

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<hr/>)	
LARRY KLAYMAN, <i>et al.</i> ,)	
)	
	Plaintiffs,)	Civil Action No.
)	1:13-cv-00851-RJL
	v.)	
)	
BARACK OBAMA, President of the)	
United States, <i>et al.</i> ,)	
)	
	Defendants.)	
<hr/>)	
LARRY KLAYMAN, <i>et al.</i> ,)	
)	
	Plaintiffs,)	Civil Action No.
)	1:13-cv-00881-RJL
	v.)	
)	
BARACK OBAMA, President of the)	
United States, <i>et al.</i> ,)	
)	
	Defendants.)	
<hr/>)	

[PROPOSED] ORDER

This case is before the Court on the motion of defendants Barack Obama, President of the United States, Eric Holder, Attorney General of the United States, and General Keith B. Alexander, Director of the National Security Agency (NSA), insofar as they are sued in their official capacities, together with defendants NSA and the United States Department of Justice (collectively, the “Government Defendants”), to dismiss certain claims asserted in the amended complaints in *Klayman v. Obama*, Civil Action No. 13-0851 (*Klayman I*), and *Klayman v. Obama*, Civil Action No. 13-0881 (*Klayman II*).

The Court having considered the Government Defendants’ submission in support of their motion and any submissions in opposition thereto,

IT IS HEREBY ORDERED THAT:

1. The Government Defendants' motion is hereby GRANTED.
2. The following claims are DISMISSED, with prejudice, as against the Government Defendants:
 - (a) Plaintiffs' Administrative Procedure Act (APA) claims that the challenged NSA intelligence programs exceed the Government's statutory authority;
 - (b) Plaintiffs' challenge to the alleged collection of the content of their communications under Section 702 of the Foreign Intelligence Surveillance Act (FISA), and Plaintiffs' request for prospective relief from a program, discontinued in 2011, involving the collection of certain Internet metadata;
 - (c) Plaintiffs' Stored Communications Act (SCA) claims; and
 - (d) Plaintiffs' common-law tort claims.

So ORDERED this _____ day of _____, 2014.

HON. RICHARD J. LEON
UNITED STATES DISTRICT JUDGE