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The New York Times Company



David McCraw
Vice President and
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May 15, 2009

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MEMO ENDORSED

The April 17, 2009 thirty-day order is extended another thirty days

BY FACSIMILE (212-805-7986)

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

SO ORDERED:

Paul G. Gardephe
Paul G. Gardephe, U.S.D.
Dated: May 18, 2009

Re: New York Times v. U.S. Dep't of Treasury (08cv8341)

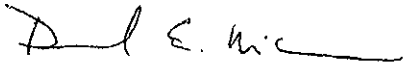
Dear Judge Gardephe:

As Your Honor will recall, the parties in the above-referenced action agreed to a thirty-day order of dismissal, which was entered on April 17, 2009. I write now on behalf of plaintiff The New York Times Company to respectfully request that the Court either extend the April 17 thirty-day order for an additional thirty days or restore the action to the Court's calendar.

This action arises under the Freedom of Information Act, and the parties in April agreed that following the production of certain documents by defendant to plaintiff, the matter would be resolved pursuant to a settlement agreement, the terms of which the parties had accepted. However, a significant legal issue has arisen over the redactions done in that production, and the parties have been unable to resolve the dispute. We continue to discuss the issue, and we believe that we may be able to resolve it over the next month.

As a result, plaintiff seeks either the extension of the thirty-day order or restoration of the action to the calendar.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. E. McCraw". The signature is fluid and cursive, with a long horizontal stroke at the end.

David E. McCraw (DM7708)

cc: Matthew Schwartz, AUSA
(via electronic delivery)