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Gary Cohen Letter to G Levine re Treatment of Non Public Information

Gary Cohen

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September 28, 2010

Via Email & Mail

Mr. Gregory S. Levine, Esq.
International Venture Partners LLC
230 Park Avenue, 10th Fl.
New York, NY 10169

Phil Angelides
Chairman

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Vice Chairman

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Commissioner

Heather H. Murren, CFA
Commissioner

John W. Thompson
Commissioner

Peter J. Wallison
Commissioner

Re: Treatment of Client's Non-Public Information

Dear Mr. Levine:

On behalf of the Financial Crisis Inquiry Commission ("the Commission"), I write to memorialize our understanding with respect to the treatment of non-public information voluntarily provided by your client to the Commission and its staff.

As you know, an interview of your client will be recorded and the audiotape will become part of the Commission's public record. We do not have immediate plans to make it public in the near future. However, in accordance with its statutory mandate and its duty to the American public, the Commission, if it determines it is in the public interest, may release to the public non-public information obtained from your client as part of any interim or final report to the President and Congress, or in connection with any public hearings, if the Commission determines to do so by a majority vote, or by the decision of the Chairman and Vice Chairman acting together on behalf of the Commission.

Prior to any release of non-public information under the above paragraph, the Commission will give written notice to you and your client, and allow you and your client to consult with the Commission before the Commission uses any of their non-public information in any interim or final report to the President and Congress, or in any public hearing.

Nothing as described in this letter will prevent the Commission or its staff from complying with a request or demand from a duly authorized Committee of the United States Congress with authority to require and receive the non-public information, or a legally valid and enforceable subpoena or order by a court of competent jurisdiction for the non-public information or testimony related thereto.

Finally, the audiotape and all information obtained from or relating to your client will be transmitted to the National Archives and Records Administration (NARA) following the completion of the Commission's work. If you have a legal basis to believe that the Commission is not required by law to provide this material to NARA, please let us know.

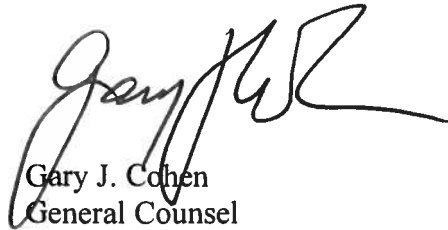
Wendy Edelberg
Executive Director

1717 Pennsylvania Avenue, NW, Suite 800 • Washington, DC 20006-4614
202.292.2799 • 202.632.1604 Fax

If you have any questions or concerns, please do not hesitate to contact me at 202-292-1339 or GCohen@fcic.gov.

Thank you very much for your client's continued cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary J. Cohen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gary J. Cohen
General Counsel
Financial Crisis Inquiry Commission

Cc: Wendy Edelberg
Executive Director
Chris Seefer
Assistant Director & Deputy General Counsel
Julie Marcacci
Investigator