

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-00331-KBF**

Hedges v. Obama et al
Assigned to: Judge Katherine B. Forrest
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 01/13/2012
Date Terminated: 02/11/2014
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

Plaintiff

Christopher Hedges

represented by **Bruce Ira Afran**
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V.

Movant

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V.

Defendant

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individually

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Defendant

Leon Panetta
individually

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Defendant

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Date Filed	#	Docket Text
01/13/2012	<u>1</u>	COMPLAINT against Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(individually), Leon Panetta(in his capacity as the executive and representative of the Department of Defense). (Filing Fee \$ 350.00, Receipt Number 465401027029)Document filed by Christopher Hedges.(mro) (rdz). (Entered: 01/19/2012)
01/13/2012		SUMMONS ISSUED as to Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(individually), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), U.S. Attorney and U.S. Attorney General. (mro) (Entered: 01/19/2012)

01/13/2012		Magistrate Judge James L. Cott is so designated. (mro) (Entered: 01/19/2012)
01/13/2012		Case Designated ECF. (mro) (Entered: 01/19/2012)
01/19/2012		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Bruce Ira Afran for noncompliance with Section 14.3 of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document <u>1</u> Complaint, to: caseopenings@nysd.uscourts.gov. (mro) (Entered: 01/19/2012)
02/23/2012	<u>2</u>	ORDER: It is hereby ORDERED that plaintiff shall provide counsel for defendants 72-hour notice of the date that they plan to appear before the Court seeking injunctive relief. IT IS FURTHER ORDERED that plaintiff shall file with the Court both proof of service of the complaint on defendants as well as proof of service of all papers in connection with the anticipated temporary restraining order. IT IS FURTHER ORDERED that if plaintiff meets the above-imposed obligations, the Court will hear argument from both parties on the temporary restraining order on March 1, 2012, at 3:00 p.m. Plaintiff shall provide the Court with copies of their papers in support of their temporary restraining order within the same 72-hour timeframe as they provide them to counsel for defendants. (Oral Argument set for 3/1/2012 at 03:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 2/24/2012) (lmb) (Entered: 02/24/2012)
02/27/2012	<u>3</u>	MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> Document filed by Christopher Hedges. Return Date set for 3/1/2012 at 03:00 PM. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Granting Temporary Restraints on the Operation of the Homeland Battlefield Act, # <u>2</u> Certificate of Service of Verified Amended Complaint, Notice of Motion, Proposed Order and Brief in Support of Application for Temporary Restraints)(Afran, Bruce) (Entered: 02/27/2012)
02/28/2012	<u>4</u>	MEMORANDUM OF LAW in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> Document filed by Christopher Hedges. (Attachments: # <u>1</u> Exhibit Amended Verified Complaint with signatures to be forwarded, # <u>2</u> Supplement Certificate of Service)(Afran, Bruce) (Entered: 02/28/2012)
02/29/2012	<u>5</u>	ORDER: IT IS HEREBY ORDERED that a hearing on plaintiffs' motion for a temporary restraining order is set for Friday, March 2, at 2:00 p.m. in Courtroom 15A, United States Courthouse, 500 Pearl Street, New York, NY 10007. IT IS FURTHER ORDERED that plaintiffs are to advise the Court no later than 5:00 p.m. today (February 29, 2012) whether they intend to call live witnesses at Friday's hearing or to supplement their current papers with affidavits from plaintiffs. If the latter, plaintiffs should submit such affidavits no later than 9:00 a.m. on Thursday, March 1, 2012, or at another time on March 1, 2012, if agreed to by counsel for defendants. IT IS FURTHER ORDERED that defendants shall submit their papers in opposition to plaintiffs' motion for a temporary restraining order by 6:15 a.m. on Friday, March 1, 2012. Set Deadlines/Hearing as to <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act:</i> (Responses due by 3/1/2012, Motion Hearing set for 3/2/2012 at 02:00 PM in Courtroom 15A, 500 Pearl Street, New York, NY 10007 before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 2/29/2012) (mro) Modified on 2/29/2012 (mro). (Entered: 02/29/2012)
02/29/2012	<u>6</u>	SCHEDULING ORDER:Preliminary injunction hearing set for 3/29/2012 at 10:00 AM before Judge Katherine B. Forrest. Plaintiffs' affidavits in support of the preliminary injunction shall be filed no later than March 8, 2012 also, by letter on 3/8/2012, and as further set forth in this document. Defendants shall file their papers in opposition to the preliminary injunction no later than 5:00 p.m. on March 26, 2012. (Signed by Judge Katherine B Forrest on 2/29/2012) (cd) (Entered: 02/29/2012)
02/29/2012	<u>7</u>	NOTICE OF APPEARANCE by Benjamin H. Torrance on behalf of Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(individually), Leon Panetta(in his capacity as the executive and representative of the Department of Defense) (Torrance, Benjamin) (Entered: 02/29/2012)

