

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ELECTRONIC FRONTIER  
FOUNDATION,  
  
Plaintiff,  
  
v.  
  
UNITED STATES DEPARTMENT OF  
JUSTICE,  
  
Defendant.

Case No. [15-cv-03186-MEJ](#)  
  
**ORDER VACATING HEARING AND  
ORDERING SUPPLEMENTAL  
BRIEFING**  
  
Re: Dkt. Nos. 19, 23

The Court hereby **VACATES** the hearing in this matter scheduled for Thursday, May 18, 2016 in light of recently discovered case law, *Hamdan v. United States Department of Justice*, 797 F.3d 759, 777 (9th Cir. 2015). Neither of the parties addressed *Hamdan*'s potential impact on FOIA<sup>1</sup> Exemption 7(E) or segregability. The Court consequently **ORDERS** the parties to provide supplemental briefing concerning how *Hamdan* affects the parties' FOIA Exemption 7(E) and segregability arguments. Each party may file a supplemental brief on these two issues of no more than eight pages, double-spaced **by June 1, 2016**. The parties may file replies on these same two issues **by June 15, 2016**. They may also provide declarations in support of their supplemental briefs.

**IT IS SO ORDERED.**

Dated: May 17, 2016

  
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MARIA-ELENA JAMES  
United States Magistrate Judge

<sup>1</sup> Freedom of Information Act, 5 U.S.C. § 552.

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