

## **Exhibit A**

*Electronic Frontier Foundation v. Department of Justice*, Civ. No. 06-1773-RBW

**Motion for Preliminary Injunction**



**U.S. Department of Justice**

Federal Bureau of Investigation

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Washington, D. C. 20535-0001

August 3, 2007

David L. Sobel, Esq.  
Senior Counsel  
Electronic Frontier Foundation  
Suite 650  
1875 Connecticut Avenue, NW  
Washington, DC 20009

Re: FOIPA Request No. 1058805

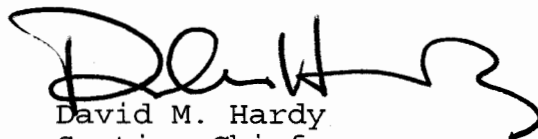
Dear Mr. Sobel:

This letter is in response to your request to the U.S. Department of Justice ("DOJ"), Office of Public Affairs ("OPA"), for expedition of your Freedom of Information Act ("FOIA") request to FBI Headquarters ("FBIHQ") for specific records concerning the FBI's Investigative Data Warehouse ("IDW"). In your initial FOIA request letter dated August 25, 2006, and your supplemental FOIA request letter dated September 1, 2006, the Electronic Frontier Foundation ("EFF") sought access to specific records concerning the categories of individuals and records included in the IDW; the criteria for inclusion of information in the IDW; records concerning any FBI determinations that the IDW is, or is not, subject to the requirements of the Privacy Act of 1974 and federal records retention requirements; records concerning data expungement, restriction or correction procedures for the IDW; all privacy impact statements created for the IDW; and all results of audits conducted to ensure proper operation of the IDW.

The EFF requested that OPA grant expedited treatment for the processing of this FOIA request concerning the IDW pursuant to 28 C.F.R. § 16.5(d)(1)(iv) inasmuch as the IDW is "[a] matter of widespread and exceptional media interest in which there exists possible questions about the government's integrity which affects public confidence." We have been advised that the Director of OPA has concluded that the subject matter of your FOIA request meets this criteria and therefore your request for expedited processing should be granted.

Please be advised that we have located and are currently processing FBIHQ records which are responsive to your FOIA request for release to you. In addition, we are continuing our review of the large number of FBIHQ records identified as potentially responsive to your request. As we process those records determined to be responsive, we will release them to you as soon as practicable.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Hardy', with a stylized flourish at the end.

David M. Hardy  
Section Chief  
Record/Information Dissemination  
Section  
Records Management Division