03/01/2012	<u>8</u>	NOTICE OF APPEARANCE by Christopher Blake Harwood on behalf of Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(individually), Leon Panetta(in his capacity as the executive and representative of the Department of Defense) (Harwood, Christopher) (Entered: 03/01/2012)
03/08/2012	<u>9</u>	NOTICE of Plaintiffs' Anticipated Witnesses for Hearing on Preliminary Injunction re: <u>6</u> Scheduling Order,. Document filed by Christopher Hedges. (Afran, Bruce) (Entered: 03/08/2012)
03/08/2012	<u>10</u>	AFFIDAVIT of Jennifer Ann Bolen in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Christopher Hedges. (Afran, Bruce) (Entered: 03/08/2012)
03/08/2012	<u>11</u>	AFFIDAVIT of Christopher Lynn Hedges in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Christopher Hedges. (Attachments: # <u>1</u> Exhibit)(Afran, Bruce) (Entered: 03/08/2012)
03/11/2012	<u>12</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – AFFIRMATION of Jennifer Ann Bolen in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Christopher Hedges. (Afran, Bruce) Modified on 3/13/2012 (ldi). (Entered: 03/12/2012)
03/12/2012	<u>13</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – AFFIRMATION of Christopher Lynn Hedges in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> Document filed by Christopher Hedges. (Afran, Bruce) Modified on 3/13/2012 (ldi). (Entered: 03/12/2012)
03/12/2012	<u>14</u>	AFFIRMATION of Alexa D. O'Brien in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Christopher Hedges. (Attachments: # <u>1</u> Supplement signed signature page for Alexa D. O'Brien Certification, # <u>2</u> Exhibit Appendix to Certification of Alexa D. O'Brien)(Afran, Bruce) (Entered: 03/12/2012)
03/12/2012	<u>15</u>	Signed Signature Pages for Verified Amended Complaint. (jp) (Entered: 03/12/2012)
03/12/2012	<u>16</u>	SCHEDULING ORDER: It is hereby ORDERED that plaintiffs shall file all affidavits of any plaintiff they expect to testify at the preliminary injunction hearing no later than March 13, 2012, at 5:00 p.m. Any affidavit filed after that date and time will not be considered in connection with the preliminary injunction proceedings, and any plaintiff filing an affidavit after that date and time shall not be permitted to testify at the March 29, 2012 preliminary injunction hearing. IT IS FURTHER ORDERED that the February 29 Scheduling Order (Dkt. No.6) is modified to the extent that plaintiffs' supplemental briefing in support of a preliminary injunction may be filed no later than March 13, 2012 at 5:00 p.m. IT IS FURTHER ORDERED that counsel for defendants shall notify the Court and counsel for plaintiffs no later than March 16, 2012 at 5:00 p.m. whether it intends to call any witnesses at the March 29 preliminary injunction hearing. (Signed by Judge Katherine B. Forrest on 3/12/2012) (jfe) (Entered: 03/12/2012)
03/12/2012		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Bruce Ira Afran to RE-FILE Document <u>12</u> Affirmation in Support of Motion, <u>13</u> Affirmation in Support of Motion. ERROR(S): Incomplete documents. Missing case caption, case number and title of document. (ldi) (Entered: 03/13/2012)
03/13/2012	<u>17</u>	AFFIRMATION of Brigitta Jonsdottir, M.P. in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Christopher Hedges. (Attachments: # <u>1</u> Supplement Signature page for Jonsdottir Certification, # <u>2</u> Exhibit US Department of Justice Subpoena to Brigitta

		Jonsdottir)(Afran, Bruce) (Entered: 03/13/2012)
03/13/2012	<u>18</u>	AFFIRMATION of Kai Wargalla in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Christopher Hedges. (Attachments: # <u>1</u> Supplement Signature page for Kai Wargalla, # <u>2</u> Exhibit Exhibit A to Wargalla Certification, # <u>3</u> Exhibit Exhibit B to Wargalla Certification)(Afran, Bruce) (Entered: 03/13/2012)
03/13/2012	<u>19</u>	MEMORANDUM OF LAW in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act. Supplement Memorandum of Plaintiffs filed by leave of Court with Appendix A and B to be filed separately.</i> Document filed by Christopher Hedges. (Afran, Bruce) (Entered: 03/13/2012)
03/13/2012	<u>20</u>	SUPPLEMENTAL MEMORANDUM OF LAW in Support re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act. Re-filed Supplemental Brief with Appendix Attached.</i> Document filed by Christopher Hedges. (Attachments: # <u>1</u> Appendix Item A to Plaintiffs Supplemental Memorandum of Law, # <u>2</u> Appendix Item B to Plaintiiff's Supplemental Memorandum of Law)(Afran, Bruce) (Entered: 03/13/2012)
03/23/2012	<u>21</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Christopher B. Harwood dated 3/23/2012 re: We write respectfully on behalf of defendants (collectively, the "Government") to request a page extension of 15 pages (i.e., leave to file up to a 40-page memorandum) for the Government's memorandum in opposition to plaintiffs' motion for preliminary injunction, which is due this Monday. ENDORSEMENT: Application granted. (Signed by Judge Katherine B. Forrest on 3/23/2012) (lmb) (Entered: 03/23/2012)
03/23/2012	<u>22</u>	ORDER: It is hereby ORDERED that the Court has determined that the non-recording party (here, the Government), has a right to review any recording for accuracy and note any errors. Accordingly, the parties may proceed in one of two ways regarding Mr. Hedge's additional recording of his deposition (i.e., in addition to the stenographic recording transcribed by the court reporter present at the deposition) : (a) Mr. Hedges can allow counsel for defendants to take the tape recording at the close of the deposition and review it over a 24-hour period to ensure its accuracy and reliability; or (b) relinquish the tape recording to the court reporter who will deliver it to Chambers first thing Monday morning, at which time counsel for defendants may come to Chambers to listen to it to ensure its accuracy and reliability. The parties need not engage in separate briefing by letter on the issue of the physical recording. (Signed by Judge Katherine B. Forrest on 3/23/2012) (lmb) (Entered: 03/23/2012)
03/26/2012	<u>23</u>	MEMORANDUM OF LAW in Opposition re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(individually), Leon Panetta(in his capacity as the executive and representative of the Department of Defense). (Attachments: # <u>1</u> Appendix)(Torrance, Benjamin) (Entered: 03/26/2012)
03/26/2012	<u>24</u>	AMENDED MEMORANDUM OF LAW in Opposition re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act. (corrected to add footnote 13).</i> Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(individually), Leon Panetta(in his capacity as the executive and representative of the Department of Defense). (Attachments: # <u>1</u> Appendix)(Torrance, Benjamin) (Entered: 03/26/2012)
03/28/2012	<u>25</u>	ORDER: For purposes of clarification, the preliminary injunctionhearing scheduled for March 29, 2012, will commence at 9:00 a.m. (not 10:00 a.m.), in Courtroom 15A, United States Courthouse, 500 Pearl Street, New York, NY, 10007. (Signed by Judge Katherine B. Forrest on 3/28/2012) (js) (Entered: 03/28/2012)

