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June 27, 2008

VIA HAND DELIVERY

Mark J. Langer, Clerk
United States Court of Appeals
District of Columbia Circuit
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2866

Re: *Hatfill v. Locy*, No. 08-5049 – Oral Argument Held on May 9, 2008

Dear Mr. Langer:

I represent Steven Hatfill in the above-captioned case, which was argued on May 9 and arises from Hatfill's underlying suit in the district court against the United States Department of Justice, *Hatfill v. Mukasey*. That suit has been the subject of mediation for several months. Today, Dr. Hatfill and representatives of the United States Department of Justice entered into a settlement agreement resolving their dispute. We expect that settlement agreement to be filed with the district court later today.

Under the terms of the settlement agreement, certain contingencies need to occur before Dr. Hatfill files the actual dismissal in *Hatfill v. Mukasey*. These contingencies will take at least two weeks, and they could take eight weeks or longer, for reasons outside the control of counsel for either party. We will, of course, advise the Court in writing when that dismissal is filed.

On the question of mootness, we understand that, because contempt of the district court's order is at issue, the settlement may or may not make the appeal moot. All we can say on that score is that Dr. Hatfill no longer needs Ms. Locy's testimony for his prosecution of *Hatfill v. Mukasey*.

Please do not hesitate to contact me with any questions at (202) 730-1325. Thank you.

Sincerely,

Christopher J. Wright

cc: Robert C. Bernius (by email)