

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP

TELEPHONE: 202/662-0200
FACSIMILE: 202/662-4643

WRITERS INTERNET ADDRESS:
npell@fulbright.com

WRITER'S DIRECT DIAL NUMBER:
202/662-4613

801 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004-2615

HOUSTON
WASHINGTON, D.C.
AUSTIN
SAN ANTONIO
DALLAS
NEW YORK
LOS ANGELES
LONDON
HONG KONG

August 12, 1999

Mr. Gregory K. Kann
Freedom of Information Officer
MMS/RMP
Building 85
Denver Federal Center
Room A-212, Document Control Staff
Denver, CO 80225



Re: Freedom of Information Act Request

Dear Mr. Kann:

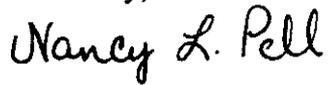
This is a request pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the Department of the Interior's implementing regulations, 43 C.F.R. Part 2, for a copy of all previous Freedom of Information Act requests seeking information on product valuation issues made by the following: the Department of Justice, Mr. Jack J. Grynberg, the attorneys representing Mr. Grynberg including, but not limited to, Brian Murphy, the law firm of Burns, Figa & Will, P.C., and the law firm of Collier, Shannon, Rill & Scott, P.L.L.C., or any other individual or entity on behalf of Mr. Grynberg.

This letter also constitutes our request that you exercise your discretion to release any documents which may be exempt under the Freedom of Information Act. In the event you decide to exercise your discretion not to disclose any such exempt material, we request that you provide us with a description of the withheld material pursuant to 5 U.S.C. § 552(b).

You may take this letter as our agreement to pay any lawful costs you incur in responding to this request, up to maximum of \$300.00. For purposes of fees, we are in the category of "Others." Please contact me by telephone before incurring costs in excess of this amount. We also request that you provide our response in hard copy format.

Mr. Gregory K. Kann
August 12, 1999
Page 2

If you have any questions regarding this request, please do not hesitate to contact me. I would welcome the opportunity to review the content of this request with the agency to assist in responding to it in a manner that is both efficient and that minimizes unnecessary burdens. Thank you in advance for your assistance in this matter.

Sincerely,

Nancy L. Pell

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP

801 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004-2615

TELEPHONE: 202/662-0200
FACSIMILE: 202/662-4643

WRITERS INTERNET ADDRESS
npell@fulbright.com

WRITERS DIRECT DIAL NUMBER
202/662-4613

HOUSTON
WASHINGTON D.C.
AUSTIN
SAN ANTONIO
DALLAS
NEW YORK
LOS ANGELES
LONDON
HONG KONG

August 23, 1999

Mr. Gregory K. Kann
Freedom of Information Officer
MMS/RMP
Building 85
Denver Federal Center
Room A-212, Document Control Staff
Denver, CO 80225



Re: Freedom of Information Act Request

Dear Mr. Kann:

Pursuant to our August 20, 1999, conversation, I am writing to follow up on my August 12, 1999, Freedom of Information Act request which sought "a copy of all previous Freedom of Information Act requests seeking information on product valuation issues made by the following: the Department of Justice, Mr. Jack J. Grynberg, the attorneys representing Mr. Grynberg including, but not limited to, Brian Murphy, the law firm of Burns, Figa & Will, P.C., and the law firm of Collier, Shannon, Rill & Scott, P.L.L.C., or any other individual or entity on behalf of Mr. Grynberg." In addition, please include any documents provided to those persons or entities in response to informal requests for information.

I am requesting this information on behalf of oil and gas companies that have been sued by Jack Grynberg. The companies seek the requested documents in order to defend themselves in the lawsuits and not for any commercial purpose. This request therefore falls under 5 U.S.C. § 552(a)(4)(A)(ii)(III). See *Muffoletto v. Sessions*, 760 F. Supp. 268, 278 (E.D.N.Y. 1991) (FOIA requester seeking documents for purpose of defending himself in private litigation is not liable to agency for review of information, only for search and duplication costs).

Finally, you need not contact me unless the charges incurred in responding to this request will exceed \$1,000.00. Thank you again for your assistance and attention to this matter. Please let me know if you have any additional questions.

Sincerely,

Nancy Pell
Nancy L. Pell