03/29/2012		Minute Entry for proceedings held before Judge Katherine B. Forrest: Oral Argument/Hearing held on 3/29/2012 re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> filed by Christopher Hedges. (jp) (Entered: 03/29/2012)
04/10/2012	<u>26</u>	ORDER: As set forth at the March 29, 2012, hearing on plaintiffs' motion for a preliminary injunction, it is hereby ORDERED that plaintiffs' post-hearing brief is due on April 13, 2012, and defendants' post-hearing brief is due on April 27, 2012. (Signed by Judge Katherine B. Forrest on 4/9/2012) (mro) (Entered: 04/10/2012)
04/10/2012		Set/Reset Deadlines: Brief due by 4/27/2012. (mro) (Entered: 04/11/2012)
04/12/2012	<u>27</u>	ENDORSED LETTER addressed to Judge Kathleen B. Forrest from David H. Remes dated 4/11/2012 re: counsel for plaintiffs respectfully request an extension of time, from April 13 through April 20, to file their post-hearing brief in support of their preliminary injunction motion. ENDORSEMENT: Extension granted only until 4/16/2012. Government's brief now due May 4, 2012. (Signed by Judge Katherine B. Forrest on 4/12/2012) (pl) (Entered: 04/12/2012)
04/12/2012		Set/Reset Deadlines: Brief due by 5/4/2012. (pl) (Entered: 04/12/2012)
04/16/2012	<u>28</u>	Amicus Curiae APPEARANCE entered by Steven Jay Harfenist on behalf of Bob Marshall, Dick Black, Downsize DC Foundation, DownsizeDC.org, Inc., U.S. Justice Foundation, Institute on the Constitution, Gun Owners Foundation, Gun Owners of America, Inc., The Lincoln Institute for Research and Education, Western Center for Journalism, Conservative Legal Defense and Education Fund, U.S. Border Control, Restoring Liberty Action Committee, Tenth Amendment Center, Center for Media and Democracy, Bill of Rights Defense Committee, Chuck Baldwin, Jerome Aumente, Constitution Party National Committee.(Harfenist, Steven) (Entered: 04/16/2012)
04/16/2012	<u>29</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – FIRST MOTION to File Amicus Brief. Document filed by Jerome Aumente, Chuck Baldwin, Bill of Rights Defense Committee, Dick Black, Center for Media and Democracy, Conservative Legal Defense and Education Fund, Constitution Party National Committee, Downsize DC Foundation, DownsizeDC.org, Inc., Gun Owners Foundation, Gun Owners of America, Inc., Institute on the Constitution, Bob Marshall, Restoring Liberty Action Committee, Tenth Amendment Center, The Lincoln Institute for Research and Education, U.S. Border Control, U.S. Justice Foundation, Western Center for Journalism. (Attachments: # <u>1</u> Declaration of Steven J. Harfenist, # <u>2</u> Exhibit Amicus Curiae Brief, # <u>3</u> Affidavit Affidavit of Service)(Harfenist, Steven) Modified on 4/17/2012 (ldi). (Entered: 04/16/2012)
04/16/2012	<u>30</u>	POST TRIAL MEMORANDUM. Document filed by Christopher Hedges.(Afran, Bruce) (Entered: 04/16/2012)
04/16/2012		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steven Jay Harfenist to RE-FILE Document <u>29</u> FIRST MOTION to File Amicus Brief. ERROR(S): Supporting documents must be filed separately, each receiving their own document number. Declaration in Support of Motion is found under the event list Replies, Opposition and Supporting Documents. (ldi) (Entered: 04/17/2012)
04/17/2012	<u>31</u>	FIRST MOTION to File Amicus Brief. Document filed by Jerome Aumente, Chuck Baldwin, Bill of Rights Defense Committee, Dick Black, Center for Media and Democracy, Conservative Legal Defense and Education Fund, Constitution Party National Committee, Downsize DC Foundation, DownsizeDC.org, Inc., Gun Owners Foundation, Gun Owners of America, Inc., Institute on the Constitution, Bob Marshall, Restoring Liberty Action Committee, Tenth Amendment Center, The Lincoln Institute for Research and Education, U.S. Border Control, U.S. Justice Foundation, Western Center for Journalism. (Attachments: # <u>1</u> Affidavit Affidavit of Service)(Harfenist, Steven) (Entered: 04/17/2012)
04/17/2012	<u>32</u>	DECLARATION of Steven J. Harfenist in Support re: <u>31</u> FIRST MOTION to File Amicus Brief.. Document filed by Jerome Aumente, Chuck Baldwin, Bill of Rights Defense Committee, Dick Black, Center for Media and Democracy, Conservative Legal Defense and Education Fund, Constitution Party National Committee, Downsize DC Foundation, DownsizeDC.org, Inc., Gun Owners Foundation, Gun

