

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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[REDACTED] et al., :

REGISTRATION OF

Plaintiffs, :

v. :

04 Civ. 2614 (VM)

JOHN ASHCROFT, et al., :

FILED UNDER SEAL

Defendants. :

-----X

[REDACTED], pursuant to 28 U.S.C. § 1746.

Investigation ("FBI"). [REDACTED]

subsequent conversations with [REDACTED] after [REDACTED]

5. During our interaction on [REDACTED] I handed [REDACTED] the NSL, which [REDACTED] perused in my presence. In addition, I had a copy of the NSL, and I asked [REDACTED] to initial my copy of it. A copy of the NSL, as initialed by [REDACTED], is attached as Exhibit 1 to this declaration. Below [REDACTED] initials is the handwritten date [REDACTED] I entered the date below [REDACTED]

[REDACTED] reflecting the date that I delivered the NSL.

6. I have read [REDACTED] declaration, submitted in support

that [REDACTED] "asked Agent [REDACTED] whether [REDACTED] could consult a lawyer and [REDACTED] business partners about the NSL."

[REDACTED] during our two to three [REDACTED]

permission to consult business partners or an attorney concerning the NSL.

10. On or about [REDACTED] I telephoned [REDACTED] to determine when the FBI could expect production of the requested records. I did not reach [REDACTED] and instead left [REDACTED] a voice-mail message.

11. Within a few days, [REDACTED] left me a telephonic voice-mail message, instructing me to contact his attorney, Jamil Jaffer, Esq., with any further inquiries.


12. I telephoned Mr. Jaffer, to see if he had any questions concerning the NSL and to determine when production would be made.

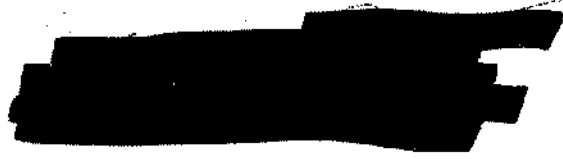
13. During this conversation, Mr. Jaffer stated that he would communicate further with [REDACTED] client about any response to the NSL.

14. Several hours later, Mr. Jaffer and another attorney telephoned me. Mr. Jaffer identified himself as an attorney affiliated the American Civil Liberties Union ("ACLU"), and advised that the ACLU and [REDACTED] were going to file an action challenging 18 U.S.C. § 2709.

I declare under penalty of perjury that the foregoing is true and correct.

Dated:


June 25, 2004



[REDACTED] DECLARATION

EXHIBIT 1



In Reply, Please Refer to
File No.

[REDACTED]
President
[REDACTED]

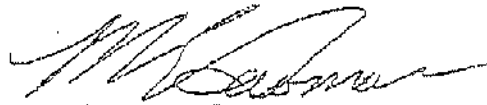
Dear [REDACTED]

[REDACTED]

[REDACTED]

Your cooperation in this matter is greatly appreciated.

Sincerely,



Marion E. Bowman
Senior Counsel
National Security Affairs
Office of the General Counsel

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]