

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ELECTRONIC PRIVACY INFORMATION CENTER,)	
)	
Plaintiff,)	Civil Action No. 06-0096 (HHK)
)	
v.)	
)	
DEPARTMENT OF JUSTICE,)	
)	
Defendant.)	
_____)	
)	
AMERICAN CIVIL LIBERTIES UNION, et al.,)	
)	Civil Action No. 06-00214 (HHK)
Plaintiff,)	
)	
v.)	
)	
DEPARTMENT OF JUSTICE,)	
)	CONSOLIDATED CASES
Defendant.)	
_____)	

**SECOND NOTICE OF LODGING OF CLASSIFIED EXHIBIT IN SUPPORT OF
DEFENDANT’S RENEWED MOTION FOR SUMMARY JUDGMENT**

Defendant the Department of Justice, through its undersigned counsel, hereby provides notice that it is lodging for submission in support of Defendant’s Renewed Motion for Summary Judgment the following classified exhibit for the Court’s in camera, ex parte review:

(1) Second In Camera, Ex Parte Declaration of David M. Hardy, Section Chief, Record/Information Dissemination Section, Records Management Division, Federal Bureau of Investigation, filed as Exhibit A to the Supplemental Submission of the FBI in Support of Defendant’s Renewed Motion for Summary Judgment, along with its classified exhibit.

These submissions are classified pursuant to Executive Order 12958, 60 Fed. Reg. 19825

(Apr. 17, 1995), as amended by Executive Order 13292, 68 Fed. Reg. 15315 (Mar. 25, 2003), and cannot be disclosed without proper authorization. These submissions are being lodged for secure storage and transmission to the Court with the United States Department of Justice, Litigation Security Group, 20 Massachusetts Avenue, N.W., 5th Floor, Washington, D.C., (202) 514-9016. A redacted form of Mr. Hardy's declaration, as well as an unclassified version of its accompanying exhibit, are provided as exhibits to the Supplemental Submission of the FBI in Support of Defendant's Renewed Motion for Summary Judgment, filed this date on the public record.

Respectfully submitted,

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