## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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

12 Civ. 331 (KBF)

**NOTICE OF APPEAL** 

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.

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,

PREET BHARARA

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

By: /s/ Christopher B. Harwood

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