



NATIONAL ASSOCIATION OF REALTORS®

*The Voice For Real Estate®*

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**David A. Lereah, Ph.D.**  
*Senior Vice President,  
Chief Economist*

June 26, 2006

VIA FACSIMILE 202-898-6910

Federal Deposit Insurance Corporation  
Legal Division  
Attention: FOIA/PA Group  
550 17th Street, N.W.  
Washington, D.C. 20429

Re: Freedom of Information Act Request

Ladies and Gentlemen:

Pursuant to the Freedom of Information Act (5 U.S.C. § 552) and the Federal Deposit Insurance Corporation's rules regarding the disclosure of information, procedures for requesting records (12 C.F.R. § 309.5), the National Association of REALTORS® requests the following records from the FDIC:

1. All memoranda, filings, submissions, letters, documents, or other written material however designated submitted by The Home Depot, Inc., its representatives, agents, counsel, or other parties on behalf of The Home Depot to the FDIC in connection with or relating to the Interagency Notice of Change in Control filed by The Home Depot, Inc. to acquire 100% of the outstanding shares of EnerBank USA that mention, relate to, or discuss Section 23A or Section 23B of the Federal Reserve Act (12 U.S.C. §§ 371c, 371c-1), or Regulation W, Transactions Between Member Banks and Their Affiliates (12 C.F.R. Part 223).
2. All letters, requests, or other written material from the FDIC to The Home Depot, Inc., its agents, counsel, or representatives in connection with or relating to the Interagency Notice of Change in Control filed by The Home Depot, Inc. to acquire 100% of the outstanding shares of EnerBank USA that mention, relate to, or discuss Section 23A or Section 23B of the Federal Reserve Act (12 U.S.C. §§ 371c, 371c-1), or Regulation W, Transactions Between Member Banks and Their Affiliates (12 C.F.R. Part 223).

3. All letters, requests, or other written material from any state or federal government agency or its staff, including the Board of Governors of the Federal Reserve System, to the FDIC relating to the Interagency Notice of Change in Control filed by The Home Depot, Inc. to acquire 100% of the outstanding shares of EnerBank USA that mention, relate to, or discuss Section 23A or Section 23B of the Federal Reserve Act (12 U.S.C. §§ 371c, 371c-1) or Regulation W, Transactions Between Member Banks and Their Affiliates (12 C.F.R. Part 223).

We agree to pay any duplicating charges that apply to processing these requests. If any expenses associated with search time are anticipated to exceed \$200, we would appreciate your contacting Jeff Lischer, Manager, Financial Services, at 202-383-1117 or [jlischer@realtors.org](mailto:jlischer@realtors.org), before incurring the expense. We would also appreciate it if you could make responsive records available to us as they are identified on a rolling basis, notify us when they are available for us to obtain them, and forward them to me, Attention: Jeff Lischer, National Association of REALTORS®, 500 New Jersey Ave., Washington, D.C. 20001.

If you need additional information regarding this request, please contact Mr. Lischer.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David A. Lereah". The signature is fluid and cursive, with a large initial "D" and "L".

David A. Lereah  
Senior Vice President, Chief Economist