

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3
4 FIRST AMENDMENT COALITION,

No. C 12-1013 CW

5 Plaintiff,

ORDER SETTING
SCHEDULE FOR
FURTHER BRIEFING
ON CROSS-MOTIONS
FOR SUMMARY
JUDGMENT

6 v.

7 U.S. DEPARTMENT OF JUSTICE,

8 Defendant.

9 _____/

10 On July 24, 2012, the Court granted in part Defendant United
11 States Department of Justice's motion to stay this action pending
12 resolution of two related cases that were then pending before the
13 United States District Court for the Southern District of New
14 York. At that time, the Court stated that it would not rule on
15 the cross-motions for summary judgment in the instant case until
16 the SDNY issued its ruling in the related cases and that, if the
17 SDNY's ruling did not render the instant case moot, the Court
18 would set a hearing date on the cross-motions after that ruling
19 was issued and might order supplemental briefing prior to the
20 hearing.

21 Plaintiff First Amendment Coalition has now notified the
22 Court that the SDNY has issued its ruling in the cases before it.¹
23 The Court notes that the SDNY declined to order disclosure of the

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26 _____
27 ¹ Plaintiff first notified the Court that the SDNY issued its
28 ruling on January 2, 2013 and later filed a second notice, stating
that the SDNY issued a revised order on January 3, 2013. See
Docket Nos. 43 and 44.

1 memorandum at issue in this suit and thus that the instant case
2 was not rendered moot by that ruling.

3 Plaintiff requests an opportunity to file a supplemental
4 brief addressing the SDNY's opinion, particularly the court's
5 discussion of in camera review of the withheld document.

6 Good cause appearing, the Court grants Plaintiff's request.
7 Within two weeks of the date of this Order, Plaintiff may file a
8 supplemental brief, of ten pages or less, addressing the SDNY
9 ruling. Within two weeks thereafter, Defendant shall file a
10 supplemental brief, of ten pages or less, responding to
11 Plaintiff's brief and addressing the SDNY ruling.

12 The Court will set a hearing on the cross-motions for summary
13 judgment if and when necessary.

14 IT IS SO ORDERED.

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16 Dated: 1/10/2013

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18 CLAUDIA WILKEN
19 United States District Judge
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