



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

June 20, 2014

BY HAND DELIVERY AND ECF

Hon. Catherine O'Hagan Wolfe
Clerk of the Court
United States Court of Appeals for the Second Circuit
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *The New York Times Co. v. United States*, 13-422(Lead), 13-445(Con) (2d Cir.)

Dear Ms. Wolfe:

We write respectfully on behalf of defendants-appellees the U.S. Department of Justice, the U.S. Department of Defense, and the Central Intelligence Agency (collectively, the "government") in the above-referenced appeals. We enclose for filing under seal the government's Response to the Court's June 10, 2014, Order. This original version of the document is being filed under seal because it quotes from the Court's proposed revised version of the Court's April 21, 2014, public opinion, which remains under court seal, and from the Court's proposed opinion on the rehearing petition, which has not yet been released publicly by the Court. A public version of this document is being filed at this time with those portions blacked out.

We thank the Court for its consideration of this matter.

Respectfully,

STUART DELERY
Assistant Attorney General

PREET BHARARA
United States Attorney for the
Southern District of New York

SHARON SWINGLE
Appeals Counsel
Telephone: (202) 353-2689
sharon.swingle@usdoj.gov

By: /s Sarah S. Normand
SARAH S. NORMAND
Assistant United States Attorney
Telephone: (212) 637-2709
sarah.normand@usdoj.gov

cc: Counsel for Plaintiffs-Appellants (via ECF)