



*United States Attorney  
Southern District of New York*

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January 28, 2016

By ECF & Hand Delivery  
Hon. Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1050  
New York, New York 10007

**Re: *ACLU v. Department of Defense et al.*, No. 04 Civ. 4151 (AKH)**

Dear Judge Hellerstein:

I am the Assistant United States Attorney representing the Department of Defense (the "Government") in the above-referenced Freedom of Information Act lawsuit. I write to update the Court regarding the Government's anticipated release of approximately 198 previously certified photographs which have not been certified by Secretary of Defense Carter. While the Government intended to publicly release these photographs by the end of this month, several extra days are required to complete internal coordination and notifications in light of the recent snow storm which caused Washington D.C. to shut down for several days. The Government intends to release the photographs on February 5.

I thank the Court for its consideration of this matter.

Respectfully,

PREET BHARARA  
United States Attorney  
Southern District of New York

By: /s/ Tara M. La Morte  
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