

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

American Civil Liberties Union and the
American Civil Liberties Union Foundation

Plaintiffs,

v.

U.S. Department of Justice, including its
component the Office of Legal Counsel, U.S.
Department of Defense, including its
component U.S. Special Operations Command,
and Central Intelligence Agency

Defendants.

No. 1:12-cv-00794-CM

MOTION OF NATHAN FREED WESSLER TO WITHDRAW AS COUNSEL

Pursuant to United States District Court for the Southern District of New York Local Civil Rule 1.4, Nathan Freed Wessler, undersigned counsel, moves to withdraw as counsel for Plaintiffs American Civil Liberties Union and the American Civil Liberties Union Foundation in the above-captioned matter. In support of this motion, he shows as follows:

1. He is an attorney for Plaintiffs American Civil Liberties Union and the American Civil Liberties Union Foundation in the above-entitled action.
2. He entered his appearance as counsel on February 1, 2012.
3. His term as a legal fellow with the American Civil Liberties Union Foundation's National Security Project has expired, and as of September 12, 2012, he has taken up a new position as a Staff Attorney with the American Civil Liberties Union

Foundation's Project on Speech, Privacy, and Technology. In this new position, he will be working on matters that do not include the above-captioned case, and therefore he no longer represents Plaintiffs in this case.

4. He does not anticipate that his withdrawal as counsel will adversely affect his client.
5. Plaintiffs will continue to be represented by the American Civil Liberties Union Foundation and the law firm of Dorsey & Whitney LLP.
6. Opening and responsive briefs on the parties' cross-motions for summary judgment have been filed with the Court, and the parties are now awaiting the scheduling of oral argument and decision by the Court.
7. He is not retaining or charging a lien in this matter.
8. He has consulted with Plaintiffs regarding this motion.

This is the 10th day of October, 2012.

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

/s/ Nathan Freed Wessler

Nathan Freed Wessler
Jameel Jaffer
Hina Shamsi
125 Broad Street, 18th Floor
New York, NY 10004
212-549-2500

DORSEY & WHITNEY LLP
Eric A.O. Ruzicka (*pro hac vice*)
Colin Wicker (*pro hac vice*)
50 South Sixth Street
Minneapolis, MN 55402-1498
612-340-2959

Joshua Colangelo-Bryan
51 West 52nd Street
New York, NY 10019-6119
212-415-9234