

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
STEVEN J. HATFILL, M.D.,)	
)	
Plaintiff,)	
)	
v.)	Civ. A. No. 03-1793 (RBW)
)	(Judge Walton)
UNITED STATES DEPARTMENT)	
OF JUSTICE, et al.,)	
)	
Defendants.)	
_____)	

DEFENDANTS’ UNOPPOSED MOTION TO AMEND PROTECTIVE ORDER

Pursuant to Fed. R. Civ. P. 26(c), Defendants Department of Justice and Federal Bureau of Investigation (the “Agency Defendants”), hereby move to amend the Protective Order signed by the Court on May 12, 2005, and entered on the docket on May 13, 2005, in order to include within the scope of “Protected Information” certain statements made by former personnel of the United States Attorney’s Office for the District of Columbia that may be subject to the Privacy Act. Defendants require such an order to satisfy the provision in Section 552a(b)(11) permitting the release of such documents by court order. Defendants also request the opportunity to make one additional clarifying change to the existing protective order. The current Protective Order is drafted in such a way that it suggests that information is only protected when it is turned over by the defendants in discovery, when in fact one category of materials -- the videotape of Director Mueller -- is currently protected and was not produced by the defendants. Defendants request that the protective order be amended to make it clear that “protected information” includes certain information that has been provided by the defendants and vendors (*e.g.*, a videographer).

Counsel for the plaintiff, Mark Grannis, Esq., has been consulted and has stated that plaintiff does not oppose the granting of defendant's motion.

Dated: January 15, 2008

Respectfully submitted,

JEFFREY BUCHOLTZ
Acting Assistant Attorney General

ELIZABETH SHAPIRO
Assistant Branch Director

/s/ Paul G. Freeborne

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