



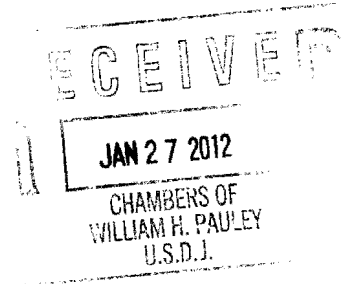
U.S. Department of Justice **MEMO ENDORSED**

United States Attorney
Southern District of New York

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/27/12

86 Chambers Street, 3rd Floor
New York, New York 10007

January 26, 2012



BY HAND

The Honorable William H. Pauley
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *New York Times Co. et al. v. Dep't of Justice*, 11 Civ. 06990 (WHP)
ACLU et al. v. FBI et al., 11 Civ. 07562 (WHP)

Dear Judge Pauley:

cl

I write respectfully to request a three-week extension — from February 1, 2012 to February 22, 2012 — for the Government to file its contemplated motions in the above-referenced related cases. Under the Court's Order dated November 21, 2011, the Government is to file its motion for summary judgment in *New York Times Co. et al. v. Dep't of Justice*, 11 Civ. 06990 (WHP), and its motion for partial summary judgment in *ACLU et al. v. FBI et al.*, 11 Civ. 07562 (WHP), on February 1, 2012. Both of the Government's contemplated motions relate to the single document at issue in *New York Times Co. et al. v. Dep't of Justice*, 11 Civ. 06990 (WHP).

Both the New York Times and the ACLU consent to this request.

If the Court grants the Government's request, the new schedule will be as follows:

o

- (1) The Government's brief in support of its motion for summary judgment in 11 Civ. 6990 and in support of its motion for partial summary judgment in 11 Civ. 7562 shall be filed by February 22, 2012;
- (2) The New York Times' brief in support of its cross-motion for summary judgment in 11 Civ. 6990 and the ACLU's brief in support of its cross-motion for partial summary judgment in 11 Civ. 7562 shall be filed by March 9, 2012;
- (3) The Government's reply shall be filed by April 6, 2012.

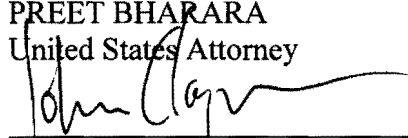
The Government notes that, in its November 21 Order, the Court scheduled oral argument for April 20, 2012, at 11:00 a.m. The Government is not, at this time, requesting an adjournment of the date for oral argument.

Thank you for your consideration of this request.

Respectfully,

PREET BHARARA
United States Attorney

By:



JOHN D. CLOPPER
EMILY DAUGHTRY
Assistant United States Attorneys
Telephone: (212) 637-2716 (Clopper)
Telephone: (212) 637-2777 (Daughtry)
Facsimile: (212) 637-0033
john.clopper@usdoj.gov
emily.daughtry@usdoj.gov

cc: David McGraw, Esq.
Counsel for plaintiff New York Times in *New York Times Co. et al. v. Dep't of Justice*,
11 Civ. 06990 (WHP)

Charles Sims, Esq. (by email)
Richard Haddad, Esq. (by email)
Counsel for plaintiff ACLU in *ACLU et al. v. FBI et al.*, 11 Civ. 07562 (WHP)

Application granted. The proposed
schedule is adopted.

SO ORDERED:



WILLIAM H. PAULEY III U.S.D.J.

1/27/12