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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
OAKLAND DIVISION

15 CAROLYN JEWEL, *et al.*,)
 16)
 Plaintiffs,)
 17)
 v.)
 18)
 NATIONAL SECURITY AGENCY, *et al.*,)
 19)
 Defendants.)
 20)

Case No. 4:08-cv-04373-JSW
 Case No. 4:07-cv-00693-JSW

**DECLARATION OF MARCIA
 BERMAN, SUBMITTED IN SUPPORT
 OF GOVERNMENT DEFENDANTS'
 ADMINISTRATIVE MOTION TO FILE
 UNDER SEAL THEIR RESPONSE TO
 THE COURT'S ORDER OF
 JULY 11, 2014**

21 VIRGINIA SHUBERT, *et al.*,)
 22)
 Plaintiffs,)
 23)
 v.)
 24)
 BARACK OBAMA, *et al.*,)
 25)
 Defendants.)
 26)

No hearing scheduled
 Oakland Courthouse
 Courtroom 5, 2nd Floor
 The Honorable Jeffrey S. White

27
 28 Declaration of Marcia Berman, Submitted in Support of Government Defendants' Administrative Motion to File Under Seal their Response to the Court's Order of July 11, 2014, *Jewel v. National Security Agency* (4:08-cv-4373-JSW), *Shubert v. Obama* (4:07-cv-693-JSW)

1 Pursuant to 28 U.S.C. § 1746, I, Marcia Berman, hereby declare:

2 1. I serve as Senior Trial Counsel in the United States Department of Justice, Civil
3 Division, Federal Programs Branch. I serve as one of the counsel for the Government
4 Defendants in the above-captioned case.

5 2. I submit this declaration, pursuant to Local Rule 79-5(d)(1)(A), in support of the
6 Government Defendants' Administrative Motion to File under Seal their Response to the Court's
7 Order of July 11, 2014.

8 3. The Government Defendants' response to the Court's Order of July 11, 2014 is
9 sealable pursuant to this Court's July 11, 2014 Order ("Order") which requires, *inter alia*, that
10 the Government respond to the Court's Order in a document submitted under seal. *See* Order at
11 2.

12 4. The Government Defendants' response to the Court's Order of July 11, 2014,
13 constitutes the sole document that the Government Defendants seek to file under seal in their
14 Administrative Motion.

15
16 I declare under penalty of perjury that the foregoing is true and correct.

17
18 Dated: July 28, 2014

19 Respectfully Submitted,

20 STUART F. DELERY
Assistant Attorney General

21 JOSEPH H. HUNT
Director, Federal Programs Branch

22 ANTHONY J. COPPOLINO
Deputy Branch Director

23
24 /s/Marcia Berman
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