

May 8, 2017

U. S. Senator Steve Daines  
30 West 14<sup>th</sup> Street  
Suite 206  
Helena, Montana 59601

Dear Senator Daines:

I am pleased to recommend Kurt G. Alme for the position of United States Attorney for the District of Montana in the Trump Administration. As you know, I had the good fortune to serve in the position throughout the George W. Bush Administration and for nearly a year of the Obama Administration. Given my background, I have definitive views on the qualities, skills, and background one should possess to serve as U.S. Attorney in Montana and the current needs of the office. Although other qualified attorneys have expressed interest in the position, I believe that Kurt is the most qualified and best prepared to serve with distinction.

I am very familiar with Kurt's attributes, having known him well since we met at a national student council convention in 1981 when we were delegates from different Montana high schools. In the intervening thirty-six years, I have had the opportunity to observe him in a variety of contexts. I have often remarked that he is the most gifted person I know. The observation is not based upon intellect and ability alone, but rather a composite of brainpower coupled with his decency, genuineness, competence, commitment to the well-being of others, work ethic, diligence, steadiness, compassion, discipline, humility, integrity, loyalty, decisiveness, and cheerfulness. I have been fortunate to know many talented people, but I know no one who measures up in these categories the way Kurt does.

My enthusiasm about his potential nomination is based not only upon my understanding of these strengths, but also from our work together in the U.S. Attorney's Office for more than six years from 2003 through 2009. During his initial years as an Assistant U.S. Attorney, Kurt worked as a white collar crime prosecutor and distinguished himself as thorough and dogged in working with investigators and determining whether the facts at hand were adequate to meet the burdens established in the relevant statutes to prove criminal conduct. His work led to many convictions through jury trials and plea agreements in fraud cases, including defendants with complex schemes which were difficult to unravel.

In late 2006, Kurt agreed to serve as the First Assistant U.S. Attorney (FAUSA). The FAUSA serves as the senior career civil servant in the office and acts on behalf of the U.S. Attorney in circumstances in which the latter is recused or unavailable. The FAUSA is also the chief of operations and responsible for day-to-day management of the office. Kurt and I had

regular and frequent interactions during this time period. Before we worked together in this capacity, I would have described him using many of the adjectives listed above. But over those three years I saw all of these traits in him on many occasions. From his time as FAUSA, Kurt has clarity regarding the work of the U.S. Attorney and the office. Although there has been some change in personnel since his departure from the office in 2010, Kurt has worked with and supervised a number of the attorneys and staff in the office. With his awareness of the office, its personnel, its history, and the demands placed on the U.S. Attorney in terms of leadership, management, and strategic planning, no one is more equipped to serve in the role than Kurt.

I would like to note the range of professional and community experience that Kurt possesses because they are relevant to his potential as U.S. Attorney. First, he has a broader perspective on legal practice than most lawyers, which he would draw upon as U.S. Attorney. In addition to his time as a prosecutor and manager in the U.S. Attorney's Office, Kurt has been a civil litigator, a commercial lawyer, a general counsel to a sophisticated non-profit foundation, and a law clerk. It is also noteworthy that his government management experience is not limited to the federal government. He served as the Director of the Montana Department of Revenue for more than two years and gained valuable experience in public sector management in one of the largest state agencies. Finally, his involvement in the community has been substantial and offers Kurt insight into building coalitions and the extent of the challenges facing communities in the state.

It should go without saying that I could spend a great deal more time describing Kurt's strengths and relevant experience. I will be happy to do so if you wish. However, for now, I will simply say that the Trump Administration and the people of Montana would benefit from Kurt's service as U.S. Attorney. I know of no better candidate for the job and hope he has the opportunity to serve in the position.

Very truly yours,



William W. Mercer  
of Holland & Hart <sup>LLP</sup>

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