

EXHIBIT 6



U.S. Department of Justice
United States Attorney
Western District of Texas

Robert Shaw-Meadow
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September 12, 2012

VIA: Regular U.S. Mail and E-mail

John F. Carroll
Attorney at Law
111 West Olmos Drive
San Antonio, Texas 78212

RE: James Lutcher Negley v. Federal Bureau of Investigation;
Civil Action No. SA-12-CV-0362-OLG; USDC W.D.TX (San Antonio Division)

Dear John:

Thank you for your letter of September 10, 2012.

At best, Plaintiff's discovery requests are premature. The requests and your letters assume that: 1) the FBI engaged in investigative activities relating to Mr. Negley other than the September 1995 event involving the Chico State Library; and, 2) that the FBI will not conduct an adequate search to locate responsive documents. In no sense of the word are these "threshold" inquiries. Moreover, I don't see how the FBI's responses to the subject discovery would affect Plaintiff's posture in this litigation. You have already requested all documents relating to Mr. Negley in the original 2009 FOIA request letter. Based on the exemptions Defendant may claim and how the Court may rule, Plaintiff will either be entitled to full or partial production of responsive documents. Until the FBI produces responsive documents, and presents its Motion for Summary Judgment and accompanying affidavit, however, the requests are premature.

Please reconsider Plaintiff's position. If Plaintiff will agree to stay all discovery until after the FBI has submitted its Motion for Summary Judgment, I will not be required to file a Motion for Protective Order. At that time, Plaintiff may be able to redirect limited discovery to the extent the information by Defendant provided is insufficient.

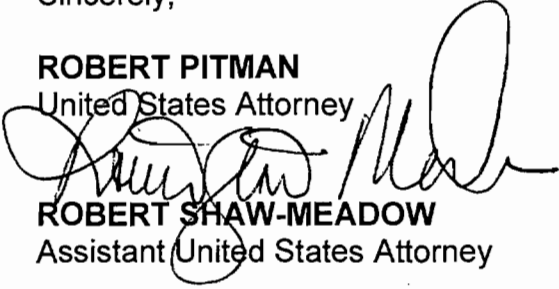
Please let me know by 4:00 p.m. today if this suggested procedure is acceptable. Otherwise, I will be required to file a Motion with the Court.

Thank you for your consideration.

Sincerely,

ROBERT PITMAN
United States Attorney

By:


ROBERT SHAW-MEADOW
Assistant United States Attorney