

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

AMERICAN CIVIL LIBERTIES UNION, et al.,
Plaintiffs,

v.

NATIONAL SECURITY AGENCY/CENTRAL
SECURITY SERVICE, et al.,
Defendants.

Civil Case No. 06-10204
Hon. Anna Diggs Taylor

**ORDER DENYING DEFENDANTS' MOTION TO STAY CONSIDERATION OF
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiffs Motion for Partial Summary Judgment having been filed on March 9, 2006,

And this court having twice previously granted to Defendants adjournments of this court's order that they respond to that Motion;

And Plaintiffs' Motion being previously set for oral arguments on June 12, 2006;

And Defendants' response to Plaintiffs' Motion having been due on or before May 26, 2006, in accordance with this court's last grant of an extension of time to respond;

And Defendants having nevertheless filed no response to Plaintiffs' Motion, but instead having filed a Motion to Stay Consideration of Plaintiffs' Motion as well as a Motion to Dismiss or, in the alternative for Summary Judgment, with two declarations and a Notice of Lodging, at the U.S. Department of Justice, of materials to be examined *Ex Parte* by the court;

And the court being fully advised in the premises;

Now therefore it is ordered:

1. That the Motion to Stay Consideration be and hereby is Denied;
2. That the hearing of Plaintiffs' Motion shall be held on Monday, June 12, 2006, as scheduled;
3. That although Defendants have not responded to said Motion they may, if they appear, argue against it;
4. That Plaintiffs shall respond to Defendants' newly filed Motions on or before June 20, 2006.

5. That any reply by Defendants to the response of Plaintiffs shall be filed on or before June 27, 2006.
6. That oral arguments on Defendants' Motions will be held on Monday, July 10, 2006 @ 9:00 a.m.

IT IS SO ORDERED.

DATED: May 31, 2006

/S Anna Diggs Taylor
ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing *Order Denying Defendants' Motion to Stay Consideration of Plaintiffs' Motion for Partial Summary Judgment* was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on **May 31, 2006**

s/Robyn Langston
Case Manager: 313-234-5105