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9 Attorneys for Plaintiff
 10 FIRST AMENDMENT COALITION

11 IN THE UNITED STATES DISTRICT COURT
 12 THE NORTHERN DISTRICT OF CALIFORNIA
 13 OAKLAND DIVISION

14 FIRST AMENDMENT COALITION,
 15 Plaintiff,

16 vs.

17 U.S. DEPARTMENT OF JUSTICE,
 18 Defendant.

) Case No. **CV 12-01013 DMR**
) [Assigned to the Hon. Claudia Wilken]
) **STIPULATION AND [~~PROPOSED~~]**
) **ORDER RE: PLAINTIFF FIRST**
) **AMENDMENT COALITION'S MOTION**
) **TO SUBMIT ADDITIONAL EVIDENCE**
) Place: Courtroom 2 - 4th Floor

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STIPULATION AND ~~PROPOSED~~ ORDER

Pursuant to Civil Local Rule 7-12, Plaintiff First Amendment Coalition (“FAC”), on the one hand, and Defendant United States Department of Justice (the “Government”) on the other hand, hereby stipulate and agree as follows:

WHEREAS, FAC wishes to submit additional evidence in this matter, which it believes is relevant to this matter;

WHEREAS, the Government does not oppose the submission of this additional evidence, but does not stipulate to its relevance to the issues before the Court;

THEREFORE, the Parties stipulate and agree that:

Upon the Order of the Court, FAC shall file the following additional evidence:

1. A White Paper discussing the “legal framework for considering the circumstances in which the U.S. government could use lethal force in a foreign country outside the area of active hostilities against a U.S. citizen who is a senior operational leader of al-Qa’ida” and actively planning to kill Americans.
2. A copy of an article by NBC News, published on February 3, 2013, explaining how NBC News obtained the White Paper from Congressional sources.
3. A *New York Times* article, published on February 5, 2013, containing details about the origin of the White Paper and how it came to be released.
4. A letter, dated December 4, 2012, to Attorney General Eric Holder from Reps. John Conyers, Jr., Jerrold Nadler, and Robert Scott, containing information regarding the Government’s release of the White Paper to members of Congress.
5. A copy of a second *New York Times* article, also dated February 5, 2013, containing information regarding the Government’s former efforts to keep the OLC Memoranda secret.
6. A transcript of the White House Press Briefing on February 5, 2013.
7. A *New York Times* article, published on February 6, 2013, stating that the Government has directed the Justice Department to release to certain congressional committees the

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“classified documents discussing the legal justification for killing, by drone strikes and other means, American citizens abroad who are considered terrorists.”

- 8. A transcript of the White House Press Gaggle on February 7, 2013.
- 9. A video recording of the Senate Intelligence Committee hearing on the confirmation of John Brennan, held on February 7, 2013.

DATED: This 8th day of February, 2013 DAVIS WRIGHT TREMAINE LLP

By: /s/ THOMAS R. BURKE
Thomas R. Burke
Attorneys for Plaintiff
FIRST AMENDMENT COALITION

DATED: This 8th day of February, 2013

By: /s/ JUDSON LITTLETON
Judson Littleton
Attorneys for Defendant
UNITED STATES DEPARTMENT OF
JUSTICE

IT IS SO ORDERED. Plaintiff shall also provide a transcript of the relevant portions of the Senate Intelligence Committee hearing on the confirmation of John Brennan, held on February 7, 2013.

DATED: This 11th day of February, 2013

By: 
Hon. Claudia Wilken