

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN CIVIL LIBERTIES UNION, and  
THE AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION,

Plaintiffs,

15 Civ. 1954 (CM)

-against-

DEPARTMENT OF JUSTICE, et al.,

Defendants.

X

SUMMARY OF SEALED ACTIVITY FOR PUBLIC RECORD

McMahon, C.J.:

The following is placed on the public record:

Without having completed its classification review of the court’s decision dated June 21, 2016, the Government submitted, under seal, what was, in essence, a motion for reargument, couched in the form of calling to my attention material that it thought I might have overlooked in connection with two rulings. All but one of the attachments to the Government’s letter were part of the original record before the court. The newly-attached document, which was “inadvertently” not submitted the first time around, is classified.

The docket sheet does not show any sealed filing by the Government last week. The Government is directed to make sure the docket sheet is updated to reflect the sealed filing.

I have responded to the Government’s submission by adding a few paragraphs and making a few modest changes (none of which altered the conclusions reached) to the decision, which is now the decision of July 21, rather than June 21, 2016. It will be clear from the text of the additions what the court added in response to the Government’s submission.

I have today received a letter from the ACLU dated July 22, 2016 (Docket # 79), asking that I order the Government to finish its classification review. It strikes the court that, the Government’s disclaimers notwithstanding, this is a task that should have been accomplished by now – and nothing in the few modest additions made by the Court last week adds to that burden. I thus grant the ACLU’s request and direct that the Government finish its classification review by August 5, 2016.

Dated: July 25, 2016

A handwritten signature in cursive script, appearing to read "Lee H. Hall", written above a horizontal line.

Chief United States District Judge