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October 31, 2006

By E-Mail and First Class Mail

Ralph I. Lancaster, Jr., Esquire
Pierce Atwood
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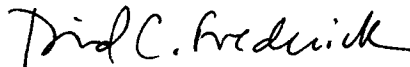
Re: *New Jersey v. Delaware*, No. 134 Original

Dear Mr. Lancaster:

We write to inform you that the parties are using the meet and confer process to work through issues pertaining to privilege logs. Although we are hopeful that the parties can work out any differences without the Special Master's involvement, we wanted to raise this issue provisionally because any motions practice, if necessary, would need to take place after the November 3, 2006 deadline for completion of depositions of fact witnesses.

Our reading of the Case Management Plan, as amended, is that such a dispute could be raised if necessary after November 3. We simply write to ensure that the rights of both parties in this regard are preserved.

Respectfully submitted,



David C. Frederick

cc: Rachel J. Horowitz, Esq.
Barbara Conklin, Esq.
Collins J. Seitz, Jr., Esq.