

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON, *et al.*,

Plaintiffs,

v.

RICHARD B. CHENEY, *et al.*,

Defendants.

Civil Action No. 08-1548 (CKK)

AMENDED ORDER
(September 23, 2008)

For the reasons set forth in the accompanying Memorandum Order, it is this 23rd day of September, 2008, hereby

ORDERED that Plaintiffs' [3] Motion for Preliminary Injunction is GRANTED; it is further

ORDERED that all Defendants shall preserve throughout the pendency of this litigation all documentary material, or any reasonably segregable portion thereof created or received by the Vice President, his staff, or a unit or individual of the Office of the Vice President whose function is to advise and assist the Vice President, in the course of conducting activities which relate to or have an effect upon the carrying out of the constitutional, statutory, or other official or ceremonial duties of the Vice President, without regard to any limiting definitions that Defendants may believe are appropriate; it is further

ORDERED that, in light of the foregoing injunction, all documentary material at issue in this litigation shall be preserved, such that Plaintiffs can receive the full relief they request in the event that they prevail in this litigation; it is further

ORDERED that nothing in this Order shall prevent any of the Defendants from transferring any of the documentary materials encompassed by this Order to the National Archives and Records Administration and/or the Archivist of the United States on or before January 20, 2009, pursuant to the Presidential Records Act, provided that any and all records transferred to NARA and/or the Archivist shall be treated as if fully covered by the Presidential Records Act; and it is further

ORDERED that nothing in this Order shall (1) cover documentary material that is otherwise maintained under other record-keeping obligations, including but not limited to the Federal Records Act; (2) supersede the disposal authority, pursuant to section 2203(c) of the Presidential Records Act, for “bulk mail,” or (3) require the preservation of multiple copies of the same record by the same person or office that would otherwise be exempt from preservation under 44 U.S.C. § 2201(2)(B)(iv).

SO ORDERED.

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge