

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

GULET MOHAMED ,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 1:11-cv-50 (AJT/TRJ)
	)	
ERIC H. HOLDER, JR., <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

Pending are Plaintiff’s Motion to Compel Defendants to Answer His First Set of Interrogatories and First Set of Requests for Production of Documents [Doc. No. 91] and Defendants’ Motion to Dismiss Plaintiff’s Complaint as a Result of the Assertion of the State Secrets Privilege [Doc. No. 104] (“the Motions”), which the Court took under advisement following a hearing on July 18, 2014. In order to assist the Court in deciding those pending motions, it is hereby

ORDERED that, on or before September 7, 2014, the United States submit *in camera*, under seal, all documents, and a summary of any testimony, expert or otherwise, that the United States would present at an evidentiary hearing or trial to establish that inclusion on the No Fly List, as applied to United States citizens who are not under indictment or otherwise charged with a crime and who have not been previously convicted of a crime of violence, is necessary, and the least restrictive method available, to ensure the safety of commercial aircraft from threats of terrorism, and that no level of enhanced screening would be adequate for that purpose. All such documents should be accompanied by an index that lists as to each submitted document any privilege from disclosure that the United States is asserting. The summary of any testimony should identify those portions of any such testimony that the United States claims would be privileged from disclosure and the privilege asserted.

The Clerk is directed to forward copies of this Order to all counsel of record.

A handwritten signature in black ink, appearing to read 'A. Trenga', is written over a horizontal line.

Anthony J. Trenga  
United States District Judge

Alexandria, Virginia  
August 6, 2014