

From: "[REDACTED] (USAFLS)" <[REDACTED]>
To: "cassellp@law.utah.edu" <[REDACTED]>, "[REDACTED]" <[REDACTED]>
Cc: "[REDACTED]. (USAFLS)" <[REDACTED]>

Subject: Re: Deliberative Process Declaration from Main Justice - Request for Two Week Extension

Date: Sat, 21 Sep 2013 03:45:04 +0000

Importance: Normal

Paul and Brad,
Thanks very much.

From: Paul Cassell [mailto:[REDACTED]]
Sent: Friday, September 20, 2013 01:59 PM
To: [REDACTED] (USAFLS); Brad Edwards ([REDACTED]) <[REDACTED]>
Cc: [REDACTED]. (USAFLS)
Subject: RE: Deliberative Process Declaration from Main Justice - Request for Two Week Extension

Hi [REDACTED]

We have no objection, provided we get the following accommodation, which you already anticipated.

We would request that your motion for extension of time give us an extension on our reply document, such that our reply would be due 10 days after the main Justice Department declaration that will be coming in two weeks. If you would include such language as well in any proposed order, saving us (and the court) drafting time, that would be very much appreciated.

Paul Cassell and Brad Edwards for Jane Doe #1 and Jane Doe #2

Paul G. Cassell
Ronald N. Boyce Presidential Professor of Criminal Law
S.J. Quinney College of Law at the University of Utah

Voice: [REDACTED] Fax: [REDACTED] Email: [REDACTED]
<http://www.law.utah.edu/profiles/default.asp?PersonID=57&name=Cassell,Paul>
You can access my publications on <http://ssrn.com/author=30160>

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From: [REDACTED] (USAFLS) [mailto:[REDACTED]]
Sent: Friday, September 20, 2013 11:54 AM
To: Paul Cassell; Brad Edwards ([REDACTED])
Cc: [REDACTED]. (USAFLS)
Subject: Deliberative Process Declaration from Main Justice - Request for Two Week Extension

Paul and Brad,

I was expecting to file a declaration from the Department of Justice last Friday, September 13, 2013, in support of the government's assertion of the deliberative process privilege. When I did not receive the declaration, I assumed a decision had been made not to assert the deliberative process privilege. I went ahead and sought an enlargement of time to file

the United States Attorney's declaration on deliberative process privilege for documents generated by the U.S. Attorney's Office, which you graciously did not oppose.

I was incorrect in my assumption regarding the Department of Justice making a decision not to assert the deliberative process privilege. They do want to assert the privilege, and are determining the appropriate DOJ official to execute the declaration formally invoking the privilege. I will be seeking a two-week extension of time to file the DOJ's declaration, and I want to know your position on the motion. The government has no objection to petitioners receiving additional time to respond to the DOJ declaration, after it is filed.

I will be filing the United States Attorney's declaration today. Thanks for your consideration.

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