

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

LARRY KLAYMAN, *et al*,

Plaintiffs,

v.

BARACK OBAMA, *et al*,

Defendants.

Civil Action Nos. 13-cv-0851 (RJL)  
13-cv-0881 (RJL)

**PLAINTIFFS' EMERGENCY REQUEST FOR STATUS CONFERENCE**

Plaintiffs hereby move this Court on **an emergency basis** to hold a status conference any time during the week of March 13, 2017 (except from 2:00 P.M to 3:00 P.M. on March 14, 2017), as new information has come to light as a result of document dumps by WikiLeaks and other reports, that the National Security Agency (“NSA”) and the Central Intelligence Agency (“CIA”), along with the Director of National Intelligence (“DNI”), under the direction of former president Barack Obama and his surrogates, have been continuing to violate the Fourth Amendment to the U.S. Constitution, as this Court ruled previously and which is law of the case in its issuance of two preliminary injunction orders. Specifically, it is extremely likely that Plaintiffs continue to be illegally surveilled by these intelligence agencies and other defendants accessing the cell phones, smart televisions and other devices which are used on an ordinary basis to conduct business. As Plaintiff Klayman, an attorney, has sued these government defendants, it is likely that his telephonic, television and other devices have also been surveilled, and attorney-client communications have been compromised and read by defendants, who know no bounds to their illegal and unconstitutional conduct.

Since this Court previously dismissed the individual defendants without prejudice, it is clear this case can now move forward into the discovery phase and case management reports should be prepared. Previously, the government defendants refused to participate in a case management conference under Fed. R. Civ. P. 26, and have flouted the powers of this Court. Accordingly, it is important for this Court to now order an emergency status conference to instruct the government defendants to cease obstructing the litigation process and to allow this case to move into discovery, as well as discuss how these cases, which are no longer stayed, can move expeditiously to discovery and trial.

During discovery, Plaintiffs will be able to take discovery from defendants and numerous witnesses, including but not limited to Dennis Montgomery, the whistleblower and Plaintiff Klayman's client who came forward to the FBI under grants of immunity and disclosed almost two years ago virtually all of the matters released by WikiLeaks yesterday. It is thus likely that the FBI, which has sat on this information for two years, has itself covered up what has gone on. In fact, it is known that the FBI also conducts surveillance, domestically, in a manner similar to the NSA and CIA, and in conjunction with those intelligence agencies.

Other defendants and individuals can also be subject to discovery. In the event that any discoverable information is classified, this Court has a security clearance and can conduct the relevant inquiry *in camera*.

For this and other compelling reasons, and because this Court is the only credible and independent means to protect the interests of the American people—the Senate and House intelligence committees themselves having covered up what is continuing to occur—and the FBI having apparently buried its investigation of Dennis Montgomery, this Court has a responsibility—as it exercised in the past, and which Plaintiffs fully respect and admire—to step

in. As this Court stated at the outset of these cases that they are “at the pinnacle of national importance” and they must now, almost four years after the complaints were filed, again be moved along quickly, particularly in light of what has now been disclosed and is in the public domain

Plaintiff Klayman is attaching some recent columns which he wrote to inform the American people of the grave “Orwellian” surveillance which has occurred and is ongoing not just with regard to Plaintiffs, but the entire populace. These are incorporated herein by reference and attached hereto as **Exhibit A**.

WHEREFORE, Plaintiffs respectfully request an emergency status conference, as these cases can no longer be put on backburner. Too much is at stake, not just for Plaintiffs, but for nation as a whole. This court is only credible—and frankly, courageous and honest—vehicle to address these issues, as the intelligence agencies and congressional committees, as well as the Foreign Intelligence Surveillance Court, which has been shown to be in the hip pocket of the intelligence agencies and the FBI, have been either unwilling or unable to do so in the past. This is why Plaintiffs and the nation as a whole finds themselves in the position they are in today.

