

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-5142**September Term, 2016****1:12-mc-00100-EGS****Filed On: July 26, 2017**

United States Department of the Treasury,

Appellant

v.

Dennis Black, et al.,

Appellees

Consolidated with 17-5164**BEFORE:** Millett, Pillard, and Wilkins, Circuit Judges**ORDER**

Upon consideration of the emergency motion for stay pending appellate review, the response thereto, and the reply, it is

ORDERED, on the court's own motion, that appellant inform the court by letter, within seven days of this order, on what basis the Department of the Treasury is asserting the presidential communications privilege. Specifically, the letter shall explicate whether the Treasury Department is asserting the privilege (1) on behalf of the Office of the President, (2) on behalf of former President Barack Obama, or (3) on some other ground. See Dellums v. Powell, 561 F.2d 242, 247-248 (D.C. Cir. 1977). It is

FURTHER ORDERED that consideration of the emergency motion for stay pending appellate review be deferred, and the administrative stay entered on July 18, 2017 be continued, pending further order of the court.

Per Curiam**FOR THE COURT:**
Mark J. Langer, ClerkBY: /s/
Ken Meadows
Deputy Clerk