

1 Shayana Kadidal
CENTER FOR CONSTITUTIONAL RIGHTS
2 666 Broadway, 7th Floor
New York, NY 10012-2317
3 Phone: (212) 614-6438
Fax: (212) 614-6499
4 Email: kadidal@ccr-ny.org

5 *Attorney for Plaintiffs*

6
7
8 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
9 **SAN FRANCISCO DIVISION**

10
11 IN RE NATIONAL SECURITY AGENCY
TELECOMMUNICATIONS RECORDS
12 LITIGATION

13 This Document Relates Only to:
14 *Center for Constitutional Rights v. Obama**,
15 (Case No. 07-cv-1115-VRW)

No. 3:06-md-01791-VRW

**PLAINTIFFS' NOTICE OF
RENEWED MOTION
MOTION FOR SUMMARY
JUDGMENT**

in
***Center for Constitutional Rights v.
Obama (07-1115)***

Judge: Hon. Vaughn R. Walker
Date: *(no hearing set)*
Time:
Courtroom: 6, 17th Floor

16
17
18
19 PLEASE TAKE NOTICE that the Plaintiffs in the above-captioned action hereby move for the
20 entry of an Order in the form submitted herewith, granting to Plaintiffs partial summary judgment
21 and other relief.

22
23 PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiffs shall rely upon the
24 attached Memorandum in Support of Motion for Summary Judgment (and in Opposition to Defen-
25 dants' Motion to Dismiss), the prior submissions by Plaintiffs cited therein, and all submissions
26 previously made in support of their earlier Motion for Summary Judgment, Doc. # 5 in *Center for*

27
28 * The current President (and each other current occupant of an official defendant's post) is automatically substituted in this official capacity suit pursuant to Fed. R. Civ. Proc. 25(d)(1).

1 *Constitutional Rights v. Bush*, No. 06-cv-313 (S.D.N.Y filed Mar. 9, 2006), including their accom-
2 panying Statement of Material Facts Not in Dispute, Doc. # 8 (filed Mar. 9, 2006), and the support-
3 ing affirmations previously submitted.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PLEASE TAKE FURTHER NOTICE that counsel for Plaintiffs hereby request oral argument.

Respectfully submitted,

/s/
Shayana Kadidal
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, NY 10012-2317
(212) 614-6438

Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY
TELECOMMUNICATIONS RECORDS
LITIGATION

No. 3:06-md-01791-VRW

[PROPOSED] ORDER

This Document Relates Only to:
Center for Constitutional Rights v. Obama,
(Case No. 07-cv-1115-VRW)

Upon consideration of the cross-motions for Summary Judgment, it is hereby ordered that Plaintiffs' Motion for Summary Judgment shall be and hereby is GRANTED, and

(1) Defendants will certify to this Court within 30 days that they will not in the future operate the warrantless surveillance program that is the subject of this action;

(2) Defendants will certify to this Court within 30 days that they have effectively quarantined from access all information and records in their possession relating to Plaintiffs that were acquired through the warrantless surveillance program that is the subject of this action, or were the fruit of such surveillance, pending further order from this Court regarding the destruction or permanent quarantining of those materials;

(3) Defendants shall within 30 days provide a plan for disclosure to the Court *in camera* of all information and records in their possession relating to Plaintiffs that were acquired through the warrantless surveillance program that is the subject of this action, or were the fruit of such surveillance, together with the position of the government regarding access for appropriately cleared counsel for Plaintiffs to have access to the same in future *in camera* proceedings.

IT IS SO ORDERED,

DATE: _____

Chief Judge Vaughn R. Walker