Plaintiffs have asked the Federal Programs Branch of the U.S. Department of Justice for consent on behalf of the government defendants, but have not received a timely response.

Dated: March 8, 2017

Respectfully submitted,

/s/ Larry Klayman  
Larry Klayman, Esq.  
KLAYMAN LAW GROUP  
D.C. Bar No. 334581  
2020 Pennsylvania Ave. NW, Suite 800  
Washington, DC 20006  
Tel: (561) 558-5536  
Email: [leklayman@gmail.com](mailto:leklayman@gmail.com)

Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically and served through the court's ECF system to all counsel of record or parties on March 8, 2017.

*/s/ Larry Klayman*  
\_\_\_\_\_  
Attorney

# EXHIBIT A

## Newsmax

# After WikiLeaks' CIA Report, Judge Must Expand Mass Surveillance Cases

Wednesday, March 8, 2017 11:41 AM

**By: Larry Klayman**

With the WikiLeaks document dump yesterday, it is now virtually certain that the intelligence agencies, despite court rulings by the Honorable Richard J. Leon of the U.S. District Court for the District of Columbia, are continuing to violate the Fourth Amendment of the Constitution by engaging in massive spying on the American people.

Specifically, the WikiLeaks documents revealed that "our" intelligence agencies have the power to turn on our smart televisions and cellphones and eavesdrop on a 24/7 basis.

How, as a lawyer, for instance, can I for one have confidential communications with my clients concerning the very cases that I brought against the National Security Agency (NSA), Central Intelligence Agency (CIA), and Director of National Intelligence (DIA), among other government and private defendants, including former President Barack Obama himself. Indeed, these landmark cases — and there are three of them, including a class action suit on behalf of all of the American people — are styled Klayman et. al v. Obama et al. (See [www.freedomwatchusa.org](http://www.freedomwatchusa.org).)

Given what we now know about the actions and capabilities of the intelligence agencies, it is clear that my lawsuits against them need to be expanded and an emergency hearing held by Judge Leon.

We cannot have our own government engaging in Orwellian "Big Brother" surveillance over the populace. Indeed, if King George III had had this capability and means to spy in the days leading up to 1776, our Founding Fathers would not have made it to my native city of Philadelphia to debate and then sign the Declaration of Independence. They would have been picked up, arrested, imprisoned and later executed by the British monarch.

The key to getting to the bottom of all of this does not lie with congressional committees, but with the court of Judge Leon.

This is one of the few jurists in the nation who has the fortitude and integrity to not bend down to the intelligence agencies. The Senate and House intelligence committees have outrageously known about this massive spying for many years, and covered it up. So too has the FBI, at its highest levels, which is supposed to be investigating this illegal spying, thanks to the information and documentation provided to them under grant of immunity by my client, whistleblower Dennis Montgomery. Montgomery, under grant of immunity to produce classified documents he had taken from the agencies, has even testified under oath to FBI Special Agents William Giardina and William Barnett, working under the authority and direction of FBI Director Comey and his General Counsel James Baker. Importantly, much of what was revealed by WikiLeaks yesterday, Montgomery already had informed the FBI about, including but not limited to the software which allows for this massive spying.

I have asked the House Judiciary Committee of Chairman Bob Goodlatte to get answers from FBI Director Comey and his General Counsel James Baker about the status of the ongoing FBI investigation, but predictably no response has thus far been made. It is clear that the FBI is now going rogue,

and is likely covering up for its colleagues at the intelligence agencies, and also to continue to hide its own most likely illegal spying activities.

In short, the FBI and the intelligence agencies are likely engaged in a conspiracy to violate the Fourth Amendment of the Constitution, and are out of control.

Who knows this better than General Michael Flynn, who thanks to their illegal spying has unjustly had his career and life severely damaged if not ruined.

And, to those who think that President Donald J. Trump and "his men and women" have not been illegally spied up by these agencies, under the direction of or with the knowledge of former President Obama and his felonious hatchet men like former CIA Director John Brennan and former DNI James Clapper, they live on another planet.

