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No. 07-56424

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**In The United States Court of Appeals  
For The Ninth Circuit**

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Robert M. Nelson, et al.

*Plaintiffs - Appellants,*

v.

National Aeronautics and Space Administration, an Agency of the United States; Michael Griffin, Director of NASA, in his official capacity only; Department of Commerce; Carlos M. Gutierrez, Secretary of Commerce, in his official capacity only; California Institute of Technology; and Does 1-100,

*Defendants - Appellees.*

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On Appeal From the Order Denying Motion for Preliminary Injunction of the  
United States District Court  
For the Central District of California  
Case No. CV-07-05669 ODW (VBKx)

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**EXHIBITS IN SUPPORT OF CALIFORNIA INSTITUTE OF  
TECHNOLOGY'S ("CALTECH") OPPOSITION TO EMERGENCY  
MOTION FOR STAY AND EXPEDITED APPEAL UNDER CIRCUIT  
RULE 27-3**

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("CALTECH") OPPOSITION TO EMERGENCY MOTION FOR STAY AND  
EXPEDITED APPEAL UNDER CIRCUIT RULE 27-3**

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# **EXHIBIT 1**

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20 Sharon L. Laubach, Christian A.  
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22 Maxwell, Timothy P. McElrath, Susan  
23 Paradise, Konstantin Penanen, Celeste  
24 M. Satter, Peter M.B. Shames, Amy  
25 Snyder Hale, William John Walker and  
26 Paul R. Weissman,

27 Plaintiffs,

28 v.

National Aeronautical and Space  
Agency, an Agency of the United States;  
Michael Griffin, Director of NASA, in  
his official capacity only; Department of  
Commerce; Carlos M. Gutierrez,  
Secretary of Commerce, in his official  
capacity only; California Institute of  
Technology; and Does 1-100.

Defendants.

Case No. 07-2000-0000 ODW(VBK)

Case No.

**COMPLAINT FOR INJUNCTIVE  
AND DECLARATORY RELIEF**

**I. VIOLATION OF FOURTH  
AMENDMENT RIGHTS**

**II. VIOLATION OF FOURTEENTH  
AMENDMENT RIGHTS**

**III. VIOLATION OF THE  
ADMINISTRATIVE PROCEDURE  
ACT, 5 U.S.C. § 706(2)(c)**

**IV. VIOLATION OF THE  
PRIVACY ACT, 5 U.S.C. § 522a**

**V. VIOLATION OF RIGHTS  
UNDER THE CALIFORNIA  
CONSTITUTION**

**VI. INJUNCTIVE AND  
DECLARATORY RELIEF**

