

# **Exhibit 4**

*Electronic Frontier Foundation v. Department of Justice*

Plaintiff's Motion for a Preliminary Injunction



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

March 30, 2007

Ms. Marcia Hofmann  
Staff Attorney  
Electronic Frontier Foundation  
Suite 650  
1875 Connecticut Avenue, N.W.  
Washington, DC 20009

RE: FOIPA Request No. 1073946-000

Dear Ms. Hofmann:

This letter is in response to your request to the U.S. Department of Justice ("DOJ"), Office of Public Affairs ("OPA"), for expedition of your Freedom of Information Act ("FOIA") request dated March 12, 2007 to FBI Headquarters ("FBIHQ"). Your March 12, 2007 FOIA request seeks access to "records discussing or reporting violations or potential violations of statutes, Attorney General guidelines, and internal FBI policies governing the use of National Security Letters." In your March 12, 2007 FOIA request you sought expedited processing pursuant to 28 C.F.R. § 16.5 (d)(1)(iv) ("[a] matter of widespread and exceptional media interest in which there exists possible questions about the government's integrity which affects public confidence."). We have been advised that the Director of OPA has concluded that the subject matter of your request is in fact a "matter of widespread and exceptional media interest in which there exists possible questions about the government's integrity which affects public confidence," and has therefore concluded that your request for expedited processing should be granted.

By separate letter dated March 29, 2007, the FBI acknowledged your March 12, 2007 FOIA request and advised you that your FOIA request has been assigned FOIPA Request No. 1073946, and we have begun to conduct a search for potentially responsive records. Once the FBI completes its search for all records potentially responsive to your FOIA request, you will be advised as to the outcome of this search effort.

With respect to the portion of your letter seeking a waiver of the customary fees, we will make a decision once our records search is completed. In the event that your request for a fee waiver is denied, you will be notified of any applicable fees prior to the processing of any responsive records.

Sincerely yours,

*David M. Hardy/cls*

David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Records Management Division