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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CENTER FOR BIOLOGICAL)	
DIVERSITY,)	
)	No. C07-4997 MHP (BZ)
Plaintiff(s),)	
)	AMENDMENT TO REPORT AND
v.)	RECOMMENDATION
)	
OFFICE OF MANAGEMENT AND)	
BUDGET,)	
)	
Defendant(s).)	
_____)	

The following sections of the Court's Report and Recommendation, filed on August 25, 2009, are **AMENDED** to read as follows:

Document 837, 838: This email chain, dated 4/2/04, is between Hannegan and Silverberg. In these emails, Hannegan responds to Document 798 and offers his thoughts and opinions about CAFE rulemaking in relation to gas prices. The Court reviewed the documents *in camera* and recommends that they be found exempt from disclosure because they are pre-decisional and deliberative and contain no reasonably segregable factual information.

Document 631: This email chain, dated 01/11/06, is among

1 Hannegan, Katz, Graham, and Sharp. The emails concern an
2 effort to collect current information on CAFE proposals for a
3 memorandum. The Court reviewed the document *in camera* and
4 recommends that the document be found exempt from disclosure
5 because it is pre-decisional and deliberative and contains no
6 reasonably segregable factual information and because the
7 document contains information conveyed to the President or his
8 immediate advisors at the President's request.

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10 Dated: September 9, 2009

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13 Bernard Zimmerman
United States Magistrate Judge

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RECOMMENDATION.wpd

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