United States District Court Southern District of California 940 Front Street, Suite 4165 San Diego, California 92101-8902

Chambers of Rudi M. Brewster Judge

(619) 557-6190 Fas: (619) 702-9927

April 24, 1998

Commission on Structural Alternatives for the Federal Courts of Appeals Thurgood Marshall Federal Judiciary Building One Columbus Circle, N.E. Washington, D.C. 20544

Dear Honorable Members of the Commission:

I have been a District Judge for the Southern District of California since my appointment in June 1984.

I have read with care the position paper submitted to your Commission on April 15, 1998 by Chief Judge Procter Hug, Jr. I write this letter to record my complete agreement with the important points set out in his paper.

l enthusiastically join in Judge Hug's urging that the Ninth Circuit not be divided.

Very respectfully,

Bad M. Brusto