

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

NICHOLAS HARRISON, *et al.*, )  
)  
Plaintiffs, )  
)  
v. )  
)  
PATRICK M. SHANAHAN, in his official )  
capacity as Acting Secretary of Defense;, *et* )  
*al.*, )  
)  
Defendants. )

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No. 1:18-cv-641-LMB-IDD

**NOTICE OF WITHDRAWAL OF PRIVILEGE ASSERTION  
OVER SPECIFIED DOCUMENTS**

The defendants, Patrick M. Shanahan, Mark T. Esper, and the U.S. Department of Defense, through the undersigned counsel, respectfully submit this Notice of Withdrawal of the Assertion of Privilege over the below-identified documents. The United States Navy, which is not a party to either this litigation or the associated case *Roe v. Shanahan*, No. 1:18-cv-1565-LMB-IDD, previously asserted a claim of privilege over these documents pursuant to the ongoing process of revision to the Secretary of the Navy’s Instruction 5300.30F. The Instruction has now issued, and the Navy hereby withdraws its assertion of privilege over the following related documents:

- 1) US00013171
- 2) US00014114
- 3) US00014115
- 4) US00015598
- 5) US00019858

Defendants will produce copies of these documents by March 11, 2019.



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this date, I filed the foregoing using the Court's CM/ECF system, which will send a notification of electronic filing (NEF) to the following counsel of record:

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