

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

| | | |
|----------------------------------|---|-----------------------|
| NATIONAL ASSOCIATION OF |) | |
| MANUFACTURERS, CHAMBER OF |) | |
| COMMERCE OF THE UNITED STATES |) | |
| OF AMERICA, BUSINESS |) | |
| ROUNDTABLE, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | |
| |) | |
| UNITED STATES SECURITIES AND |) | No. 1:13-cv-00635-KBJ |
| EXCHANGE COMMISSION, |) | |
| |) | |
| Defendant, |) | |
| |) | |
| AMNESTY INTERNATIONAL OF THE |) | |
| USA, AMNESTY INTERNATIONAL LTD., |) | |
| |) | |
| Intervenors-Defendants. |) | |
| |) | |
| |) | |

FINAL JUDGMENT

The Court enters final judgment in this case as follows:

(1) The Court **DECLARES** pursuant to 28 U.S.C. § 2201 that Section 1502 of the Dodd-Frank Act, 15 U.S.C. § 78m(p)(1)(A)(ii) and (E) (“the Statute”), and Securities and Exchange Commission Rule 13p-1 and Form SD, Conflict Minerals, 77 Fed. Reg. 56,274, 56,362-65 (Sept. 12, 2012) (“the Rule”), violate the First Amendment to the extent that the Statute and the Rule require regulated entities to report to the Commission and to state on their websites that any of their products “have not been found to be ‘DRC conflict free.’”

(2) Pursuant to the Administrative Procedure Act, 5 U.S.C. § 706(2), the Court **HOLDS UNLAWFUL AND SETS ASIDE** the Rule, 77 Fed. Reg. at 56,632-65, only to the extent that it requires regulated entities to report to the Commission and to state on their

websites that any of their products “have not been found to be ‘DRC conflict free.’”

(3) In all other respects, the Court **DENIES** summary judgment to Plaintiffs, **GRANTS** summary judgment to Defendants and Defendant-Intervenors, and **REMANDS** to the Commission.

ENTERED this 3rd day of April, 2017

Ketanji Brown Jackson
KETANJI BROWN JACKSON
United States District Judge