		Owners of America, Inc., Institute on the Constitution, Bob Marshall, Restoring Liberty Action Committee, Tenth Amendment Center, The Lincoln Institute for Research and Education, U.S. Border Control, U.S. Justice Foundation, Western Center for Journalism. (Attachments: # <u>1</u> Exhibit A– Brief)(Harfenist, Steven) (Entered: 04/17/2012)
05/04/2012	<u>33</u>	SUPPLEMENTAL MEMORANDUM OF LAW in Opposition re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> . Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually). (Torrance, Benjamin) (Entered: 05/04/2012)
05/15/2012	<u>34</u>	TRANSCRIPT of Proceedings re: HEARING held on 3/30/2012 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Thomas Murray, (212) 805–0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/8/2012. Redacted Transcript Deadline set for 6/18/2012. Release of Transcript Restriction set for 8/16/2012. (Attachments: # <u>1</u> TRANSCRIPT)(McGuirk, Kelly) (Entered: 05/15/2012)
05/15/2012	<u>35</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a HEARING proceeding held on 3/30/12 has been filed by the court reporter/transcriber in the above–captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 05/15/2012)
05/16/2012	<u>36</u>	OPINION AND ORDER # 101806: re: <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act.</i> filed by Christopher Hedges, <u>31</u> FIRST MOTION to File Amicus Brief. filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution, Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc., Bob Marshall.For the aforementioned reasons, plaintiffs' motion for preliminary injunction is GRANTED; enforcement of § 1021 of the NDAA is preliminarily enjoined pending further order of this Court or amendments to the statute rendering this Opinion & Order moot. The Clerk of the Court is directed to terminate the motion for preliminary injunction and the motion to file amicus brief at Docket Nos. 3 and 31. (Signed by Judge Katherine B. Forrest on 5/16/2012) (pl) Modified on 5/17/2012 (ft). (Entered: 05/16/2012)
05/16/2012	<u>39</u>	INTERNET CITATION NOTE: Material from decision with Internet citation re: <u>36</u> Memorandum & Opinion. (Attachments: # <u>1</u> DCPD–201200136, # <u>2</u> Justice for Assange) (tro) (Entered: 05/31/2012)
05/25/2012	<u>37</u>	MOTION for Reconsideration re: <u>36</u> Memorandum & Opinion,,,,,. Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually).(Torrance, Benjamin) (Entered: 05/25/2012)
05/25/2012	<u>38</u>	MEMORANDUM OF LAW in Support re: <u>37</u> MOTION for Reconsideration re; <u>36</u> Memorandum & Opinion,,,,,. MOTION for Reconsideration re; <u>36</u> Memorandum & Opinion,,,,,. Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually). (Torrance, Benjamin) (Entered: 05/25/2012)

06/04/2012	<u>40</u>	ORDER: It is hereby ORDERED that the Court will hold a telephonic status conference on June 6, 2012, at 1:00 p.m., (Telephone Conference set for 6/6/2012 at 01:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 6/4/2012) (lmb) (Entered: 06/05/2012)
06/06/2012	<u>41</u>	MEMORANDUM AND OPINION & ORDER #101892 re: <u>37</u> MOTION for Reconsideration re: <u>36</u> Memorandum & Opinion. Accordingly, court decisions, such as this Court's May 16 Order, enjoining enforcement of overly broad or vague statutes may apply generally—they need not be limited only to the parties to the action, and as further set forth in this document. In sum, although it is certainly true as a general proposition that "injunctive relief should be narrowly tailored to fit specific legal violations," Waldman Publishing Corp. v. Landoll, Inc., 43 F.3d 775, 785 (2d Cir. 1994) (Lanham Act claim), and "should be no more burdensome to the defendant than necessary to provide complete relief to the plaintiffs." This order should eliminate any doubt as to the 5/16 Order's scope. (Signed by Judge Katherine B. Forrest on 6/6/2012) (cd) Modified on 6/11/2012 (jab). (Entered: 06/06/2012)
06/06/2012	<u>42</u>	ORDER: The Telephonic status conference set for June 6, 2012 at 1:00p.m. is ADJOURNED until June 7, 2012 at 1:00 p.m. SO ORDERED.(Telephone Conference set for 6/7/2012 at 01:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 6/06/2012) (ama) (Entered: 06/06/2012)
06/08/2012	<u>43</u>	ORDER: It is Ordered that the factual record in this matter is closed. The parties shall use the existing factual record as the trial record on the motion for permanent injunctive relief. It is further Ordered that plaintiff's brief on the motion is for a permanent injunction on August 7, 2012 at 2 p.m. (Signed by Judge Katherine B. Forrest on 6/8/2012) (mro) Modified on 6/11/2012 (mro). (Entered: 06/08/2012)
06/29/2012	<u>44</u>	ORDER: Plaintiffs have requested an extension of the date on which their brief on the motion for permanent injunction is due from June 29, 2012 to July 2, 2012. (Motions due by 7/2/2012.) (Signed by Judge Katherine B. Forrest on 6/29/2012) (jfe) (Entered: 06/29/2012)
07/02/2012	<u>45</u>	TRIAL BRIEF. Document filed by Christopher Hedges.(Afran, Bruce) (Entered: 07/03/2012)
07/02/2012	<u>46</u>	MOTION for Jed H. Stone to Appear Pro Hac Vice. Document filed by Bob Avakian.(pgu) (Entered: 07/03/2012)
07/06/2012		CASHIERS OFFICE REMARK on <u>46</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/02/2012, Receipt Number 1042520. (jd) (Entered: 07/06/2012)
07/09/2012	<u>47</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>46</u> Motion for Jed H. Stone to Appear Pro Hac Vice. (Signed by Judge Katherine B. Forrest on 7/9/2012) (jfe) (Entered: 07/09/2012)
07/12/2012	<u>48</u>	Amicus Curiae APPEARANCE entered by Jed H. Stone on behalf of Bob Avakian.(Stone, Jed) (Entered: 07/12/2012)
07/12/2012	<u>49</u>	Amicus Curiae APPEARANCE entered by Jed H. Stone on behalf of Bob Avakian.(Stone, Jed) (Entered: 07/12/2012)
07/12/2012	<u>50</u>	NOTICE of Notice of Filing – Memorandum of Concern (Amicus Curiae) re: <u>49</u> Amicus Curiae Appearance. Document filed by Bob Avakian. (Stone, Jed) (Entered: 07/12/2012)
07/16/2012	<u>51</u>	ENDORSED LETTER addressed to Judge Katherine B. Forrest from Benjamin H. Torrance dated 7/13/2012 re: This Office represents certain defendants (the "government") in the above-named action. We are writing with two requests regarding the government's upcoming brief, now due July 18, 2012. First, we respectfully request that, as an equivalent extension to the three-day extension the Court granted to plaintiffs, the government's deadline for filing its brief be extended to July 23, 2012 (as the third day would fall on a Saturday). Second, we respectfully request that the government be permitted to file a brief not exceeding fifty pages. Plaintiffs' counsel have consented to both requests. ENDORSEMENT: Granted. SO ORDERED. (Brief due by 7/23/2012.) (Signed by Judge Katherine B.

