



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

---

*86 Chambers Street, 5th Floor  
New York, New York 10007*

November 23, 2004

By Federal Express

Lawrence S. Lustberg, Esq.  
Gibbons, Del Deo, Dolan,  
Griffinger & Vecchione, P.C.  
One Riverfront Plaza  
Newark, N.J. 07102

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

Dear Mr. Lustberg:

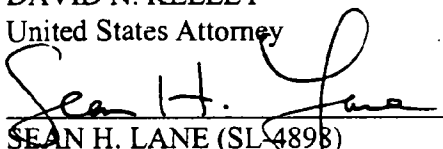
I am writing to confirm my recent conversation with Megan Lewis of your office that plaintiffs have made a proposal to limit the scope of their pending Freedom of Information Act requests. As I understand it, plaintiffs propose that the scope of their requests be limited to the topics set forth in their request letter dated October 26, 2003 and that the broader language of the May 25, 2004 request be disregarded. I have presented this proposal to the Department of Defense and anticipate providing you with a response to your proposal shortly.

Finally, enclosed please find additional documents being produced by the Federal Bureau of Investigation as well as additional responses from the Department of State, including the production of documents.

Very truly yours,

DAVID N. KELLEY  
United States Attorney

By:

  
SEAN H. LANE (SL-4898)  
PETER M. SKINNER (PS-9745)  
Assistant United States Attorneys  
Telephone: (212) 637-2737

Enclosures