

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER HEDGES, DANIEL  
ELLSBERG, JENNIFER BOLEN, NOAM  
CHOMSKY, ALEXA O'BRIEN, US DAY OF  
RAGE, KAI WARGALLA, HON. BRIGITTA  
JONSDOTTIR M.P.,

Plaintiffs,

v.

BARACK OBAMA, individually and as  
representative of the UNITED STATES OF  
AMERICA; LEON PANETTA, individually and in  
his capacity as the executive and representative of  
the DEPARTMENT OF DEFENSE; JOHN  
McCAIN, JOHN BOEHNER, HARRY REID,  
NANCY PELOSI, MITCH McCONNELL, ERIC  
CANTOR, as representatives of the UNITED  
STATES OF AMERICA,

Defendants.  
----- X

12 Civ. 331 (KBF)

**NOTICE OF APPEAL**

Notice is hereby given that defendants Barack Obama, individually and as representative of the United States of America; and Leon Panetta, individually and in his capacity as the executive and representative of the Department of Defense, hereby appeal to the United States Court of Appeals for the Second Circuit from the Opinion and Order entered on the docket on September 12, 2012 (the "September 12 Order"), granting plaintiffs' application for a permanent injunction.

Dated: New York, New York  
September 13, 2012

Respectfully submitted,

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United States Attorney for the  
Southern District of New York  
Attorney for Defendants

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