



Hon. Charles B. Swartwood, III (ret.)
SPECIAL MASTER
617-565-4662
charles.swartwood@trade.gov

January 11, 2011

Hon. Gary F. Locke
Secretary of Commerce
thesec@doc.gov

Re: Special Master Investigation

Dear Secretary Locke:

This is an interim report of my progress to date in connection with an investigation of NOAA enforcement complaints sent to me by your office for my review as Special Master.

I have reviewed eighteen (18) complaints identified in the OIG's September 2010 Report which were forwarded to me for further investigation. My two legal assistants and I have reviewed the relevant OIG case files, additional documents produced by the complainants and/or their counsel and NOAA's files relevant to these complaints. Following my review of NOAA documents, I have requested additional documents which I believe, based on my investigation to date, exist but have not been produced. I am awaiting these documents. I have made contact with all complainants and/or their counsel concerning these original eighteen (18) complaints and have interviewed a majority of the complainants and their witnesses. As soon as I complete the complainants' interviews, I will interview NOAA personnel who have relevant information concerning these case files. Depending on witness availability, the remaining interviews in connection with these original eighteen (18) cases should be completed within the next thirty (30) days.

On January 7, 2011, I received an additional thirteen (13) case files from your office containing complaints which were noted but not investigated by the OIG. I am in the process of reviewing these files for contact information for the complainants from whom I intend to obtain documents relevant to their complaints and to schedule their

interviews. At the same time, your office is making arrangements for the production of NOAA documents relevant to these additional case files. At this time, I am unable to determine how long it will take to complete our investigation of these additional thirteen (13) files.

Very truly yours,

Charles B. Swartwood, III

Cc: Cameron F. Kerry, General Counsel
ckerry@doc.gov

One Beacon Street, Suite 2300, Boston, Massachusetts 02108

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