

# Exhibit 68



**U.S. Department of Justice**

Civil Rights Division

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*Office of the Assistant Attorney General*

*Washington, D.C. 20530*

**SEP 02 2010**

Robert N. Driscoll  
Alston & Bird LLP  
950 F Street, NW  
Washington, DC 20004

Thomas K. Irvine  
Polsinelli Shughart PC  
Security Title Plaza  
3636 N. Central Ave., Suite 1200  
Phoenix, AZ 85012

Re: Determination of noncompliance with requirements under Title VI of the Civil Rights Act of 1964

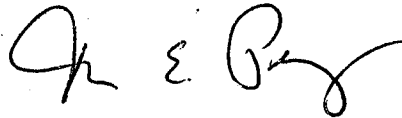
Dear Counsel:

On August 3, 2010, the Department notified you that MCSO was not in compliance with its obligations under the accountability requirements of Title VI to cooperate in the Department's investigation of alleged national origin discrimination. That letter also advised that unless MCSO complied by August 17, the Department would commence litigation after that date to compel compliance. At MCSO's request, the Department held a lengthy meet-and-confer with MCSO's counsel on August 24. Our letter of August 25 again advised that absent MCSO's agreement to cooperate in full with the Department's investigation, we would commence litigation.

MCSO's response on August 27 falls far short of the cooperation that is required under the law. MCSO has therefore failed to comply with its accountability obligations under the Title VI statute, regulations, and contractual assurances. Pursuant to 28 C.F.R. 42.108(d), you are

hereby notified that the Department has determined that compliance cannot be secured by voluntary means and that the Department will file a civil action today to effect compliance.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. E. Perez', written in a cursive style.

Thomas E. Perez  
Assistant Attorney General

cc: Clarisse McCormick  
Maricopa County Attorney's Office

The Honorable Dennis K. Burke  
United States Attorney  
District of Arizona