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12 **UNITED STATES DISTRICT COURT**  
13 **SOUTHERN DISTRICT OF NEW YORK**

14 CHRISTOPHER HEDGES, DANIEL  
15 ELLSBERG, TANGERINE BOLEN,  
16 NOAM CHOMSKY, ALEXA O'BRIEN, US  
DAY OF RAGE, KAI WARGALLA, HON.  
17 BRIGITTA JONSDOTTIR, M.P.

18 Plaintiffs

19 vs.

20 BARACK OBAMA, individually and as  
21 representative of the United States of  
22 America; LEON PANETTA, individually  
and in his capacity as the executive and  
23 representative of the DEPARTMENT OF  
DEFENSE; JOHN McCAIN,  
24 JOHN BOEHNER, HARRY REID, NANCY  
PELOSI, MITCH McCONNELL, ERIC  
25 CANTOR as representatives of the  
UNITED STATES OF AMERICA

26  
27 Defendants.  
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**NO. 1:12-CV-331 (KBF)**

**NOTICE OF MOTION FOR  
TEMPORARY RESTRAINING  
ORDER**

**RULE 65 (b), F.R.C.P.**

**March 1, 2012  
3:00 PM  
Courtroom 15A**

1 To Defendants Barack Obama, individually and as representative of the United States and  
2 Leon Panetta, individually and in his capacity as the executive and representative of the  
3 Department of Defense; and John McCain, John Boehner, Harry Reid, Nancy Pelosi, Mitch  
4 McConnell and Eric Cantor as representatives of the United States and to the Attorney  
5 General of the United States:

6 **Please take notice that on March 1, 2012 at 3:00 P.M.**, or as soon thereafter as can be  
7 **Heard, in Courtroom 15A, United States District Courthouse, 500 Pearl Street, New**  
8 **York, New York**, Plaintiffs, through their attorneys will move this Court for a Temporary  
9 Restraining Order, as follows:

- 10 1. To Enjoin Defendants, and each of them, from implementing and enforcing the  
11 provisions of the Homeland Battlefield Bill, National Defense Authorization Act of 2012.
- 12 2. Such other and further relief as this Court deems just and appropriate.

13 Said motion is based upon all of the pleadings heretofore filed, Memorandum of Points  
14 and Authorities and Verified Amended Complaint filed in support of this Motion.

15  
16 Dated: February 27, 2012

17  
18 s/ CARL MAYER

19 s/ BRUCE I. AFRAN

20 ATTORNEYS FOR PLAINTIFFS  
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25 Defendants.

**NO. 1:12-CV-331 (KBF)**

**ORDER GRANTING MOTION FOR  
TEMPORARY RESTRAINING ORDER**

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**March 1, 2012  
3:00 PM  
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26 The above matter came on for hearing on March 1, 2012 and the parties appeared  
27 through their respective attorneys;  
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1 And the Court having considered the papers in support of the application and any  
2 opposition of defendants, and the Court having heard arguments thereon and it appears  
3 there is a reasonable likelihood that Plaintiffs will succeed on the merits of this action; that  
4 Plaintiffs in the absence of temporary restraints will suffer irreparable harm;

5

6 WHEREFORE it is hereby ordered, adjudged and decreed, as follows:

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8 Defendants, and each of them, are hereby enjoined from implementing and  
9 enforcing all of the provisions of the Homeland Battlefield Act, National Defense  
10 Authorization Act of 2012 pending further hearing in this matter.

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12 So Ordered:

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Hon. KATHERINE B. FOREST, U.S.D.J. Dated

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