



U.S. Department of Justice

United States Attorney  
Western District of Virginia

John L. Brownlee  
United States Attorney

BB&T Building  
310 First Street, S.W., Room 906  
Roanoke, Virginia 24011-1935

Mailing Address  
Post Office Box 1709  
Roanoke, Virginia 24008-1709  
Telephone: (540) 857-2250  
Fax: (540) 857-2283  
Civil Division Direct: (540) 857-2254

Thomas L. Eckert  
Assistant United States Attorney

February 6, 2007

Allison O. Van Laningham, Esq.  
Smith Moore, LLP  
P.O. Box 21927  
Greensboro, N.C. 27120

Re: Public records request to the City of Greensboro

BY E-MAIL AND FIRST CLASS MAIL

Dear Allison:

Please accept this as the government's response to your letter dated February 2, 2007 regarding a request to the City of Greensboro pursuant to the North Carolina Public Records Act from the *Greensboro News and Record* and *The Rhinoceros Times* for disclosure of three parts of a conversation recorded December 21, 2005. You provided me with a compact disc containing the three portions of that conversation and requested the government's position regarding their disclosure. I have listened to the CD, and one of the parties in all three parts appears to be AUSA Cliff Barrett of the Middle District of North Carolina. Because the conversations in parts one and two relate to the strategy and direction of a grand jury investigation and grand jury subpoenas to witnesses in that investigation, they are subject to the grand jury secrecy mandate of Fed. R. Crim. P. 6(e). Therefore, conversations in parts one and two on the CD may not be disclosed unless the requirements of Rule 6(e) are complied with. I do not believe that part three is covered by Rule 6(e).

Very truly yours,

JOHN L. BROWNLEE  
United States Attorney

Thomas L. Eckert  
Assistant United States Attorney

TE/t

