

January 24, 2023



**SUPPORT THE CONFIRMATION OF CASEY PITTS  
TO THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we write to express our strong support for the confirmation of Casey Pitts to the U.S. District Court for the Northern District of California. The Leadership Conference intends to include your position on the confirmation of Mr. Pitts in our voting record for the 118th Congress.

Mr. Pitts' impressive civil rights experience makes him extremely well-qualified to serve on the federal bench. Currently, Mr. Pitts is a partner with Altshuler Berzon LLP, where he focuses on labor and employment matters. He has also worked as a research assistant and Coker teaching fellow at Yale University. A graduate of Yale University and Yale Law School, he clerked for Judge Stephen Reinhardt on the U.S. Court of Appeals for the Ninth Circuit. Additionally, Mr. Pitts is dedicated to serving his community. For instance, he serves as a volunteer attorney supervisor for the Workers' Rights Clinic for Legal Aid at Work, where he oversees the work of and mentors law students. Mr. Pitts was also a member of the amicus and judiciary committees of Bay Area Lawyers for Individual Freedom, San Francisco's LGBTQ bar association. His exceptional legal experience would be a tremendous asset to the Northern District of California.

Mr. Pitts has dedicated his career to protecting and defending the rights of working people. Through complex litigation, collective bargaining sessions, and grievance arbitration, Mr. Pitts has successfully challenged unfair labor practices across the country. This includes representing fast food workers who were subjected to wage and hour violations,<sup>1</sup> defending a Seattle ordinance that would allow independent contractors who drive for companies like Uber and Lyft to unionize,<sup>2</sup> and securing a substantial settlement for garment workers from Indonesia for unpaid wages and benefits.<sup>3</sup> He has also defended the rights of employees who have been unjustly terminated. For example, together with the National Center for Lesbian Rights and the Southern Poverty Law Center, he successfully represented a man in Louisiana who had been fired from his job because he is transgender.<sup>4</sup> In addition to a monetary settlement for the employee, the company was ordered to broaden their anti-discrimination policies to include a prohibition

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<sup>1</sup> *Ochoa v. McDonald's Corp.*, 133 F. Supp. 3d 1228 (N.D. Cal. 2015).

<sup>2</sup> *Chamber of Commerce v. City of Seattle*, 2017 WL 3267730 (W.D. Wash. 2017), *rev'd*, 890 F.3d 769 (9th Cir. 2018).

<sup>3</sup> *Board of Regents of the University of Wisconsin System v. Adidas America*, 12-CV-2775 (Dane Cnty. Cir. Ct. 2013).

<sup>4</sup> [Broussard v. Tower Loan](#), NATIONAL CENTER FOR LESBIAN RIGHTS (2016).



on gender identity discrimination and to train all current and future employees on this policy.<sup>5</sup> In another case, Mr. Pitts successfully represented employees who had been wrongfully fired for protesting unacceptable working conditions, such as unfair wage practices and pervasive sexual harassment.<sup>6</sup> In addition to his expansive labor and employment record, Mr. Pitts has also worked to protect voting rights. He served as legal counsel to the West Contra Costa Unified School District Independent Redistricting Commission, a committee responsible for drawing the district map for the 2022 elections for the Board of Education based on the results of the 2020 Census.<sup>7</sup> Mr. Pitts' demonstrated commitment to civil rights makes him a superb choice for this seat.

Mr. Pitts would also bring important lived experience to our judiciary. If confirmed, he would be the only openly LGBTQ judge actively serving on the Northern District of California bench.<sup>8</sup> There are more than 11 million adults in the United States who identify as LGBTQ, with more than 1.6 million living in the state of California.<sup>9</sup> The importance of a judiciary that reflects the community it serves cannot be overstated. Public trust in the judiciary is vital and is strengthened when our courts reflect the rich diversity of our country.<sup>10</sup> Additionally, different lived experiences, especially from communities that have been historically excluded, bring varied perspectives to our federal courts that improve judicial decision-making.<sup>11</sup> Indeed, Mr. Pitts' important lived and professional experiences would bring crucial knowledge to this court.

Mr. Pitts is an excellent choice for this position, and we strongly urge the Senate to confirm him to the U.S. District Court for the Northern District of California. If you would like to discuss this matter further, please contact Lena Zwarenstejn, senior director of the fair courts program, at (202) 466-3311. Thank you for your consideration.

Sincerely,

Maya Wiley  
President & CEO

Jesselyn McCurdy  
Executive Vice President of Government Affairs

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<sup>5</sup> Press Release, [First Tower Loan Settles EEOC Sex Discrimination Suit](#), U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (October 6, 2017).

<sup>6</sup> *SEIU Local 87 v. NLRB*, 995 F.3d 1032 (9th Cir. 2021).

<sup>7</sup> [The West Contra Costa Unified School District Redistricting Commission](#), WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT (2022).

<sup>8</sup> Madison Alder, [Montana Law Professor Is Biden's Pick for Ninth Circuit Seat](#), BLOOMBERG LAW (September 2, 2022).

<sup>9</sup> See Kerith J. Conron & Shoshana K. Goldberg, [Adult LGBT Population in the United States](#), THE WILLIAMS INSTITUTE (July 2020).

<sup>10</sup> Kate Berry, [Building a Diverse Bench: Selecting Federal Magistrate and Bankruptcy Judges](#), BRENNAN CENTER FOR JUSTICE AT NYU SCHOOL OF LAW AND AMERICAN BAR ASSOCIATION JUDICIAL DIVISION (2017).

<sup>11</sup> Maya Sen, [Diversity, Qualifications, and Ideology: How Female and Minority Judges Have Changed, or Not Changed, Over Time](#), 2017 WIS. L. REV. 367 (2017).