

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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ELOUISE PEPION COBELL, et al.,	)	
	)	
Plaintiffs,	)	Civil Action No. 96-1285
	)	(Judge Lamberth)
v.	)	
	)	
GALE A. NORTON, et al.,	)	
	)	
Defendants.	)	

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**DEFENDANTS' RESPONSE TO PLAINTIFFS' NOTICE OF  
FILING SUPPLEMENTAL INFORMATION**

On November 8, 2005, Plaintiffs filed "Plaintiffs' Notice of Filing Supplemental Information." Plaintiffs attached to that notice a November 3, 2005 declaration of Ms. Mona Infield. The declaration purports to support a provision for a 5-day period every month for Interior to reconnect its computers. This provision emerged for the first time on Day 58 of the 59-day IT security hearing, in a proposed order submitted by Plaintiffs, see Docket #3107 (7/28/05), and was adopted by the Court in its preliminary injunction. Presently, no argument or filing requires this Court to consider this declaration or requires Defendants' response in this Court. Defendants dispute the factual assertions within Ms. Infield's declaration, and will (and respectfully reserve the right to) present to the Court a substantive response if and when Plaintiffs cite the declaration to the Court in conjunction with a filing or argument.

Dated: November 21, 2005

Respectfully submitted,

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/s/ Robert E. Kirschman, Jr.  
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CERTIFICATE OF SERVICE

I hereby certify that, on November 21, 2005 the foregoing *Defendants' Response to Plaintiffs' Notice of Filing Supplemental Information* was served by Electronic Case Filing, and upon the following, who is not registered for Electronic Case Filing, by facsimile:

Earl Old Person (*Pro se*)  
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/s/ Jay St. John  
Jay St. John