

EXHIBIT A



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549

Office of Freedom of Information
& Privacy Act Operations

Mail Stop 5100

July 2, 2009

Mr. David Ross
Dewey & LeBoeuf
1101 New York Avenue, NW
Washington, DC 20005-4213

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. 09-02217-FOIA

Dear Mr. Ross:

Final reference is made to your requests for information relating to Mark Cuban, et al.

After consulting with other Commission staff, we have located and determined to withhold information that is potentially responsive to Number 9 of the request letter with the reference line "FOIA Request." The release of these records, comprised of 11 pages, would constitute a clearly unwarranted invasion of personal privacy under 5 U.S.C. § 552 (b) (6), 17 CFR § 200.80 (b) (6).

For the request letter with the reference line "FOIA/Privacy Act Request", Numbers 6 and 7, and the request letter "FOIA Request", Numbers 8 and 10, we have determined to withhold certain records that may be responsive to your request under 5 U.S.C. § 552(b) (7) (A), 17 CFR § 200.80(b) (7) (i).

This exemption protects from disclosure records compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement activities. Since Exemption 7(A) protects the records from disclosure, we have not determined if other exemptions apply. Therefore, we reserve the right to assert other exemptions when Exemption 7(A) no longer applies.

Because the underlying circumstances may change, we may later disclose some of the exempt records. If you wish, you may request them again six months from the date of this letter.

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You have the right to appeal our decision to our General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(d)(5) and (6). Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

Send your appeal to the FOIA/Privacy Act Office of the Securities and Exchange Commission located at Station Place, 100 F Street, NE, Room 2736, Washington, D.C. 20549, or deliver it to Room 1120 at that address. Also, send a copy to the SEC Office of the General Counsel, Mail Stop 9612, or deliver it to Room 1120 at the Station Place address.

The total cost incurred to process your FOIA request is \$56.00. Please send the enclosed invoice and your payment to our Office of Financial Management.

If you have any questions, please contact me by email at sifordm@sec.gov or by telephone at (202) 551-7201.

Sincerely,



Mark P. Siford
FOIA/Privacy Act Attorney Advisor

Enclosure