

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

STEVEN J. HATFILL, M.D.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. A. No. 03-1793 (RBW)
	)	
ATTORNEY GENERAL MICHAEL	)	
MUKASEY, et al.	)	
	)	
Defendants.	)	

**APPENDIX IN SUPPORT OF  
THE UNITED STATES DEPARTMENT OF JUSTICE  
AND THE FEDERAL BUREAU OF INVESTIGATION'S MEMORANDUM  
IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT**

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Exhibit No.	Descriptions
1	“Analysis of Anthrax Attacks,” Possible Portrait of the Anthrax Perpetrator (Section IV.6)
2	Press Release, “Biological Weapon Expect to Discuss the Control of Bioterrorism,” Princeton University
3	<u>The Guardian</u> , ““US scientist’ is suspect in anthrax investigation, dated February 20, 2002).
4	<u>Hartford Courant</u> , “FBI Denies having a Prime Suspect - Rebuts Reports that Fired Scientist Tops Anthrax List,” dated 2/26/2002.
5	<u>The New York Times</u> , “Connecting Deadly Dots,” dated May 24, 2002.
6	Excerpt from the Deposition of Steven J. Hatfill in <u>Hatfill v. The New York Times</u> , No. 04-807 (E.D.Va.) (Dated November 11, 2006)
7	Complaint in <u>Steven J. Hatfill v. The New York Times Company</u> , No. 04-CV-807-A (E.D. Va.)
8	Excerpt from the deposition of Brian Ross, dated March 23, 2006
9	<u>The Baltimore Sun</u> , “FBI scrutinizes biodefense labs in anthrax probe - Staff at Fort Detrick, records at Dugway draw new interest 25 sites have had spores” dated February 22, 2002.
10	Email re: Anthrax outbreak in Zimbabwe
11	Email re: Hatfill Statement, dated July 24, 2002
12	Plaintiff Steven J. Hatfill’s Amended Responses to Agency Defendants’ Interrogatories 13 and 14

<b>Exhibit No.</b>	<b>Descriptions</b>
13	<u>Baltimore Sun</u> , “Scientist theorized anthrax mail attack; FBI searched apartment of expert linked to study,” dated June 27, 2002
14	<u>Washing City Paper</u> , “Watching the Detectives; Since Becoming the FBI’s Only Know ‘Person of Interest’ in the Anthrax Attacks, Steven Hatfill Has Attracted quite a following,” dated July 31, 2003”
15	Ltr. to Barbara Hatch Rosenberg, fr. Victor Glasberg, dated September 5, 2002
16	Excerpt from the deposition of Robert Roth , dated November 4, 2005
17	Excerpt from the deposition of Bradley Garret, dated August 17, 2005
18	<u>The Associated Press</u> , “Spokesman: Bio researcher whose home was searched commissioned 1999 anthrax mail attack study,” dated June 27, 2002
19	<u>The Hartford Courant</u> , “The case of Dr. Hatfill: Suspect or Pawn; FBI Scrutiny of the Ex-Army Microbiologist Intensifies in its Anthrax Probe, and Speculation Grows About Why the Agency is Looking at Him,” dated June 27, 2002
20	<u>The Hartford Courant</u> , “Hatfill Teaching Bioterrorism Course; Scientist in FBI Anthrax Probe Works for Government-Funded Program,” dated June 28, 2002
21	Excerpt from the deposition of Victor Glasberg, dated March 28, 2006
22	<u>The Washington Post</u> , “Md. Home Searched in Probe of Anthrax Agents Revisit Former Army Researcher,” dated August 2, 2002
23	Ltr. to Kenneth Kohl, Esq. fr. Victor M. Glasberg, dated August 1, 2002

<b>Exhibit No.</b>	<b>Descriptions</b>
24	Memo to Hatfill File from Victor Glasberg, dated August 1, 2002
25	<u>The Baltimore Sun</u> , "Scientist's Rooms searched again; Anthrax investigators focus on researcher who worked at Fort Detrick," dated August 2, 2002
26	Fax Transmittal Sheet to "Media interested in FBI inquiry of Steven Hatfill" fr. Vic Glasberg, Counsel for Mr Hatfill, dated August 2, 2002
27	Excerpt from the deposition of Debra Weierman, dated June 29, 2005
28	Glasbert Press points: "media feeding frenzy"
29	<u>The Washington Post</u> , "Ex-Army Scientist Denies Role in Anthrax Attacks 'My Life is Destroyed' by Probe, Media," dated August 11, 2002
30	<u>CBS News</u> , "Attorney General John Ashcroft discusses recent child abductions, latest on the anthrax investigation, safety of air travel and the possibility of an attack on 9/11 this year," dated August 6, 2002
31	NBC News transcript: "Attorney General John Ashcroft discusses future White House conference on child abductions and how to keep children safe," dated August 22, 2002
32	CNN.com article: "Ashcroft: No charges yet in anthrax probe," dated August 22, 2002
33	Excerpt from the deposition of John Ashcroft, dated December 9, 2005
34	Statement of Steven Hatfill, M.D., August 11, 2002

