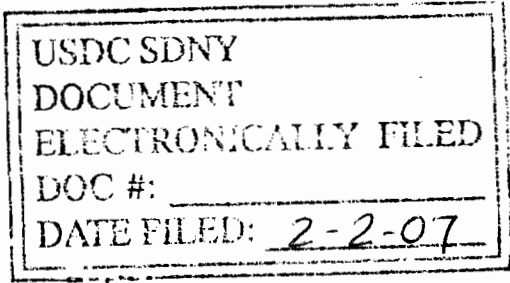


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----x  
ASSOCIATED PRESS, :  
 :  
 : Plaintiff, :  
 :  
 : - v. - :  
 :  
 : UNITED STATES DEPARTMENT :  
 : OF DEFENSE, :  
 :  
 : Defendant. :  
-----x

ECF CASE

06 Civ. 1939 (JSR)

STIPULATION AND ORDER

WHEREAS, plaintiff the Associated Press ("AP") brought this action under the Freedom of Information Act ("FOIA") seeking, among other things, photographs identifying individual detainees held at the U.S. Naval Base, Guantanamo Bay, Cuba (the "Photographs"), and height and weight information for those detainees (the "Height and Weight Information");

WHEREAS, defendant the United States Department of Defense ("DOD") moved for Summary Judgment with respect to its withholding of the Photographs under FOIA Exemptions 1 and 6, and the Height and Weight Information under FOIA Exemption 6;

WHEREAS, the Court, in a November 27, 2006 Opinion and Order (the "Order"), granted DOD's summary judgment motion as to the Photographs, denied its motion as to the Height and Weight Information, and directed DOD to provide the Height and Weight Information to AP by December 11, 2006;

WHEREAS, the Court granted DOD's application for a sixty day stay of that portion of the Order directing DOD to provide the Height and Weight Information to AP on the condition that DOD begin processing the Height and Weight Information notwithstanding entry of the stay (the "Stay");

WHEREAS, neither AP nor DOD has appealed the Order;

WHEREAS, DOD has been processing the Height and Weight Information in compliance with the Court's stay order, and the parties have agreed that DOD may have until March 16, 2007, to complete its processing and produce to AP the Height and Weight Information;

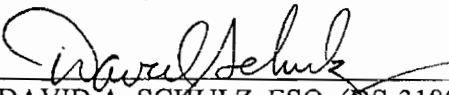
IT IS STIPULATED AND AGREED, by and between undersigned counsel for the parties, that:

1. DOD shall produce the Height and Weight Information to AP by no later than March 16, 2007.
2. The Stay shall continue in effect through March 16, 2007.

Dated: February 1, 2007  
New York, New York

LEVINE SULLIVAN KOCH  
& SCHULZ, L.L.P.  
Attorneys for Plaintiff

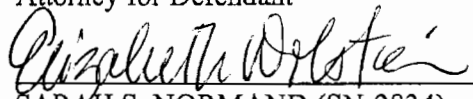
By:

  
\_\_\_\_\_  
DAVID A. SCHULZ, ESQ. (DS-3180)  
321 W. 44<sup>th</sup> Street, Suite 510  
New York, NY 10036  
Telephone: (212) 850-6100  
Facsimile: (212) 850-6299

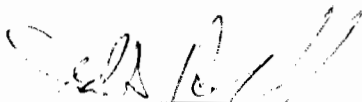
Dated: February 1, 2007  
New York, New York

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
Attorney for Defendant

By:

  
SARAH S. NORMAND (SN-2834)  
ELIZABETH WOLSTEIN (EW-5194)  
Assistant United States Attorneys  
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New York, New York 10007  
Telephone: (212) 637-2709/2743  
Facsimile: (212) 637-2702/2686

SO ORDERED:



Honorable Jed S. Rakoff

2-1-07