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Respondent seeks an order compelling Complaint Counsel to provide more complete

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ε. ·	making process of a governmental agency. NLRB v. Sears, Roebuck & Co., 421 U.S. 132, 150- 152 (1975). This privilege permits the government to withhold documents that reflect advisory opinions, recommendations, and deliberations comprising part of a process by which government decisions and policies are formulated. FTC v. Warner Communications, Inc., 742 F.2d 1156, 1161 (9th Cir. 1984). Assertion of the deliberative process privileges requires: (1) a formal claim of privilege by the head of the department having control over the requested information; (2) Resertion of the privilege based on actual personal consideration by that afficiely and (2)
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	deliberative process privilege; protected by the non-testifying witness privilege; and that expert
	witness materials would be provided at the appropriate time. Opposition Attachment A at 6 In
	witness materials would be provided at the appropriate time. Opposition, Attachment A at 6. In addition Complaint, Council reasoned that "the avidence submitted by Decrementation decrements."
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counsel of the United States House of Representatives Committee on Energy and Commerce

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