

CINDY COHN (SBN 145997)
cindy@eff.org
LEE TIEN (148216)
KURT OPSAHL (SBN 191303)
JAMES S. TYRE (SBN 083117)
MARK RUMOLD (SBN 279060)
ELECTRONIC FRONTIER FOUNDATION
454 Shotwell Street
San Francisco, CA 94110
Telephone: (415) 436-9333
Fax: (415) 436-9993

RACHAEL E. MENY (SBN 178514)
rmeny@kvn.com
PAULA L. BLIZZARD (SBN 207920)
MICHAEL S. KWUN (SBN 198945)
AUDREY WALTON-HADLOCK (SBN 250574)
KEKER & VAN NEST, LLP
710 Sansome Street
San Francisco, California 94111-1704
Telephone: (415) 391-5400
Fax: (415) 397-7188

RICHARD R. WIEBE (SBN 121156)
wiebe@pacbell.net
LAW OFFICE OF RICHARD R. WIEBE
One California Street, Suite 900
San Francisco, CA 94111
Telephone: (415) 433-3200
Fax: (415) 433-6382

THOMAS E. MOORE III (SBN 115107)
tmoore@moorelawteam.com
THE MOORE LAW GROUP
228 Hamilton Avenue, 3rd Floor
Palo Alto, CA 94301
Telephone: (650) 798-5352
Fax: (650) 798-5001

ARAM ANTARAMIAN (SBN 239070)
aram@eff.org
LAW OFFICE OF ARAM ANTARAMIAN
1714 Blake Street
Berkeley, CA 94703
Telephone: (510) 289-1626

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

_____))
CAROLYN JEWEL, *et al.*,))
))
Plaintiffs,))
))
v.))
))
NATIONAL SECURITY AGENCY, *et al.*,))
))
Defendants.))
_____))

Case No. 3:08-cv-04373-JSW

**STIPULATION AND REQUEST
TO SET BRIEFING SCHEDULE;
[PROPOSED] ORDER THEREON**

*In re National Security Agency
Telecommunications Records Litigation
(M:06-cv-1791)*))

Case No. 07-cv-00693-JSW

This Document Relates To:))

Date: December 14, 2012

Time: 9:00 a.m.

Courtroom: 11, 19th Floor

Judge: Hon. Jeffrey S. White

VIRGINIA SHUBERT, *et al.*,))
))
Plaintiffs,))
))
v.))

1)
 2 BARACK OBAMA, *et al.*)
 3 Defendants.)
 4 _____)

5 Pursuant to Civil Local Rules 6.1(b), 6.2, and 7-12, the parties in the above-referenced
 6 actions, through their undersigned counsel, hereby stipulate and agree, and request that the Court
 7 extend the briefing schedule for motions in the above-referenced cases. This extension will not
 8 alter the hearing set for December 14, 2012 pursuant to an Order issued September 25, 2012.

9 **RECITALS**

10 1. Pursuant to an Order dated September 25, 2012, the Court moved the hearing date
 11 on the cross motions from November 2, 2012 to December 14, 2012. *See* Dkt. 109 (08-cv-4373-
 12 JSW).

13 2. In light of this, the *Jewel* Plaintiffs have requested to move the briefing schedule out
 14 for the motions to allow them to use the extra time before the hearing. This will allow two key
 15 members of the attorney legal team to participate more fully in the briefing, one who has just
 16 finished a trial and the other who had competing deadlines in several other cases. It will also allow
 17 more time to prepare the responsive briefing and organize responsive evidence, especially to the
 18 government’s motion for summary judgment on the state secrets privilege.
 19

20 3. The government and the *Shubert* plaintiffs have agreed to stipulate to allow extra
 21 time for all parties leading up to the December 14 hearing date.
 22

23 **STIPULATION**

24 1. The plaintiffs in *Jewel* will file their combined Reply and Opposition to the
 25 Government Defendant’s Motion to Dismiss and Motion for Summary Judgment no later than
 26 October 30, 2012. Similarly, the plaintiffs in *Shubert* will file their response to the Government
 27 Defendants’ motion no later than October 30, 2012.
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2. The Government Defendants in *Jewel* and *Shubert* will file any reply briefs no later than November 30, 2012.

A proposed Order is attached hereto.

DATE: October 2, 2012

Respectfully submitted,

s/ Cindy Cohn
CINDY COHN
LEE TIEN
KURT OPSAHL
JAMES S. TYRE
MARK RUMOLD
ELECTRONIC FRONTIER FOUNDATION

RICHARD R. WIEBE
LAW OFFICE OF RICHARD R. WIEBE

THOMAS E. MOORE III
THE MOORE LAW GROUP

RACHAEL E. MENY
PAULA L. BLIZZARD
MICHAEL S. KWUN
AUDREY WALTON-HADLOCK
KEKER & VAN NEST LLP

ARAM ANTARAMIAN
LAW OFFICE OF ARAM ANTARAMIAN

Counsel for Plaintiffs in Jewel

STUART F. DELERY
Acting Assistant Attorney General

JOSEPH H. HUNT
Director, Federal Programs Branch

VINCENT M. GARVEY
Deputy Branch Director

s/ Anthony J. Coppolino **(Consent per General Order 45)**
ANTHONY J. COPPOLINO
Special Litigation Counsel
tony.coppolino@usdoj.gov
MARCIA BERMAN
Senior Trial Counsel

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U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001
Phone: (202) 514-4782
Fax: (202) 616-8460

*Counsel for the Government Defendants
Sued in their Official Capacities*

/s/ Ilann M. Maazel (**Consent per General Order 45**)

Ilann M. Maazel
Emery Celli Brinckerhoff & Abady LLP
75 Rockefeller Plaza, 20th Floor
New York, NY 10019
212-763-5000
Fax: 212-763-5001
Email: imaazel@ecbalaw.com

Counsel for Plaintiffs in Shubert

* * * *

DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, Cindy Cohn, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this document from the other signatories listed above. I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on October 2, 2012, in San Francisco, California.

s/ Cindy Cohn
CINDY COHN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CAROLYN JEWEL, *et al.*,

Plaintiffs,

v.

NATIONAL SECURITY AGENCY, *et al.*,

Defendants.

Case No. 3:08-cv-04373-JSW

*In re National Security Agency
Telecommunications Records Litigation
(M:06-cv-1791)*

Case No. 07-cv-00693-JSW

[PROPOSED] ORDER

This Document Relates To:

VIRGINIA SHUBERT, *et al.*,

Plaintiffs,

v.

BARACK OBAMA, *et al.*

Defendants.

Judge Jeffrey S. White

Courtroom 11, 19th Floor

Upon consideration of the parties' stipulation and request to reset the briefing schedule in the above-referenced actions in light of the new hearing date of December 14, 2012, the record of this case, and good cause appearing, it is HEREBY ORDERED THAT:

1. The plaintiffs in *Jewel* will file their combined Opposition to the Government Defendant's Motion to Dismiss and Motion for Summary Judgment no later than October 30, 2012. Similarly, the plaintiffs in *Shubert* will file their response to the Government Defendants' motion no later than October 30, 2012.

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2. The Government Defendants in *Jewel* and *Shubert* will file any reply brief no later than November 30, 2012.

3. The hearing on all three motions in the *Jewel* and *Shubert* actions shall remain on Friday December 14, 2012 at 9:00 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATE: _____

Honorable Jeffrey S. White
United States District Judge