

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11 LITIGATION  
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21 MC 97 (AKH)  
21 MC 101 (AKH)

This Document Relates to:  
All Actions

**PRIVACY ACT ORDER**

The parties having requested discovery from the United States of America and several of its agencies, including but not limited to the Department of Homeland Security, the Department of Transportation, and the Department of Justice (collectively, "the Government"), and the Government expecting to object to these discovery requests on the ground that the Government is prohibited from producing certain information or materials by the Privacy Act of 1974, 5 U.S.C. § 552a (the "Privacy Act"), and it appearing that disclosure of such information or materials is in the interests of justice and is subject to the Confidentiality Order entered in 21 MC 97 (AKH) on March 30, 2004 ("Confidentiality Order"), whose terms were extended to 21 MC 101(AKH) by order dated August 18, 2005, it is

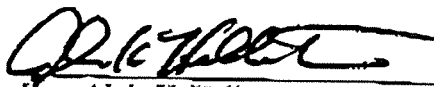
ORDERED, that:

1. To the extent that the Government objects to the production of information or materials sought by any party to this litigation during the course of these actions on the ground that such production is prohibited by the Privacy Act, the objection is overruled and the United States shall produce the requested information or materials pursuant to 5 U.S.C. § 552a(b)(11).

2. The definition of "Confidential Information" contained in paragraph 2.1 of the Confidentiality Order shall hereby be amended to include all information or materials that are protected under the Privacy Act.

3. This Order is without prejudice to any other objections the United States may have to any party's discovery requests.

Dated: New York, New York  
January 12, 2007

  
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Hon. Alvin K. Hellerstein  
United States District Judge

The entry of this Order is consented to by the parties to this action.