

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Privacy Act Suit  
2/15/04

ROBERT WRIGHT, JR.,

Plaintiff,

v.

FEDERAL BUREAU OF INVESTIGATION,  
et al.,

Defendants.

No. 03 C 5876

Judge Charles R. Norgie

**COPY**

**DEFENDANTS' INITIAL DISCLOSURES**

Defendants, the Federal Bureau of Investigation ("FBI"), and the United States Department of Justice ("DOJ"), serve these Initial Disclosures pursuant to Fed. R. Civ. P. 26(e)(1), based on information reasonably available as of February 5, 2003.

(A) The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

Based on the limited information provided in Plaintiff's Complaint, Defendants identify the following individuals as likely to have discoverable information that Defendants may use to support their defenses. Short descriptions of some of the relevant subjects upon which these individuals are knowledgeable also are provided.

1. Royden R. Rice, FBI, Chicago Division, 219 E. Dearborn, Suite 905, Chicago, IL

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60604, (312) 431-1333: Special Agent Rice is Press Liaison of the FBI, Chicago Division, and has knowledge of the FBI's policies regarding contact with the media and compliance with the Privacy Act. SA Rice also has knowledge of information regarding his limited contact with the media about Plaintiff.

2. Timothy F. Gossfeld, FBI, Chicago Division, 219 S. Dearborn, Suite 905, Chicago, IL 60604, (312) 431-1333: Supervisory Special Agent Gossfeld was Plaintiff's supervisor for a portion of Plaintiff's FBI employment. SSA Gossfeld also was present during a meeting with Judith Miller of *The New York Times* on March 20, 2002 at FBI Headquarters in Washington, D.C. regarding a story that Ms. Miller was writing about Plaintiff. SSA Gossfeld also has knowledge of the FBI's policies regarding contact with the media and compliance with the Privacy Act.

3. Michael P. Kortan, FBI, 935 Pennsylvania Avenue, NW, Washington, D.C. 20535, (202) 324-2000: Supervisory Special Agent Kortan is Chief of the Public Affairs Section of the FBI's Office of Public Affairs at FBI Headquarters in Washington, D.C. SSA Kortan has knowledge of the FBI's policies regarding contact with the media and compliance with the Privacy Act. He also was present during the March 20, 2002 meeting with Judith Miller of *The New York Times*.

4. John E. Collingwood, address unknown at this time, (302) 432-0050: Mr. Collingwood was formerly an Assistant Director of the FBI's Office of Public Affairs and has knowledge of the FBI's policies regarding contact with the media and compliance with the Privacy Act. Mr. Collingwood also was present during part of the March 20, 2002 meeting with Judith Miller of *The New York Times*.

5. Tracey Silberling, FBI, 935 Pennsylvania Avenue, NW, Washington, D.C. 20535,

(202) 334-3000: Supervisory Special Agent Silberling has knowledge of the FBI's policies regarding contact with the media and compliance with the Privacy Act, and also was present during the March 20, 2002 meeting with Judith Miller of *The New York Times*.

6. Patricia J. Scalzetti, FBI, Chicago Division, 219 S. Dearborn, Suite 905, Chicago IL 60604, (312) 431-1333: Ms. Scalzetti is Secretary to the Special Agent in Charge of the FBI, Chicago Division, and she maintains the personnel records at that location and is knowledgeable regarding the FBI's policies for personnel record handling.

7. In addition, the following individuals may also have knowledge of discoverable information that Defendants may use to support their defenses: Plaintiff Robert Wright, James Morgan of *The Los Angeles Weekly*; Todd Lighty of *The Chicago Tribune*; James Grimaldi of *The Washington Post*; Judith Miller of *The New York Times* (and David Johnston, who attended the March 2002 meeting with Ms. Miller), and one or more employees of the Records Management Division at FBI Headquarters in Washington, D.C.

Defendants reserve the right to revise or supplement these disclosures once Plaintiff clarifies his allegations to identify the "currently unknown officials" who allegedly disclosed Privacy Act information, as well as to specify the allegedly improperly disclosed information beyond the general assertions in the Complaint.

(B) A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

Based on the limited information provided in Plaintiff's Complaint, Defendants identify the following categories of documents that Defendants may use to support their claims or defenses:

1. Plaintiff Robert Wright's personnel files at FBI Headquarters, 935 Pennsylvania Avenue, NW, Washington, D.C. 20535.
2. Plaintiff Robert Wright's personnel files at the FBI's Chicago Division, 216 S. Dearborn, Suite 905, Chicago, IL 60604.
3. Any notes from meetings or discussions between employees of the FBI and members of the news media regarding Robert Wright.
4. FBI policies regarding the handling of personnel files and the Privacy Act.
5. Media articles regarding Robert Wright written by James Orogan of *The Los Angeles Weekly*, Todd Lighty of *The Chicago Tribune*, James Grimaldi of *The Washington Post*, and Judith Miller of *The New York Times*.

Defendants reserve the right to revise or supplement these disclosures once Plaintiff clarifies his allegations to identify the "currently unknown officials" who allegedly disclosed Privacy Act information, as well as to specify the allegedly improperly disclosed information beyond the general assertions in the Complaint.

(C) A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:

Not applicable to Defendants.

(D) For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

Not applicable.

Dated: February 6, 2004

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of Defendants' Initial Disclosures has been served upon  
this counsel for Plaintiff by U.S. Mail:

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Dated: February 6, 2004.



MATTHEW LEPORE

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