UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

`	
Plaintiff,) C.A. No. 1:04CV0103	2 (IDD)
v.) C.A. No. 1.04C v0103	2 (106)
ALBERTO GONZALES, ¹ in his official capacity) as Attorney General of the United States,)	
and)	
UNITED STATES DEPARTMENT OF JUSTICE)	
Defendants.)	

STIPULATION OF DISMISSAL

Plaintiff Project on Government Oversight (POGO) brought this action, and asserted a fear of prosecution if it discussed and/or disseminated three letters: 1) a June 19, 2002 letter from Senators Patrick Leahy and Charles Grassley to Glenn Fine, Inspector General of the Department of Justice; 2) an August 13, 2002 letter from Senators Leahy and Grassley to Attorney General John Ashcroft; and 3) an October 28, 2002 letter from Senator Grassley to Robert Mueller, Director of the FBI. The FBI determined that the documents are releasable pursuant to the Freedom of Information Act (FOIA); accordingly, plaintiff has no credible fear of prosecution for discussing and/or disseminating the three letters in question.

¹ While plaintiff's Complaint was initially filed against John Ashcroft, Alberto Gonzales is hereby substituted pursuant to Fed. R. Civ. P. 25(d)(1).

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the parties hereby stipulate to the dismissal of this action.

Dated: March 9, 2005

Respectfully submitted,

 $/_{\rm S}/$

Michael T. Kirkpatrick, D.C. Bar #486293 Public Citizen Litigation Group 1600 20th Street, NW Washington, DC 20009 (202) 588-1000

David C. Vladeck Georgetown University Law Center Institute for Public Representation 600 New Jersey Avenue, NW Washington, DC 20001 (202) 662-9540

COUNSEL FOR PLAINTIFF

PETER D. KEISLER Assistant Attorney General

KENNETH L. WAINSTEIN United States Attorney

VINCENT M. GARVEY Deputy Branch Director

VESPER MEI, D.C. Bar #455778 Trial Attorney Attorneys, Department of Justice Civil Division, Room 7316 Post Office Box 883 Washington, D.C. 20044 Telephone: (202) 514-3367

COUNSEL FOR DEFENDANTS