

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LARRY KLAYMAN, *et al.*,

Plaintiffs,

v.

NATIONAL SECURITY AGENCY,
et al.,

Defendants.

Civil Action No. 14-92 (RJL)

FILED

FEB 21 2018

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

ORDER 
(February 20, 2018)

On January 23, 2014, plaintiffs, Larry Klayman, Charles Strange, Mary Ann Strange, Matt Garrison, and Michael Ferrari, filed the instant action against four federal agencies—the National Security Agency (“NSA”), the Department of Justice (“DOJ”), the Federal Bureau of Investigation (“FBI”), and the Central Intelligence Agency (“CIA”)—as well seven individuals—former President Barack Obama, former U.S. Attorney General Eric Holder, former Director of the NSA Keith Alexander, Federal Judge Roger Vinson, former Director of National Intelligence (“DNI”) James Clapper, former DNI John Brennan, and former Director of the FBI James Comey. *See* Compl. [Dkt. #1] ¶¶ 10–25. Plaintiffs allege that defendants have all violated their First, Fourth, and Fifth Amendment rights by unconstitutionally surveilling them and collecting their personal records. *See id.*

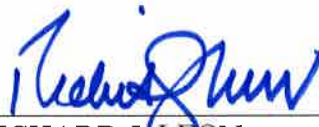
at ¶¶ 1–9. Plaintiffs are also attempting to certify a class of American citizens whose communications were recorded or listened to by defendants, in violation of their constitutional rights. *See id.* at ¶ 43; Motion to Certify Class [Dkt. #6].

Plaintiffs filed this case as related to two other cases in which named plaintiff Larry Klayman has sued defendants for alleged unconstitutional government surveillance. *See Klayman v. Obama*, No. 13-cv-851 (D.D.C. June 6, 2013) (“*Klayman I*”); *Klayman v. Obama*, No. 13-cv-881 (D.D.C. June 12, 2013) (“*Klayman II*”). On November 21, 2017, however, I dismissed *Klayman I* and *Klayman II* for several jurisdictional defects, including lack of standing, mootness, and lack of jurisdiction based on sovereign immunity. *See Klayman v. National Security Agency*, Civ. A. Nos. 13-851(RJL), 13-881(RJL), 2017 WL 5635668 (Nov. 21, 2017).

Upon review of the pleadings in this case, it appears that plaintiffs’ claims suffer from the same jurisdictional defects as those I dismissed in *Klayman I* and *Klayman II*. Accordingly, upon due consideration of the entire record herein, it is

ORDERED that plaintiffs shall, within 30 days of this order, show cause in writing why the action should not be dismissed for the same reasons stated in my memorandum opinion in *Klayman*, 2017 WL 5635668.

SO ORDERED.



RICHARD J. LEON
United States District Judge