

Elizabeth Umland

From: Mark Porada
Sent: Wednesday, November 15, 2006 4:34 PM
To: 'Frederick, David C.'; rachel.horowitz@dol.lps.state.nj.us; barbara.conklin@dol.lps.state.nj.us; Seitz, Collins
Cc: Elizabeth Umland; Ralph Lancaster
Subject: RE: New Jersey v. Delaware

Dear counsel,

The Special Master has reviewed the correspondence submitted by Delaware and has asked me to respond on his behalf. The Special Master has agreed to hold Delaware's motion regarding New Jersey's privilege log in abeyance. Consequently, the parties are excused from submitting further briefing on the issues raised in Delaware's motion at this time. The Special Master does not believe that a formal amendment to Case Management Order No. 14 is necessary. Thank you.

From: Frederick, David C. [mailto:DFREDERICK@KHTE.com]
Sent: Wednesday, November 15, 2006 3:41 PM
To: Ralph Lancaster
Cc: rachel.horowitz@dol.lps.state.nj.us; barbara.conklin@dol.lps.state.nj.us; Seitz, Collins; Mark Porada; Elizabeth Umland
Subject: RE: New Jersey v. Delaware

Dear Special Master Lancaster,

I am attaching here a letter that sets forth the terms of a resolution with New Jersey over the deliberative process issue, which was the subject of our letter-brief filed with your Office on Monday, Nov. 13, pursuant to Case Management Order No. 14. Because the parties have reached an agreement for New Jersey to produce a substantial number of the documents on its privilege log, we respectfully request that you amend Case Management Order No. 14 and permit Delaware to hold its motion in abeyance.

Respectfully submitted,
David C. Frederick
Special Counsel
State of Delaware