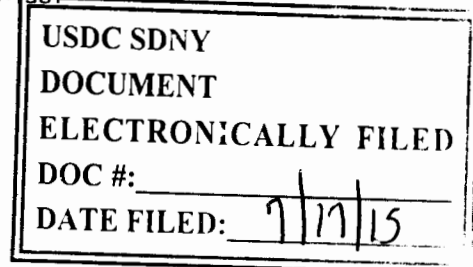
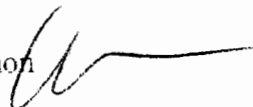


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
500 PEARL STREET
NEW YORK, NEW YORK 10007-1501
(212) 805-6325



CHAMBERS OF
COLLEEN MCMAHON
UNITED STATES DISTRICT JUDGE

MEMO IN CAMERA TO: Sarah Normand, AUSA
FROM: Judge McMahon 
RE: Attached decision (12-cv-794) (CM)
DATED: June 23, 2015

Ms. Normand:

The final decision, incorporating the in camera review rulings as to documents recently produced to me, is attached. I will refer to it hereafter as the "June 23 Decision."

I am sorry there is no redlined version of the May 13 Draft decision. Frankly, I never learned how to do that, and I was working on a rather primitive computer in any event (thankfully it is being replaced). There are actually very few changes in the text, other than the insertion of the "*Rulings After In Camera Review*." The one that you will find of moment is that, upon further review, I have revised my original decision about what the Government has officially acknowledged with respect to Samir Khan. In the May 13 Draft Decision, I ruled that official acknowledgement extended to "The fact that the Government believed Samir Khan was involved in jihad." After re-reading Wicker Exhibit 14, I conclude that official acknowledgement is more properly described as relating to the fact that the FBI was investigating Samir Khan's involvement in terrorism/jihad.

This change may affect the Government's response to the court's order of May 13, 2015; I am granting the Government two weeks to re-review any documents as to which Listed Fact #7 is relevant, in order to conform to my revised reading of what has been officially acknowledged.

This in camera memorandum will have to be unsealed once the Government concludes its security review of this decision.