

findings that Mr. McCaleb deleted e-mails not only from his own e-mail inbox but also from the Department's records. Moreover, the Corrected Report incorrectly described the Master's July 27, 2001 opinion as addressing trust records. Finally, the Corrected Report contains an extended and gratuitous discussion concerning Aurene Martin and contains criticism of Ms. Martin which is unwarranted and unsupported. Accordingly, the Department of the Interior respectfully requests that the Court deny plaintiffs' motion to adopt the Corrected Report. A draft order is attached.

Respectfully submitted,

ROBERT D. McCALLUM, JR.
Assistant Attorney General

STUART E. SCHIFFER
Deputy Assistant Attorney General

J. CHRISTOPHER KOHN
MICHAEL F. HERTZ
Directors



SANDRA P. SPOONER
Deputy Director
D.C. Bar No. 261495
Dodge Wells
Senior Trial Counsel
D.C. Bar No. 425194
Tracy L. Hilmer
D.C. Bar No. 421219
Trial Attorney
Commercial Litigation Branch
Civil Division
P.O. Box 261
Ben Franklin Station
Washington, D.C. 20044
(202) 307-0474

CERTIFICATE OF SERVICE

I declare under penalty of perjury that, on February 25, 2003 I served the foregoing *The Department of the Interior's Opposition to Plaintiffs' Motion to Adopt Corrected Report of the Special Master Regarding the Deletion of Individual Indian Trust Information by Former Assistant Secretary-Indian Affairs Neal McCaleb* by facsimile in accordance with their written request of October 31, 2001 upon:

Keith Harper, Esq.
Native American Rights Fund
1712 N Street, N.W.
Washington, D.C. 20036-2976
(202) 822-0068

Dennis M Gingold, Esq.
Mark Kester Brown, Esq.
1275 Pennsylvania Avenue, N.W.
Ninth Floor
Washington, D.C. 20004
(202) 318-2372

By U.S. Mail upon:

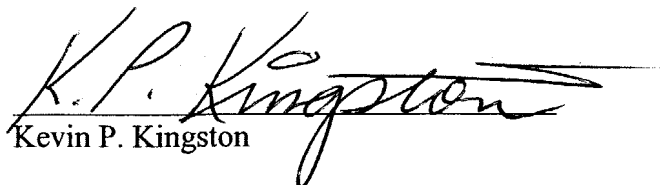
Elliott Levitas, Esq.
1100 Peachtree Street, Suite 2800
Atlanta, GA 30309-4530

By facsimile and U.S. Mail upon:

Alan L. Balaran, Esq.
Special Master
1717 Pennsylvania Avenue, N.W.
13th Floor
Washington, D.C. 20006
(202) 986-8477

By Hand upon:

Joseph S. Kieffer, III
Special Master Monitor
420 7th Street, N.W.
Apartment 705
Washington, D.C. 20004
(202) 478-1958


Kevin P. Kingston