



U.S. Department of Justice

United States Attorney
Southern District of New York

26 Federal Plaza, 37th Floor
New York, New York 10278

January 17, 2025

BY ECF

The Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Sean Combs*, 24 Cr. 542 (AS)

Dear Judge Subramanian:

The Government respectfully submits the attached declarations in response to the Court's January 3, 2025 order, *see* Dkt. No. 123, and in further support of its opposition to the defendant's motion for a hearing and other relief, *see* Dkt. No. 117.

At the request of the Bureau of Prisons ("BOP"), the Government respectfully seeks to file the declaration attached as Exhibit B under seal. Based on communications with counsel from BOP, the Government understands that the information contained therein reveals sensitive law enforcement techniques and reveals the identity of an employee involved in an ongoing, BOP-led investigation. *See In re City of New York*, 607 F.3d 923, 941 (2d Cir. 2010) (among other interests, law enforcement privilege "prevent[s] disclosure of law enforcement techniques and procedures" and "protect[s] . . . law enforcement personnel . . . [and] safeguard[s] the privacy of individuals involved in an investigation").

Finally, with respect to Exhibit A, the Prosecution Team Declaration, the Government provides information requested by the Court but in doing so, does not waive any applicable privilege, including law enforcement privilege and deliberative process privilege. *See id.*; *Hopkins v. H.U.D.*, 929 F.2d 81, 85 (2d Cir. 1991) ("'[D]eliberative process' or 'executive' privilege . . . protects the decisionmaking processes of the executive branch in order to safeguard the quality and integrity of governmental decisions").

