

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

<p>CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON,</p> <p>Plaintiff,</p> <p>v.</p> <p>EXECUTIVE OFFICE OF THE PRESIDENT, et al.,</p> <p>Defendants.</p>	<p>Civil Action 07-01707 (HHK)</p>
<p>THE NATIONAL SECURITY ARCHIVE</p> <p>Plaintiff,</p> <p>v.</p> <p>EXECUTIVE OFFICE OF THE PRESIDENT, et al.,</p> <p>Defendants.</p>	<p>Civil Action 07-01577 (HHK)</p>

ORDER

Before the court is the motion of Citizens for Responsibility and Ethics in Washington for a temporary restraining order [#4]. The motion was referred to United States Magistrate Judge John Facciola for his Report and Recommendation pursuant LCvR 72.3(a).

Having considered the motion, the opposition thereto, the Report and Recommendation of Magistrate Judge Facciola, the objections to the Report and Recommendation, the response to the objections, and the record of this case, including the transcript of the proceedings before the Magistrate Judge, the court, upon *de novo* review, adopts the Magistrate Judge's Report and Recommendation.

Accordingly, it is this 12th day of November 2007, hereby

ORDERED that defendants shall preserve media , no matter how described, presently in their possess or under their custody or control, that were created with the intention of preserving data in the event of its inadvertent destruction. Defendants shall preserve the media under conditions that will permit their eventual use, if necessary, and shall not transfer said media out of their custody or control without leave of this court.

Henry H. Kennedy, Jr.
United States District Judge

Dated: November 12, 2007