

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHARLIE SAVAGE, SCOTT SHANE, and THE
NEW YORK TIMES COMPANY,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE,

Defendant.

Case No. 1:22-cv-2477 (JEB)

NOTICE OF SUPPLEMENTAL AUTHORITY

To the Court, all parties, and their attorneys of record:

Please take notice that Plaintiffs Charlie Savage and The New York Times Company (together, “The Times”) and Plaintiff Scott Shane, by and through their undersigned counsel, submit the following supplemental authority in support of Plaintiffs’ Cross Motion for Summary Judgment, ECF 30. Attached as **Exhibit A** is a true and correct copy of a February 8, 2024 letter from Associate Deputy Attorney General Bradley Weinsheimer, writing as the senior career official at the Department of Justice (“DOJ”), to White House counsel Edward N. Siskel and President Biden’s personal counsel Bob Bauer. The letter is in reference to Special Counsel Robert K. Hur’s report on President Biden’s treatment of classified documents, which was released publicly on February 8. It sets out DOJ’s policy that the reports of special counsel will (and are expected to) be released publicly, especially in investigations of significant public interest. Though the letter only articulates current DOJ policy, the codification of this practice reflects the absence of foreseeable harm from disclosure.

Dated: February 23, 2024

Respectfully submitted,

/s/ Al-Amyr Sumar

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