		Forrest on 7/16/2012) (djc) (Entered: 07/16/2012)
07/23/2012	<u>52</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – TRIAL BRIEF (<i>Government's Memorandum of Law in Support of Final Judgment Denying a Permanent Injunction and Dismissing This Action</i>). Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually).(Harwood, Christopher) Modified on 7/24/2012 (ka). (Entered: 07/23/2012)
07/24/2012		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Christopher Blake Harwood to RE-FILE Document <u>52</u> Trial Brief. Use the event type Memorandum of Law in Support(non-motion) found under the event list Other Answers. (ka) (Entered: 07/24/2012)
07/24/2012	<u>53</u>	MEMORANDUM OF LAW in Support of <i>Final Judgment Denying Plaintiffs' Request for a Permanent Injunction and Dismissing This Action</i> . Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually). (Harwood, Christopher) (Entered: 07/24/2012)
07/30/2012	<u>54</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – TRIAL BRIEF <i>Plaintiffs' Reply to Defendant's Trial Brief</i> . Document filed by Christopher Hedges.(Afran, Bruce) Modified on 7/31/2012 (ka). (Entered: 07/30/2012)
07/31/2012		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Bruce Ira Afran to RE-FILE Document <u>54</u> Trial Brief. Use the event type Reply Memorandum of Law in Support(non-motion) found under the event list Other Answers. (ka) (Entered: 07/31/2012)
07/31/2012	<u>55</u>	REPLY MEMORANDUM OF LAW in Support re: <u>53</u> Memorandum of Law in Support, <i>re-filed Reply Memorandum of Plaintiffs in response to Memorandum of Government opposing entry of permanent injunction</i> . Document filed by Christopher Hedges. (Afran, Bruce) (Entered: 07/31/2012)
08/06/2012	<u>56</u>	NOTICE OF APPEAL from <u>43</u> Order,, <u>41</u> Memorandum & Opinion,,, <u>36</u> Memorandum & Opinion,,,,. Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually). Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (nd) (Entered: 08/06/2012)
08/06/2012		Appeal Fee Not Required for <u>56</u> Notice of Appeal,. Appeal filed by U.S. Government. (nd) (Entered: 08/06/2012)
08/06/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>56</u> Notice of Appeal,. (nd) (Entered: 08/06/2012)
08/06/2012		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>35</u> Notice of Filing Transcript, <u>47</u> Order on Motion to Appear Pro Hac Vice, <u>56</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>8</u> Notice of Appearance, filed by Barak Obama, Leon Panetta, <u>34</u> Transcript,, <u>42</u> Order, Set Deadlines/Hearings,, <u>19</u> Memorandum of Law in Support of Motion, filed by Christopher Hedges, <u>10</u> Affidavit in Support of Motion, filed by Christopher Hedges, <u>39</u> Internet Citation, <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act</i> . filed by Christopher Hedges, <u>32</u> Declaration in Support of Motion,, filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution, Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc.,

