

Not Responsive

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**From:** Lucas Guttentag [mailto:lguttentag@aclu.org]  
**Sent:** Tuesday, July 27, 2010 6:14 PM  
**To:** Kneeder, Edwin S  
**Subject:** RE: touching base

Thanks Ed. Yes, a real pleasure to be on same side.

I think we will be strongly inclined to seek an immediate emergency injunction from the 9<sup>th</sup> Circuit if sections 2B, 3, 5C and 6 are not all enjoined. Of those, our collective view seems to be that the judge's greatest hesitation was with regard to 2B and 5C so those are the likely immediate issues. I'm assuming it's also very likely the state would ask to stay any injunction she might issue so we would want to file any emergency motion for injunction pending appeal immediately.

Can you share your current thinking with regard to various scenarios?

Best  
Lucas

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**From:** Kneeder, Edwin S [mailto:Edwin.S.Kneeder@usdoj.gov]  
**Sent:** Tuesday, July 27, 2010 2:40 PM  
**To:** Lucas Guttentag  
**Subject:** RE: touching base

Thanks Lucas. We should definitely check in once we hear. We'll be huddling here as soon as we can. What is your thinking at this point on if/how you will proceed in various possible scenarios?

It was good to see you, even if only briefly, and to be on the same side for once! (b) (6)  
(b) (6) I have a feeling we might be seeing each other again on this case.

Ed

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**From:** Lucas Guttentag [mailto:lguttentag@aclu.org]  
**Sent:** Tuesday, July 27, 2010 2:15 PM  
**To:** Kneeder, Edwin S  
**Subject:** touching base

Ed  
I left a voicemail earlier today about checking in once the district court rules. Would you available then?  
(b) (6) And from all of us, thank you again for your argument on behalf of the United States.  
Lucas