

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

**COMMITTEE ON THE JUDICIARY,  
U.S. HOUSE OF REPRESENTATIVES,**

**Plaintiff,**

**v.**

**HARRIET MIERS, et al.,**

**Defendants.**

**Civil Action No. 08-0409 (JDB)**

**ORDER**

Upon consideration of [16] defendants' motion to dismiss and [14] plaintiff's motion for partial summary judgment, the oppositions and replies thereto, the various amicus briefs filed in this matter, the entire record herein, the hearing on June 23, 2008, and for the reasons identified in the Memorandum Opinion issued on this date, it is hereby

1. **ORDERED** that defendants' [16] motion to dismiss is **DENIED**; it is further
2. **ORDERED** that plaintiff's [14] motion for partial summary judgment is **GRANTED IN PART**; it is further
3. **DECLARED** that Harriet Miers is not immune from compelled congressional process; she is legally required to testify pursuant to a duly issued congressional subpoena from plaintiff; and Ms. Miers may invoke executive privilege in response to specific questions as appropriate; it is further
4. **ORDERED** that Joshua Bolten and Ms. Miers shall produce all non-privileged documents requested by the applicable subpoenas and shall provide to plaintiff a

specific description of any documents withheld from production on the basis of executive privilege consistent with the terms of the Memorandum Opinion issued on this date; and it is further

5. **ORDERED** that the parties shall appear at a status call in this matter at 9:15 a.m. on August 27, 2008.

**SO ORDERED.**

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/s/  
JOHN D. BATES  
UNITED STATES DISTRICT JUDGE

Date: July 31, 2008