		<p>Bob Marshall, <u>55</u> Reply Memorandum of Law in Support, filed by Christopher Hedges, <u>37</u> MOTION for Reconsideration re; <u>36</u> Memorandum & Opinion,,,,, MOTION for Reconsideration re; <u>36</u> Memorandum & Opinion,,,,, filed by Leon Panetta, Barak Obama, <u>22</u> Order,,, <u>5</u> Order, Set Motion and RRDeadlines/Hearings,,,,,, <u>43</u> Order, Set Deadlines/Hearings,, <u>33</u> Memorandum of Law in Opposition to Motion, filed by Leon Panetta, Barak Obama, <u>7</u> Notice of Appearance, filed by Leon Panetta, Barak Obama, <u>38</u> Memorandum of Law in Support of Motion, filed by Leon Panetta, Barak Obama, <u>14</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>46</u> MOTION for Jed H. Stone to Appear Pro Hac Vice. filed by Bob Avakian, <u>51</u> Endorsed Letter, Set Deadlines/Hearings,,,,, <u>50</u> Notice (Other) filed by Bob Avakian, <u>28</u> Amicus Curiae Appearance,, filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution, Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc., Bob Marshall, <u>20</u> Memorandum of Law in Support of Motion, filed by Christopher Hedges, <u>1</u> Complaint, filed by Christopher Hedges, <u>23</u> Memorandum of Law in Opposition to Motion, filed by Leon Panetta, Barak Obama, <u>6</u> Scheduling Order, <u>24</u> Memorandum of Law in Opposition to Motion,, filed by Leon Panetta, Barak Obama, <u>11</u> Affidavit in Support of Motion, filed by Christopher Hedges, <u>41</u> Memorandum & Opinion,,, <u>9</u> Notice (Other) filed by Christopher Hedges, <u>2</u> Order, Set Hearings,,,,, <u>45</u> Trial Brief filed by Christopher Hedges, <u>30</u> Post Trial Memorandum filed by Christopher Hedges, <u>18</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>17</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>21</u> Endorsed Letter,, <u>49</u> Amicus Curiae Appearance filed by Bob Avakian, <u>36</u> Memorandum & Opinion,,,,, <u>31</u> FIRST MOTION to File Amicus Brief. filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution, Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc., Bob Marshall, <u>53</u> Memorandum of Law in Support, filed by Leon Panetta, Barak Obama, <u>26</u> Order, <u>25</u> Order, <u>44</u> Order, Set Deadlines, <u>40</u> Order, Set Hearings,, <u>48</u> Amicus Curiae Appearance filed by Bob Avakian, <u>27</u> Endorsed Letter, <u>4</u> Memorandum of Law in Support of Motion, filed by Christopher Hedges were transmitted to the U.S. Court of Appeals. (nd) (Entered: 08/06/2012)</p>
08/07/2012	<u>57</u>	<p>MOTION for David H. Remes to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Christopher Hedges.(pgu) (Entered: 08/07/2012)</p>
08/07/2012		<p>>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>57</u> MOTION for David H. Remes to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (pgu) (Entered: 08/07/2012)</p>
08/07/2012		<p>Minute Entry for proceedings held before Judge Katherine B. Forrest: Oral Argument held on 8/7/201. (jp) (Entered: 08/08/2012)</p>
08/08/2012	<u>58</u>	<p>ORDER FOR ADMISSION PRO HAC VICE ON ORAL MOTION granting <u>57</u> Motion for David H. Remes to Appear Pro Hac Vice. Filing fee waived. (Signed by Judge Katherine B. Forrest on 8/7/2012) (lmb) (Entered: 08/08/2012)</p>
08/22/2012	<u>59</u>	<p>TRANSCRIPT of Proceedings re: argument held on 8/7/2012 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Pamela Utter, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/17/2012. Redacted Transcript Deadline set for 9/27/2012. Release of Transcript Restriction set for 11/26/2012.(McGuirk, Kelly) (Entered: 08/22/2012)</p>

08/22/2012	<u>60</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a argument proceeding held on 8/7/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 08/22/2012)
09/12/2012	<u>61</u>	OPINION AND ORDER #102353: For the reasons set forth on this Opinion and Order, this Court permanently enjoins enforcement of § 1021(b)(2) in any manner, as to any person. The Court invites Congress to examine whether there are amendments that might cure the statutes deficiencies, or whether, in light of existing authorization and existing criminal statutes, § 1021 is needed at all.This Court has stated its position, as directly presented to it by the Government, that the AUMF and § 1021(b)(2) are not the same; they are not co-extensive. Military detention based on allegations of substantially supporting or directly supporting the Taliban, al-Qaeda or associated forces, is not encompassed within the AUMF and is enjoined by this Order regarding § 1021(b)(2). No detention based upon § 1021(b)(2) can occur.The Clerk of the Court is directed to terminate this action. (Signed by Judge Katherine B. Forrest on 9/12/2012) (jp) Modified on 9/19/2012 (ft). (Entered: 09/12/2012)
09/13/2012	<u>62</u>	FILING ERROR – NO ORDER SELECTED FOR APPEAL – NOTICE OF APPEAL. Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually). Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Harwood, Christopher) Modified on 9/13/2012 (tp). (Entered: 09/13/2012)
09/13/2012		***NOTE TO ATTORNEY REGARDING DEFICIENT APPEAL. Note to Attorney Harwood, Christopher to RE-FILE Document No. <u>62</u> Notice of Appeal. No Order being appealed was selected. Re-file the document as a Corrected Notice of Appeal event and select the correct Order being appealed. (tp) (Entered: 09/13/2012)
09/13/2012	<u>63</u>	NOTICE OF APPEAL from <u>61</u> Memorandum &Opinion,,,. Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually). Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Harwood, Christopher) (Entered: 09/13/2012)
09/13/2012		Appeal Remark as to <u>62</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>63</u> Notice of Appeal, filed by Barak Obama, Leon Panetta. NO FEE. USA.(tp) (Entered: 09/13/2012)
09/13/2012		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>63</u> Notice of Appeal, <u>62</u> Notice of Appeal. (tp) (Entered: 09/13/2012)
09/13/2012		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for <u>61</u> Memorandum &Opinion, <u>35</u> Notice of Filing Transcript, <u>47</u> Order on Motion to Appear Pro Hac Vice, <u>56</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>34</u> Transcript, <u>42</u> Order, Set Deadlines/Hearings, <u>19</u> Memorandum of Law in Support of Motion, filed by Christopher Hedges, <u>52</u> Trial Brief, filed by Barak Obama, Leon Panetta, <u>62</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>43</u> Order, Set Deadlines/Hearings, <u>57</u> MOTION for David H. Remes to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff. filed by Christopher Hedges, <u>7</u> Notice of Appearance, filed by Barak Obama, Leon Panetta, <u>54</u> Trial Brief filed by Christopher Hedges, <u>14</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>46</u> MOTION for Jed H. Stone to Appear Pro Hac Vice filed by Bob Avakian, <u>51</u> Endorsed Letter, Set Deadlines/Hearings, <u>28</u> Amicus Curiae Appearance, filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution,

