



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
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March 20, 2009

BY FACSIMILE

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street, Room 1050
New York, New York 10007-1312

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


Dear Judge Hellerstein:

We write with regard to the Central Intelligence Agency's production of the information contemplated in the August 20, 2008 Order Regulating Proceedings. The CIA has generated the lists contemplated by Points 2 and 3 of the Order. As instructed by the Court, the CIA will provide the unredacted lists for the Court's ex parte, in camera review on March 26, 2009 at 2:30 p.m. There is no meaningful non-exempt information from the list of documents covered by Point 2, which identifies roughly 3,000 documents, including cables, memoranda, notes and emails, that can be produced at this time. All of the information on the list of witnesses covered by Point 3 is either classified or otherwise protected by statute. Accordingly, the CIA is not producing either list to Plaintiffs in redacted form.

Respectfully submitted,

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By: _____


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