I will therefore go to court today not just for my clients and me, but for all those who have and will surely fall victim to the "Dark Orwellian State" that we now know for sure has the power to destroy any and all Americans who get in its way.

**Larry Klayman, founder of Judicial Watch and Freedom Watch, is known for his strong public interest advocacy in furtherance of ethics in government and individual freedoms and liberties. To read more of his reports, [Go Here Now](#).**

© 2017 Newsmax. All rights reserved.

## Newsmax

# Mass Surveillance Cases Could Shed Light on Alleged Trump Wiretap

Sunday, March 5, 2017 03:56 PM

**By: Larry Klayman**

The newest revelations that the Obama administration wiretapped, that is "bugged" President Trump and all of his men, in the lead up to and after the November 8, 2016, elections are not surprising. In this regard, for over 2 years the highest levels of the Federal Bureau of Investigation (FBI) have been secretly investigating the "harvesting" of highly confidential information including financial records of the chief justice of the Supreme Court, other justices, over 156 judges, prominent businessmen like Donald Trump, and public activists like me.

In this regard, a whistleblower named Dennis Montgomery, a former NSA/CIA contractor, came forward to FBI Director Comey with 47 hard drives and over 600 million pages of largely classified information, under grants of use and derivative use immunity, which I obtained for him with the U.S Attorney for the District of Columbia. Later, Montgomery, who suffers from a potentially fatal brain aneurism, testified under oath, for over 2-and-a-half hours before FBI Special Agents Walter Giardina and William Barnett in a secure room at the FBI's field office in Washington, D.C. The testimony was under oath and videotaped and I have reminded the FBI recently to preserve this evidence.

I have also met on several occasions with the staff of Chairman Bob Goodlatte of the House Judiciary Committee, since judges have been illegally surveilled, and asked them to inquire of FBI Director Comey and his General Counsel James Baker why their Montgomery investigation has appeared to have been "buried" for the last few years. They have done so, but as yet have not received, to the best of my knowledge, a clear response.

In addition I have gone back to one of the few intellectually honest judges on the U.S. District Court for the District of Columbia (nearly all of the rest, save for another great, Judge Royce C. Lamberth, are politically biased appointees of either Presidents Clinton or Obama), and asked him to move forward to trial with the cases which I filed in 2013 against Obama and his intelligence agencies over the mass spying on hundreds of millions of Americans.

Not coincidentally, before Edward Snowden revealed this unconstitutional conduct by the National Security Agency (NSA), which then was run under the direction of the Director of National Intelligence (DNI), James Clapper, Clapper lied under oath to Congress, denying that this illegal surveillance was occurring under his watch. That he was never prosecuted for perjury at a minimum, not to mention that it is crime to wiretap innocent Americans without "probable cause," is a testament to the reality that official Washington is afraid of the intelligence agencies, knowing that they can dig up "dirt" to destroy their political and personal lives. Indeed, this may help explain Chief Justice Roberts' "inexplicable" last minute flip on the Obamacare case before SCOTUS. What, for instance, did Clapper and the NSA/CIA have on Roberts that may have "convinced" him to rubber stamp President Barack Obama's unconstitutional Affordable Care Act?

Judge Leon, in the course of my cases before him (see [freedomwatchusa.org](http://freedomwatchusa.org) for more info), has already issued two preliminary injunction rulings ordering that the illegal mass surveillance cease and desist.

He termed this unconstitutional violation of our Fourth Amendment, "almost Orwellian," a reference to George Orwell's prophetic book "1984" about "Big Brother." Judge Leon's rulings then prompted Congress to amend the Patriot Act, and call it the USA Freedom Act, which sought to leave telephonic metadata in the hands of the telephone providers, like Verizon, Sprint, and AT&T, until a warrant was obtained showing probable cause that a target or subjects communications with terrorists or a crime was being committed.

