials with experience in both state and federal court, including experience with the federal-officer removal statute, 28 U.S.C. §1442, as well as with respect to drawing the line between the official and political activities of the president and other senior executive officeholders. As such, amici have an interest in the proper division of responsibility between state and federal courts as well as in the just enforcement of criminal laws.

Donald B. Ayer served as U.S. Deputy Attorney General in the George H.W. Bush Administration (1989-1990); U.S. Principal Deputy Solicitor General in the Reagan Administration (1986-1988); and U.S. Attorney for the Eastern District of California in the Reagan Administration (1981-1986).

John J. Farmer Jr. served as Acting Governor of New Jersey (January 8, 2002); New Jersey Attorney General (1999-2002); Chief Counsel to Governor Whitman of New Jersey (1997-1999); Deputy Chief Counsel to Governor Whitman (1996-1997); and Assistant U.S. Attorney for the District of New Jersey in the George H.W. Bush and Clinton Administrations (1990-1994).

¹ All parties consent to the filing of this brief. No counsel for a party authored this brief in whole or in part, and no entity or person other than amici and their counsel contributed money intended to fund the preparation or submission of this brief.

Charles A. Fried served as Associate Justice of the Massachusetts Supreme Judicial Court (1995-1999); U.S. Solicitor General in the Reagan Administration (1985-1989); and Special Assistant to the U.S. Attorney General in the Reagan Administration (1984-1985).

Stuart M. Gerson served as Acting U.S. Attorney General in the Clinton Administration (1993); U.S. Assistant Attorney General for the Civil Division in the George H.W. Bush and Clinton Administrations (1989-1993); and Assistant U.S. Attorney for the District of Columbia in the Nixon and Ford Administrations (1972-1975).

J. Michael Luttig served as Judge of the U.S. Court of Appeals for the Fourth Circuit (1991-2006); U.S. Assistant Attorney General for the Office of Legal Counsel in the George H.W. Bush Administration (1990-1991); and Assistant Counsel to President Reagan (1980-1981).

Alan Charles Raul served as General Counsel to the U.S. Department of Agriculture in the George H.W. Bush Administration (1989-1993); General Counsel to the Office of Management and Budget in the Reagan Administration (1988-1989); and Associate Counsel to President Reagan (1986-1988).

William F. Weld served as Governor of Massachusetts (1991-1997); U.S. Assistant Attorney General for the Criminal Division in the Reagan Administration

(1986-1988); and U.S. Attorney for the District of Massachusetts in the Reagan Administration (1981-1986).