



March 9, 2009

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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

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

Dear Judge Gardephe:

I write on behalf of both parties to request that the Court adjourn the status conference scheduled for Tuesday, March 10, 2009 at 3 p.m. We believe that we are near a settlement, and we do not think that it is necessary to take any matter up with the Court at this time.

With the Court's permission, the parties will notify the Court no later than March 24, 2009 as to whether the action has been settled or whether a status conference is needed.

We thank the Court for its consideration.

Respectfully submitted,

David McCraw

David E. McCraw (DM7708)

cc: Matthew Schwartz, AUSA
(via electronic delivery)

MEMO ENDORSED

The application is granted

SO ORDERED:

Paul R. Dondyle
Paul G. Gardephe, U.S.D.J.

Dated: March 9, 2009