		<p>Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc., Bob Marshall, <u>20</u> Memorandum of Law in Support of Motion, filed by Christopher Hedges, <u>1</u> Complaint, filed by Christopher Hedges, <u>23</u> Memorandum of Law in Opposition to Motion, filed by Leon Panetta, Barak Obama, <u>6</u> Scheduling Order, <u>41</u> Memorandum & Opinion, <u>9</u> Notice (Other) filed by Christopher Hedges, <u>45</u> Trial Brief filed by Christopher Hedges, <u>30</u> Post Trial Memorandum filed by Christopher Hedges, <u>63</u> Notice of Appeal, filed by Leon Panetta, Barak Obama, <u>12</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>31</u> FIRST MOTION to File Amicus Brief filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution, Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc., Bob Marshall, <u>13</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>26</u> Order, <u>44</u> Order, Set Deadlines, <u>40</u> Order, Set Hearings, <u>8</u> Notice of Appearance, filed by Leon Panetta, Barak Obama, <u>60</u> Notice of Filing Transcript, <u>10</u> Affidavit in Support of Motion, filed by Christopher Hedges, <u>39</u> Internet Citation, <u>3</u> MOTION for Temporary Restraining Order <i>enjoining the operation of the Homeland Battlefield provisions of the National Defense Authorization Act</i> filed by Christopher Hedges, <u>32</u> Declaration in Support of Motion, filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution, Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc., Bob Marshall, <u>55</u> Reply Memorandum of Law in Support, filed by Christopher Hedges, <u>22</u> Order, <u>37</u> MOTION for Reconsideration re; <u>36</u> Memorandum & Opinion, MOTION for Reconsideration re; <u>36</u> Memorandum & Opinion, filed by Leon Panetta, Barak Obama, <u>5</u> Order, Set Motion and RRDeadlines/Hearings, <u>33</u> Memorandum of Law in Opposition to Motion, filed by Leon Panetta, Barak Obama, <u>38</u> Memorandum of Law in Support of Motion, filed by Leon Panetta, Barak Obama, <u>59</u> Transcript, <u>50</u> Notice (Other) filed by Bob Avakian, <u>29</u> FIRST MOTION to File Amicus Brief filed by Constitution Party National Committee, U.S. Justice Foundation, Bill of Rights Defense Committee, Gun Owners of America, Inc., Dick Black, Center for Media and Democracy, Institute on the Constitution, Conservative Legal Defense and Education Fund, Tenth Amendment Center, The Lincoln Institute for Research and Education, Jerome Aumente, Restoring Liberty Action Committee, Western Center for Journalism, Downsize DC Foundation, Gun Owners Foundation, U.S. Border Control, Chuck Baldwin, DownsizeDC.org, Inc., Bob Marshall, <u>15</u> Remark, <u>24</u> Memorandum of Law in Opposition to Motion, filed by Leon Panetta, Barak Obama, <u>11</u> Affidavit in Support of Motion, filed by Christopher Hedges, <u>2</u> Order, Set Hearings, <u>18</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>17</u> Affirmation in Support of Motion, filed by Christopher Hedges, <u>21</u> Endorsed Letter, <u>49</u> Amicus Curiae Appearance filed by Bob Avakian, <u>36</u> Memorandum & Opinion, <u>16</u> Scheduling Order, <u>53</u> Memorandum of Law in Support, filed by Leon Panetta, Barak Obama, <u>25</u> Order, <u>58</u> Order on Motion to Appear Pro Hac Vice, <u>48</u> Amicus Curiae Appearance filed by Bob Avakian, <u>27</u> Endorsed Letter, <u>4</u> Memorandum of Law in Support of Motion, filed by Christopher Hedges were transmitted to the U.S. Court of Appeals. (tp) (Entered: 09/13/2012)</p>
09/14/2012	<u>64</u>	<p>MOTION to Stay re: <u>61</u> Memorandum & Opinion,,,. Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually).(Torrance, Benjamin) (Entered: 09/14/2012)</p>

09/14/2012	<u>65</u>	MEMORANDUM OF LAW in Support re: <u>64</u> MOTION to Stay re: <u>61</u> Memorandum & Opinion,,,. MOTION to Stay re: <u>61</u> Memorandum & Opinion,,,. Document filed by Barak Obama(individually), Barak Obama(as representative of the United States of America), Leon Panetta(in his capacity as the executive and representative of the Department of Defense), Leon Panetta(individually). (Torrance, Benjamin) (Entered: 09/14/2012)
09/14/2012	<u>66</u>	TRANSCRIPT of Proceedings re: PHONE CONFERNCE held on 6/1/2012 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Pamela Utter, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/9/2012. Redacted Transcript Deadline set for 10/18/2012. Release of Transcript Restriction set for 12/17/2012.(McGuirk, Kelly) (Entered: 09/14/2012)
09/14/2012	<u>67</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a PHONE CONFERNCE proceeding held on 6/1/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 09/14/2012)
09/14/2012	<u>68</u>	ORDER denying <u>64</u> Motion to Stay: IT IS HEREBY ORDERED that the Government's request for an immediate interim stay is DENIED. (Signed by Judge Katherine B. Forrest on 9/14/2012) (djc) (Entered: 09/14/2012)
10/02/2012	<u>70</u>	MOTION for Joinder of Pertinent Party and Motion for Appointment of Legal Counsel. Document filed by Dale B. Adams.(lmb) Modified on 10/11/2012 (lmb). Modified on 10/11/2012 (lmb). (Entered: 10/11/2012)
10/03/2012	<u>69</u>	ORDER of USCA (Certified Copy) as to <u>56</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>63</u> Notice of Appeal, filed by Barak Obama, Leon Panetta USCA Case Number 12-3176(L), 12-3644(con). Upon due consideration, it is hereby ORDERED that the Government's motion for stay is GRANTED. The District Court's order dated September 12, 2012 is stayed pending a decision on the appeal by merits panel. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Order: 10/02/2012. Certified: 10/03/2012. (nd) (Entered: 10/04/2012)
10/12/2012	<u>71</u>	ORDER denying <u>70</u> Motion for Joinder; denying <u>70</u> Motion to Appoint Counsel. That the motion is DENIED for lack of jurisdiction. The Clerk of the Court is directed to terminate the motion at Dkt. No. 70. (Signed by Judge Katherine B. Forrest on 10/12/2012) (pl) (Entered: 10/12/2012)
10/23/2012	<u>72</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 8/7/2012 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Pamela Utter, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/16/2012. Redacted Transcript Deadline set for 11/29/2012. Release of Transcript Restriction set for 1/25/2013.(Moya, Goretti) (Entered: 10/23/2012)
10/23/2012	<u>73</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 8/7/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Moya, Goretti) (Entered: 10/23/2012)
07/17/2013	<u>74</u>	TRUE COPY ORDER of USCA as to <u>56</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>63</u> Notice of Appeal, filed by Barak Obama, Leon Panetta USCA Case Number 12-3176(L), 12-3644(con). Ordered, Adjudged and Decreed that the decision of the District Court is VACATED and the case is REMANDED in accordance with the opinion of this court. Catherine O'Hagan Wolfe, Clerk USCA

