



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

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*86 Chambers Street  
New York, New York 10007*

August 9, 2021

**BY ECF**

The Honorable George B. Daniels  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

The Honorable Sarah Netburn  
United States Magistrate Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001,*  
03 MDL 1570 (S.D.N.Y.) (GBD) (SN)

Dear Judge Daniels and Judge Netburn:

We write respectfully on behalf of the Federal Bureau of Investigation (“FBI”) to apprise the Court and the parties of a recent development regarding the status of the Subfile Investigation. In connection with motions brought by the Plaintiffs’ Executive Committees (“PECs”) to compel the FBI to produce records and the FBI’s motion for a protective order, the FBI advised the Court that the Subfile Investigation remained open. We now wish to inform the Court and the parties that the FBI has recently closed the Subfile Investigation.

Although this development post-dates the Court’s resolution of the omnibus motion to compel, and all pending motions to compel have been resolved (other than two objections to Judge Netburn’s discovery orders pending before Judge Daniels), the FBI has decided to review its prior privilege assertions to identify additional information appropriate for disclosure. The FBI will disclose such information on a rolling basis as expeditiously as possible.

We thank the Court for its consideration of this letter.

Respectfully submitted,

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