

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*86 Chambers Street
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July 1, 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);
ACLU, et al., v. Department of Justice, No. 05 Civ. 9620 (AKH)

Dear Judge Hellerstein:

We write to respectfully request one additional day, until July 2, 2009, to process the 35 Department of Defense ("DOD") documents within the scope of the Second Circuit's May 18, 2009 Order remanding *ACLU, et al., v. Dep't of Defense, et al.*, 08-4912-cv (2d. Cir.). Plaintiffs consent to this request with the understanding that DOD intends to release any information resulting from this processing by noon on July 2, 2009. The additional time is needed for consultation within the Government regarding any potential release. This is the Government's second request for an extension of this deadline, with the Court previously having granted a three-day extension of time.

In addition, the Government respectfully requests an additional eight days, from July 2, 2009 until July 10, 2009, to file its cross-motion for summary judgment as to certain documents of the Central Intelligence Agency ("CIA"), as set forth in this Court's Order dated May 7, 2009. This is the Government's first request for an extension of this filing deadline, which is sought to permit the Government sufficient time to brief the issues relating to these documents. Plaintiffs consent to this requested extension of time.

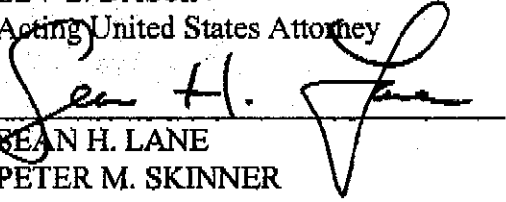
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Thank you for your consideration.

Respectfully submitted,

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