



United States Attorney  
Southern District of New York

26 Chambers Street  
New York, New York 10007

May 14, 2004

BY HAND

LETTER TO BE FILED UNDER SEAL

Honorable Victor Marrero  
United States District Judge  
United States Courthouse  
40 Centre Street, Room 314  
New York, New York 10007

Re: ACLU et ano. v. Ashcroft  
04 Civ. 2614 (VM)

Dear Judge Marrero:

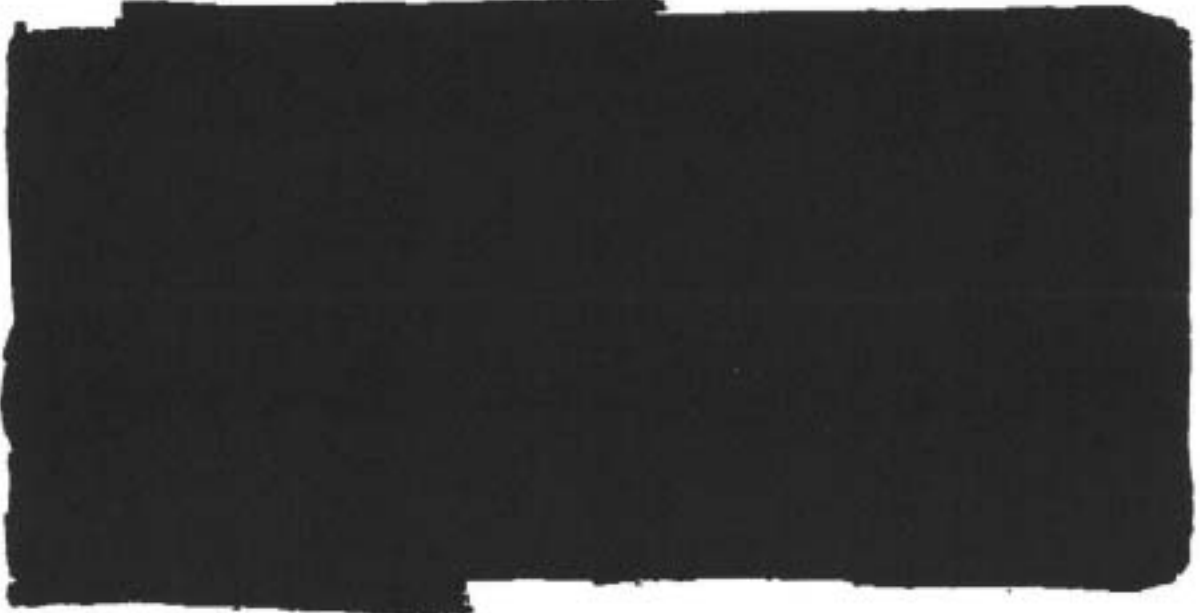
The Government respectfully submits this letter in connection with the above-captioned action, and in further support of the Government's May 12, 2004 letter addressing disputed redactions in various documents that have been filed in this case.

Plaintiffs' pink- and green-highlighted version of the redacted complaint did not reflect that the parties dispute an additional redaction in paragraph 5. Specifically, the redacted complaint redacts the words "and consulting" from paragraph 5, and we understand that Plaintiffs dispute that redaction. The same disputed redaction is found at paragraph 35 of the complaint (paragraph 36 of the amended complaint). Like the disputed redaction in paragraph 35, the disputed redaction in paragraph 5 is critical to ensuring that the identity of the non-ACLU plaintiff is not disclosed. By describing that the plaintiff is both an Internet access and consulting business, persons

may, by process of elimination, be able to determine the plaintiff's identity. Accordingly, we respectfully request that the words "and consulting" remain redacted in paragraph 5 of the complaint.

In their May 14, 2004 letter to the Court opposing particular redactions, Plaintiffs oppose all requested redactions covering

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Thank you for your consideration of this submission.

Respectfully,

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cc: Ann Beeson, Esq.