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35	<u>ABC's Goodmorning America</u> : "FBI searches scientist's home in Maryland looking for connection to anthrax mailings; FBI questions man who may have lived with two of September hijackers," dated June 26, 2002
36	Anthrax Investigation News Conference
37	Excerpt from the deposition of Patrick M. Clawson, dated May 12, 2006
38	Email regarding the Matsumato interview, dated October 17, 2002
39	Email regarding NY Times editorial, dated August 14, 2002
40	Email, dated August 16, 2002
41	Email regarding "Clawson's Last Posting Before Leaving for Seattle," dated September 11, 2002
42	Email re: Hatfill Remarks at October 5, 2002 Accuracy in Media Conference"
43	Declaration of James Stewart, dated December 18, 2007
44	Cooperative Agreement
45	Email fr. Timothy Beres to LSU, dated August 1, 2002
46	Ltr. to Steven J. Hatfill, dated August 2, 2002
47	Ltr. to FBI
48	Ltr. fr. William L. Jenkins to Hatfill, dated August 7, 2002
49	Excerpt from the deposition of Steven J. Hatfill, dated May 5, 2006
50	<u>60 Minutes</u> : "Tables Turned In Anthrax Probe," dated March 11, 2007
51	<u>The Washington Post</u> , "LSU: Justice Did Not Cause Hatfill Firing," dated September 5, 2002

<b>Exhibit No.</b>	<b>Descriptions</b>
52	Memo for the Attorney General from Office of Professional Responsibility re: Attorney General Statement, dated January 17, 2003
53	Excerpt from the deposition of David Israelite, dated October 6, 2005
54	Excerpt from the deposition of Richard Lambert, dated August 3, 2005
55	Excerpt from the deposition of Robert Roth, dated November 4, 2005
56	<u>Doe v. Department of Veterans Affairs</u> , ___ F.3d ___, 2008 WL 613128 (8th Cir. Mar. 7, 2008)
57	66 Fed. Reg. 33558, 33559 (Jun. 22, 2001) (BRU-3. Appropriate Disclosures to the Public)
58	Excerpt from the deposition of Michael P. Kortan, dated February 17, 2006
59	FBI Manual of Administrative Operations and Procedures, Part II (Policy And Guidelines For Relations With The News Media) § 5-1.3, ¶ VI.3
60	<u>CBS News</u> , "Still no arrest in anthrax attack case, though FBI investigators believe they know who the culprit is and where he is" dated May 8, 2003
61	<u>CBS News.com</u> : "FBI Still Watching Hatfill," dated May 8, 2003
62	<u>Newsweek</u> , "The Hunt for the Anthrax Killer," dated August 12, 2002
63	Excerpt from the deposition of James D. Stewart, dated May 8, 2006
64	Excerpt from the deposition of Van Harp, dated September 22, 2005
65	Excerpt from the deposition of Allan Lengel, dated April 19, 2006

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66	Excerpt from the deposition of Michael Isikoff, dated September 11, 2007
67	Excerpt from the deposition of Daniel M. Klaidman, dated May 4, 2006
68	Excerpt from the deposition of Toni Locy, dated May 19, 2006
69	Excerpt from the deposition of Roscoe C. Howard Jr., Dated October 17, 2007
70	Excerpt from the deposition of Cogswell, dated November 16, 2007
71	Excerpt from the deposition of Arthur R. Eberhart, dated May 24, 2006
72	Excerpt from the deposition of Daniel Seikaly, dated October 10, 2007
73	Excerpt from the deposition of Victor Walter, dated March 19, 2008
74	The Privacy Act of 1974: Introductory Remarks of Sen. Sam J. Ervin, Sponsor of S. 3418, at 5 (reprinted version)
75	Declaration of Naomi E. Singer
76	Declaration of Richard L. Lambert
77	Excerpt from the deposition of Robert S. Mueller, dated March 30, 2006
78	Email re: Amerithrax investigation, dated June 4, 2003
79	Memo to OPR re: Unauthorized disclosure and/or Media Leak in connection with the Amerithrax Investigation
80	Memo to H. Marshall Jarrett re: Media Leak matter, dated October 8, 2002
81	Memo to John Dion re: Media Leak matter, dated October 9, 2002

<b>Exhibit No.</b>	<b>Descriptions</b>
82	Memo to Director's Office re: Amerithrax Major Case 184, dated January 13, 2003