

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON,**

Plaintiff,

v.

**EXECUTIVE OFFICE OF THE
PRESIDENT, et al.,**

Defendants.

Civil Action 07-01707 (HHK)

**THE NATIONAL SECURITY
ARCHIVE,**

Plaintiff,

v.

**EXECUTIVE OFFICE OF THE
PRESIDENT, et al.,**

Defendants.

Civil Action 07-01577 (HHK)

ORDER

Before the court are the First and Second Report and Recommendation of Magistrate Judge John Facciola (##67 and 84) regarding the motion of plaintiff National Security Archive captioned “Emergency Motion to Extend TRO/Preservation Order and for Depositions [#58] and the responses and objections thereto. Upon consideration of the Reports and Recommendations, the responses and objections thereto, and the record of this case, the court adopts the Reports and Recommendations of the Magistrate Judge in their entirety. Accordingly, the Emergency Motion to Extend TRO/Preservation Order and for Depositions [#58] is granted in part and denied in part.

The Executive Office of the President (“EOP”) shall: (1) search the workstations, and any .PST files located therein, of any individuals who were employed between March 2003 and October 2005, and to collect and preserve all e-mails sent or received between March 2003 and October 2005 and (2) issue a preservation notice to its employees directing them to surrender any media in their possession—irrespective of the intent with which it was created—that may contain e-mails sent or received between March 2003 and October 2005, and for EOP to collect and preserve all such media.

SO ORDERED

Henry H. Kennedy, Jr.
United States District Judge

Dated: January 14, 2009