

**IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LARRY KLAYMAN, *et. al*

Plaintiffs,

v.

BARACK HUSSEIN OBAMA II, *et. al*

Defendants.

Civil Action No. 13-CV-851

PLAINTIFFS' MOTION FOR STATUS CONFERENCE

Plaintiffs believe that a status conference would be prudent at this time to discuss how this case will proceed following the preliminary injunction order which issued on December 16, 2013. While the preliminary injunction order was stayed pending the appeal, the NSA Defendant, represented by the Obama Justice Department, has thus far shown no inclination to take an expeditious appeal, as no notice of appeal has thus far been filed. To the contrary, it appears that the Obama Justice Department is hanging back to delay implementation of the court's preliminary injunction order -- as it likely intends to "stretch" out the appellate process, perhaps tactically hoping that the recent contrary decision by the U.S. District Court for the Southern District of New York will be upheld by the U.S. Court of Appeals for the Second Circuit before any appeal before the U.S. Court of Appeals for the District of Columbia Circuit is ever decided.

In addition, a status conference may be prudent to discuss the procedure and timing for this case to move forward through discovery while the NSA defendant pursues any appeal of the Court's stayed preliminary injunction order. Given the NSA's on-going activities in spying on the

totality of the American people without regard to whether or not there is probable cause that they are communicating with terrorists or terrorist groups or, with new revelations today that even computers have been bugged (See Exhibit 1 -- Fox News article entitled, "German Magazine Claims NSA Hacking Unit Uses Powerful Methods to Obtain Data") (substantiating the sworn affidavits of Plaintiff Charley Strange (Docket No. 13-2) and expert David Siler (Docket No. 34-1)), as well as the likelihood that the offending Verizon related conduct is continuing given that the preliminary injunction order has been temporarily stayed pending appeal, moving this case toward trial without delay is crucial. This court has stated that it will not tolerate delay from the government or any party in this regard, during the prior status conference of October 31, 2013.

Pursuant to Local Rule 7(m), the Plaintiffs conferred with counsel for the Defendants regarding the relief they seek in this motion. The NSA Defendant, through their Obama Justice Department Counsel, responded that it unequivocally does not want a status conference. The Verizon Defendants have indicated that they do not take a position with respect to Plaintiffs' request for a status conference.

WHEREFORE, Plaintiffs respectfully request a status conference at the earliest practicable date, and if possible between the afternoon of January 7th and the morning of January 10, 2014.

Dated: December 30, 2013

Respectfully submitted,

/s/ Larry Klayman
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of December a true and correct copy of the foregoing Plaintiffs' Motion for Status Conference (Civil Action No. 13-cv- 851) was submitted electronically to the District Court for the District of Columbia and served via CM/ECF upon the following:

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