It now appears that the Obama intelligence agencies, as I predicted to Judge Leon, have again ignored and flouted the law, and at the direction of the former President Obama, and/or his men like Clapper, illegally spied on targets or subjects like Mr. Trump and his associates, including Gen. Michael Flynn, the former national security adviser. This is why I have pushed Judge Leon to move my cases along to trial, and have offered to bring Montgomery forth to be interviewed by the judge in camera in the interim, as he has a security clearance to probe Montgomery about classified information which I cannot and have not accessed.

Legally speaking, my cases against the intelligence agencies also encompass the illegal surveillance of President Trump and his men, as what apparently occurred shows a pattern of unconstitutional conduct that at trial would raise a strong evidentiary inference that this illegal behavior continues to occur. Our so called government, represented by dishonest Obama-loyal attorneys in the corrupted Federal Programs Branch of the Justice Department, continues to maintain that they cannot for national security reasons confirm or deny the mass surveillance against me or anyone else.

I have asked Judge Leon to enter a permanent injunction against Obama and his political hacks at the NSA and CIA, many of whom are still there and are bent on destroying the Trump presidency and attempting to blackmail prominent Americans, like me, who might challenge the destructive socialist/pro-Muslim agenda of the Obama-Clinton-Soros left.

My legal efforts to use the uncompromised court of Judge Leon to get to the truth about and issue orders remedying, and later monitoring, the unconstitutional Fourth Amendment violations of Obama and his henchmen like Clapper, is of crucial importance. Congressional investigations as President Trump's White House requested Sunday, are likely to result in yet another cover-up. Appearances by so called prominent Republicans like Sen. Marco Rubio and others on the talk shows Sunday do not inspire confidence, as Rubio and company on the Senate Intelligence Committee harbor animus to Trump, the president having vanquished the Republican establishment during last fall's primary season. And, even when it was shown that DNI Clapper had lied under oath to their committee, they, as usual, did nothing!

**Larry Klayman, founder of Judicial Watch and Freedom Watch, is known for his strong public interest advocacy in furtherance of ethics in government and individual freedoms and liberties. To read more of his reports, [Go Here Now.](#)**

# BREAKING: Clinton Campaign Manager Robby Mook CONFIRMS He Knew About Wiretaps (VIDEO)

Cristina Laila Mar 7th, 2017 9:20 pm — 397 Comments

As Obamagate heats up, more and more people are admitting that they had knowledge of the wiretaps.

Hillary Clinton's former campaign manager, **Robby Mook** confirmed to Fox News that he had knowledge of wiretaps being used during the campaign.

Of course he knew; **Hillary tweeted about the wiretaps** one week before the election.



Fox News reporter:

“ “Today Hillary Clinton’s former campaign manager told Fox he had knowledge of wiretaps being used during the campaign but he suggested they were targeted at Russian officials, not directly at Trump Tower.”

It's funny to watch Democrats split hairs as they try to dance around the wiretapping scandal. It's hard to believe that Mook really thought the wiretaps were meant for Russian officials when the entire reason for the wiretaps was to take down Trump – the man running against his boss, Hillary.

Or perhaps Mook is telling the truth since he believes Trump is a secret agent working on behalf of the Russian government which would make him technically a Russian official. See what I did there?



## Hillary's Campaign Manager CONFIRMED He Had Knowledge of WIRETAPS!



**Trump Super PAC**  
@TrumpSuperPAC

[Follow](#)

Hillary's campaign manager, Robbie Mook, CONFIRMS he had knowledge of WIRETAPS during the #TRUMP campaign!  
[#Vault7 CONFIRMS #ObamaGate!](#)

4:39 PM - 7 Mar 2017

1,038      904

[f Share 9.0K](#)    [t Tweet 368](#)    [m Mail 34](#)

Get news like this in your Facebook News Feed, [Like](#) Gateway Pundit