



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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

April 18, 2013

BY FEDERAL EXPRESS

Hina Shamsi
Brett Kaufman
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004

Re: *ACLU v. Dep't of Defense et al.*, No. 09 Civ. 8071 (LGS) (FM)

Dear Ms. Shamsi and Mr. Kaufman:

I write in response to your email of March 1, 2013, in which you requested that the U.S. Department of Defense ("DoD") supply a supplemental formal *Vaughn* index explaining why it withheld, in whole or in part, certain documents in its response to your Freedom of Information Act ("FOIA") request at issue in the above-referenced case. Attached please find such an index. For your information, as part of the process by which DoD produced this index, it re-evaluated the documents at issue. In some instances, DoD is now releasing information that it previously withheld in these documents. Thus, attached please also find a new set of the documents at issue, reflecting these changes. Please note that some of the information on the produced documents remains redacted pursuant to various FOIA exemptions, as marked on the documents.

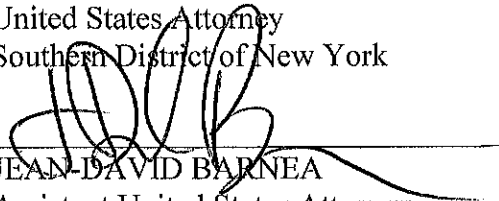
Per our discussions and recent correspondence with the Court, please review the attached information and let me know whether you intend to pursue further litigation regarding these documents.

Please contact me with any questions about these documents.

Very truly yours,

PREET BHARARA
United States Attorney
Southern District of New York

By:


JEAN-DAVID BARNEA
Assistant United States Attorney
Telephone: (212) 637-2679

Encls.