

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	Misc. No. 06-124 (RBW)
	)	
I. LEWIS LIBBY,	)	<u>Oral argument requested</u>
also known as "Scooter Libby,"	)	
Defendant.	)	
-----	)	
	)	
MATTHEW COOPER,	)	
Movant.	)	

**MOTION TO QUASH SUBPOENA TO MATTHEW COOPER**

Pursuant to Federal Rule of Criminal Procedure 17(c), Matthew Cooper respectfully moves this Court to quash the subpoena issued to him by Defendant I. Lewis "Scooter" Libby.

The subpoena issued to Mr. Cooper is materially the same as the subpoena issued to Time Inc. ("Time"). For the reasons set forth in the Memorandum of Points and Authorities in Support of Time's Motion to Quash, also filed today in Misc. No. 06-128 (RBW), and which Mr. Cooper hereby adopts as his own, the subpoena issued to Mr. Cooper should be quashed because it is overbroad, unreasonable, and burdensome under Federal Rule of Criminal Procedure 17(c) and also because it seeks information protected by the reporter's privilege that exists under the First Amendment to the United States Constitution as well as the common law and Federal Rule of Evidence 501.

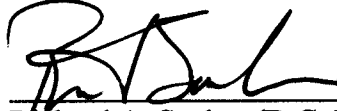
Mr. Libby already has received from the Special Counsel copies of the documents produced by Mr. Cooper to the Special Counsel in response to grand jury subpoenas. To the extent any documents produced by Mr. Cooper to the Special Counsel were redacted, unredacted

copies of those same documents were produced to the Special Counsel by Time. A proposed order is attached hereto.

Mr. Cooper respectfully requests oral argument.

Dated: April 18, 2006

Respectfully submitted,



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-----	)	
	)	
MATTHEW COOPER,	)	
Movant.	)	

**[PROPOSED] ORDER**

Matthew Cooper's motion is GRANTED and the subpoena issued to Matthew Cooper by Defendant is hereby QUASHED.

IT IS SO ORDERED.

\_\_\_\_\_  
REGGIE B. WALTON  
United States District Judge

Honorable Patrick J. Fitzgerald  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on this 18th day of April, 2006, I caused a true and correct copy of the foregoing to be sent to the following via hand delivery:

Honorable Patrick J. Fitzgerald  
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