		for the Second Circuit. Certified: 7/17/2013. (nd) (Entered: 07/17/2013)
09/10/2013	<u>75</u>	MANDATE of USCA (Certified Copy) as to <u>56</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>62</u> Notice of Appeal, filed by Barak Obama, Leon Panetta, <u>63</u> Notice of Appeal, filed by Barak Obama, Leon Panetta USCA Case Number 12-3176(L), 12-3644(con). Ordered, Adjudged and Decreed that the decision of the District Court is VACATED and the case is REMANDED in accordance with the opinion of this court. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 9/10/2013. (Attachments: # <u>1</u> Opinion)(nd) (Entered: 09/10/2013)
09/10/2013		Transmission of USCA Mandate to the District Judge re: <u>75</u> USCA Mandate,, (nd) (Entered: 09/10/2013)
09/11/2013	<u>76</u>	ORDER: On September 10, 2013, this Court received the USCA Mandate from the Second Circuit Court of Appeals. The parties are hereby ORDERED to appear for a status conference on October 30, 2013 at 1:00 P.M. (Status Conference set for 10/30/2013 at 01:00 PM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 9/11/2013) (mro) (Entered: 09/11/2013)
10/01/2013	<u>77</u>	STANDING ORDER M10-468: Stay of Certain Civil Cases Pending the Restoration of Department of Justice Funding. (Signed by Judge Loretta A. Preska on 10/1/2013) ***Original Standing Order docketed in case no. 1:13-mc-00334-LAP, document no. 2 on 10/1/2013.***(tro) (Entered: 10/01/2013)
10/22/2013	<u>78</u>	ORDER: The conference set Wednesday, October 30, 2013, will be heard on the same date (10/30/2013), at 11:00 a.m. (Status Conference set for 10/30/2013 at 11:00 AM before Judge Katherine B. Forrest.) (Signed by Judge Katherine B. Forrest on 10/22/2013) (mro) (Entered: 10/22/2013)
10/25/2013	<u>79</u>	LETTER MOTION to Adjourn Conference <i>presently scheduled for October 30, 2013</i> addressed to Judge Katherine B. Forrest from Bruce I. Afran dated October 25, 2013. Document filed by Christopher Hedges.(Afran, Bruce) (Entered: 10/25/2013)
10/28/2013	<u>80</u>	ORDER granting <u>79</u> Letter Motion to Adjourn Conference. Ordered: Conference adjourned to 10/31/13 at noon. Status Conference set for 10/31/2013 at 12:00 PM before Judge Katherine B. Forrest. (Signed by Judge Katherine B. Forrest on 10/28/2013) (mro) (Entered: 10/28/2013)
10/31/2013	<u>81</u>	ORDER: As discussed at that conference, plaintiffs have until on or before January 30, 2014 to propose an Amended Complaint and/or provide the Court with its view as to what is left in this action, and its rationale therefor. (Amended Pleadings due by 1/30/2014.) (Signed by Judge Katherine B. Forrest on 10/31/2013) (tn) (Entered: 10/31/2013)
10/31/2013		Minute Entry for proceedings held before Judge Katherine B. Forrest: Status Conference held on 10/31/2013. (jp) (Entered: 11/01/2013)
11/26/2013	<u>82</u>	TRANSCRIPT of Proceedings re: CONFERENCE held on 10/31/2013 before Judge Katherine B. Forrest. Court Reporter/Transcriber: Carol Ganley, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/20/2013. Redacted Transcript Deadline set for 12/30/2013. Release of Transcript Restriction set for 2/27/2014.(Rodriguez, Somari) (Entered: 11/26/2013)
11/26/2013	<u>83</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 10/31/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 11/26/2013)

02/03/2014	<u>84</u>	ORDER: On October 31, 2013, plaintiffs were Ordered to propose an Amended Complaint and/or provide the Court with its view as to what is left in this action no later than January 30, 2014. To date, the Court has received no such submission. Accordingly, plaintiffs are hereby ORDERED to either submit a proposed Amended Complaint or advise the Court with its view as to what is left in this action by February 7, 2014. (Signed by Judge Katherine B. Forrest on 2/3/2014) (mro) (Entered: 02/03/2014)
02/10/2014	<u>85</u>	STATUS REPORT. <i>View of Counsel for Plaintiffs as to any remaining issues following remand</i> Document filed by Christopher Hedges.(Afran, Bruce) (Entered: 02/10/2014)
02/11/2014	<u>86</u>	MEMO ENDORSEMENT on re: <u>85</u> Status Report filed by Christopher Hedges. ENDORSEMENT: Order: Based on the representations in this Report, the Court dismisses this action at this time. (Signed by Judge Katherine B. Forrest on 2/11/2014) (mro) (Entered: 02/11/2014)
02/11/2014		Terminate Transcript Deadlines (mro) (Entered: 02/11/2014)