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August 10, 2009

Mr. David J. Kaplan
United States Department of Justice
Environment and Natural Resources Division
P.O. Box 23986
Washington, DC 20026-3986

RE: ***Washington v. Chu***
USDC, Eastern District No. CV-08-5085-FVS
Response to Settlement Coordination Letter Dated August 10, 2009
Subject to FRE 408

Dear Mr. Kaplan:

This letter is to confirm that the State of Washington (State) has reviewed your letter of August 10, 2009, including all attachments thereto, which outlines provisions of an agreement between the State and the United States Department of Energy and Secretary of Energy Chu. By this letter, the State confirms acceptance of the provisions of the agreement contained in the referenced August 10, 2009 letter.

Sincerely,

MARY SUE WILSON
Sr. Assistant Attorney General
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MSW:AAF:dmm

cc: Bruce Diamond
Jay Manning
Jane Hedges