

EXHIBIT 1

Hernandez, Juanita C.

From: Anhang, George E. [GAnhang@deweyleboeuf.com]
Sent: Monday, October 18, 2010 6:38 PM
To: Hernandez, Juanita C.
Cc: Best, Stephen A.
Subject: Cuban v. SEC (09-cv-00996)

Dear Ms. Hernandez,

In the telephone call that Steve Best and I had with you earlier today, we addressed the status of Mark Cuban's FOIA and Privacy Act requests for documents relating to the Office of Inspector General's ("OIG") ongoing investigation into Mr. Cuban's allegations of misconduct by SEC Enforcement attorneys during the course of the SEC's investigation of Mr. Cuban. As we advised you in the call, we do not wish to interfere in any way with the OIG's investigation. We also advised you that in connection with his pending FOIA and Privacy Act requests, Mr. Cuban agrees **not** to request that the SEC produce to him, **prior to** the completion of the OIG's investigation, **any** documents relating to the investigation.

On behalf of Mr. Cuban, we further agreed that (assuming the Court has no objection thereto) neither Inspector General Kotz nor anyone else from the OIG need appear at this Friday's status hearing to provide testimony regarding the anticipated duration of the OIG's investigation, or any other aspect of the investigation. We advised you in our call that we would accept any good faith representation made on behalf of the OIG regarding the estimated duration of the investigation.

Sincerely,

George Anhang

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