

# ACLU

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## FAX MESSAGE

To: Elena Sassower 914-428-4994  
From: Arthur Spitzer  
Date: October 14, 2003  
Pages: 1 (including this page)

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Dear Ms. Sassower:

Your letter to Johnny Barnes, dated today, was received by fax this afternoon.

Johnny is away on vacation this week and next. He did not, before leaving, inform me or Fritz Mulhauser that he intended to ask our Legal Committee to reconsider its decision in your case, and I was not aware that he had even spoken with you.

Several hours before receiving your fax, I canceled the Legal Committee meeting that had been scheduled for October 16. Thus, the committee will not be reconsidering your case on October 16. In any event, in Mr. Barnes' absence, there would have been no one at that meeting to propose reconsideration.

Mr. Barnes is, of course, entitled to ask the committee to reconsider its decision in your case, if he wishes to do so. The next meeting is scheduled for November 20. That is not a guarantee that it will take place on that date; meetings are always subject to change as circumstances warrant.

I would caution you not to be overly optimistic that the committee will change its decision. While Mr. Barnes is a persuasive advocate, the committee's previous decision was unanimous and your letter of today's date does not indicate that anything has changed since the committee's September meeting. Be that as it may, it is entirely up to you whether to wait and see whether the committee reconsiders its decision in your case.

cc: Johnny Barnes  
Fritz Mulhauser