



U.S. Department of Justice  
Office of the Solicitor General

The Solicitor General

Washington, D.C. 20530

February 4, 2019

Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
Washington, D.C. 20543

Re: In re Grand Jury Subpoena, No. 18-948

Dear Mr. Harris:

Petitioner has filed an application with this Court to file its supplemental brief in unredacted form, which would have the effect of disclosing publicly petitioner's counsel's names and law firm. On January 30, 2019, the government filed a memorandum asking this Court to hold the application in abeyance pending the lower courts' resolution of the same issue. On February 1, 2019, the court of appeals issued an order granting a motion by petitioner to file publicly its response to a motion to unseal by the Reporters Committee for the Freedom of the Press. The effect of that order is to unseal petitioner's counsel's names and law firm. In light of that development, the government agrees with petitioner that its supplemental brief can be filed in unredacted form without revealing sealed material. Once the supplemental brief is filed publicly, petitioner's application may be dismissed as moot.

Sincerely,

  
Noel J. Francisco  
Solicitor General