

# EXHIBIT A

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

IN THE MATTER OF THE APPLICATION  
OF THE NEW YORK TIMES COMPANY  
FOR ACCESS TO CERTAIN SEALED  
COURT RECORDS

Misc. Action No. 1:08-mc-00576-RCL

**DECLARATION OF JEANETTE MELENDEZ BEAD**

Jeanette Melendez Bead, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of Levine Sullivan Koch & Schulz, L.L.P., counsel to The New York Times Company and Los Angeles Times Communications LLC, and a member in good standing of the Bar of the District of Columbia. I make this declaration to place before the Court true and correct copies of documents relevant to the Motion for Order Setting Date by Which the Government Shall File Opposition to Motion for Access to Certain Public Records.

2. Attached hereto as Exhibit 1-3 are true and correct copies of correspondence from Rachel Carlson Lieber, who I understand is the Assistant United States Attorney representing the government in this action.

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

Executed on September 29, 2008

/s/ Jeanette M. Bead  
JEANETTE MELENDEZ BEAD

**EXHIBIT 1**

**Jeanette Bead**

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**From:** Lieber, Rachel (USADC) [Rachel.Lieber@usdoj.gov]  
**Sent:** Wednesday, September 17, 2008 10:03 AM  
**To:** Jeanette Bead  
**Subject:** Status of filings

Hey Jeanette:

Just wanted to update you on where I std on your motion and the Court's order. I have managed to track down all of the Hatfill materials, no small task, and am going to get the mag numbers to CJ Lamberth today so he can see what's what. In terms of the substantive Opposition to your motion to unseal, am aiming for sometime next week, now that I have a sense of what's at issue. Finally, I am working hard to get all the remaining Ivins materials redacted and organized for unsealing, I was aiming for today but that's becoming increasingly unrealistic - in part because there continues to be so much confusion in the press re what's sealed and what's not. So when I move to unseal what's left, I will also have disks made of all the ivins sws - redacted of course - that we can then give to you, and the post, and whoever else so everyone has precisely to same, correct, information. Email me or call my cell [REDACTED] if you have any Qs. Thanks. Rachel

EXHIBIT 2

## Jeanette Bead

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**From:** Lieber, Rachel (USADC) [Rachel.Lieber@usdoj.gov]  
**Sent:** Friday, September 19, 2008 4:18 PM  
**To:** Jeanette Bead  
**Subject:** unsealing

Jeanette:

Given certain technological and other limitations, we won't be able to unseal the Ivins search warrants this week as I had sincerely hoped. However, the plan is to do so by Wednesday. To facilitate your access to the materials, I am having discs made for all interested parties, as it might take some time for the Courthouse to upload all of them to the website. I will have one sent to your office on Wed afternoon, once the order is signed. This disc will include all of the Ivins search warrants, the ones unsealed on Aug 6 and the ones unsealed next Wed – which is the entire universe of warrants pertaining to Ivins. My response to your motion to unseal the remaining/Hatfill warrants will be in shortly thereafter.

Thanks, have a good weekend.

Rachel

## EXHIBIT 3

## Jeanette Bead

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**From:** Lieber, Rachel (USADC) [Rachel.Lieber@usdoj.gov]  
**Sent:** Friday, September 26, 2008 9:05 AM  
**To:** Jeanette Bead  
**Subject:** Re: Motion to Unseal

You know I don't think so. I know this isn't what you want to hear and I'm sure you'll file something with the Court, but there are a number of steps I need to take before I can actually file something. Sorry abt this, as soon as I am ready to file I'll email you a pdf.

----- Original Message -----

**From:** Jeanette Bead <JBead@lskslaw.com>  
**To:** Lieber, Rachel (USADC)  
**Sent:** Thu Sep 25 16:09:14 2008  
**Subject:** Motion to Unseal

Hi Rachel,

Just checking in to see whether you will be filing a response today or tomorrow. Thanks.

Jeanette

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