

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

NATIONAL VETERANS LEGAL	)	
SERVICES PROGRAM, <u>et al.</u> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 16-745 ESH
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
	)	
_____	)	

RESPONSE TO MOTION FOR APPROVAL OF PLAN OF CLASS NOTICE

Counsel for Defendant believes that the parties have reached agreement on the form that the class notice in this action should take. Defendant has not, however, agreed on the form of the order that would adopt the class notice. Counsel for the parties are discussing the language that would be appropriate for the order; but, for instance, Defendant believes that a protective order is required before private information about PACER users should be disclosed. Moreover, counsel for Defendant is unconvinced that disclosure of account information involving users providing Federal Government email addresses is warranted, given that federal government agencies are excluded from the class.

Counsel intend to continue their dialog on these topics, but Defendant does not want the Court to act on the mistaken belief that counsel for Defendant had supports the proposed order

provided by Plaintiffs with the "Plaintiffs' Unopposed Motion For Approval Of Plan Of Class Notice."

WHEREFORE, Defendant requests that the Court defer entering the order proposed by Plaintiffs and await an anticipated proposed order that is acceptable to all parties.

Respectfully submitted,

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United States Attorney

DANIEL F. VAN HORN, DC Bar #924092  
Chief, Civil Division

By: \_\_\_\_\_ /s/  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that service of the foregoing response has been made through the Court's electronic transmission facilities on this 28th day of February, 2017.

\_\_\_\_\_  
/s/  
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