

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

1:12-cv-00794-CM

# MANDATE

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 20<sup>th</sup> day of December, two thousand and sixteen.

Before: Jon O. Newman,  
José A. Cabranes,  
Rosemary S. Pooler,  
*Circuit Judges.*

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: Feb. 28, 2017

American Civil Liberties Union, American Civil Liberties Union Foundation,

Plaintiffs - Appellants - Cross - Appellees,

v.

**JUDGMENT**

Docket Nos. 15-2956 (L)  
15-3122 (XAP)

United States Department of Justice, including its component the Office of Legal Counsel, United States Department of Defense, including its component U.S. Special Operations Command, Central Intelligence Agency,

Defendants - Appellees - Cross - Appellants.

The appeal and cross-appeal in the above captioned case from a judgment of the United States District Court for the Southern District of New York were argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the district court's judgment is AFFIRMED on the appeal, REVERSED on the cross-appeal, and REMANDED for entry of a revised judgment.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  


A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  


**MANDATE ISSUED ON 02/28/2017**