

1 CINDY COHN (SBN 145997)  
cindy@eff.org  
2 LEE TIEN (SBN 148216)  
3 KURT OPSAHL (SBN 191303)  
4 JAMES S. TYRE (SBN 083117)  
5 MARK RUMOLD (SBN 279060)  
6 ANDREW CROCKER (SBN 291596)  
7 DAVID GREENE (SBN 160107)  
ELECTRONIC FRONTIER FOUNDATION  
815 Eddy Street  
San Francisco, CA 94109  
Telephone: 415/436-9333; Fax: 415/436-9993

RACHAEL E. MENY (SBN 178514)  
rmeny@kvn.com  
MICHAEL S. KWUN (SBN 198945)  
AUDREY WALTON-HADLOCK (SBN 250574)  
BENJAMIN W. BERKOWITZ (SBN 244441)  
JUSTINA K. SESSIONS (SBN 270914)  
PHILIP J. TASSIN (SBN 287787)  
KEKER & VAN NEST, LLP  
633 Battery Street  
San Francisco, CA 94111  
Telephone: 415/391-5400; Fax: 415/397-7188

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

THOMAS E. MOORE III (SBN 115107)  
tmoore@rroyselaw.com  
ROYSE LAW FIRM, PC  
1717 Embarcadero Road  
Palo Alto, CA 94303  
Telephone: 650/813-9700; Fax: 650/813-9777

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

15 *Counsel for Plaintiffs*

16 **UNITED STATES DISTRICT COURT**  
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
18 **OAKLAND DIVISION**

19 )  
20 ) CAROLYN JEWEL, TASH HEPTING,  
21 ) YOUNG BOON HICKS, as executrix of the  
22 ) estate of GREGORY HICKS, ERIK KNUTZEN  
23 ) and JOICE WALTON, on behalf of themselves  
24 ) and all others similarly situated,  
25 )  
26 ) Plaintiffs,  
27 )  
28 ) v.  
29 ) NATIONAL SECURITY AGENCY, *et al.*,  
30 )  
31 ) Defendants.

Case No.: 4:08-cv-4373-JSW  
**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND BRIEFING  
SCHEDULE FOR PARTIAL SUMMARY  
JUDGMENT MOTION**  
Fed. R. Civ. P. 6(b)(1) & Civil L.R. 6-2  
Courtroom 5, 2nd Floor  
The Honorable Jeffrey S. White

1 Pursuant to Fed. R. Civ. P. 6(b)(1) and Civil L.R. 6-2, plaintiffs request and the parties, by  
2 and through undersigned counsel, have conferred and hereby stipulate to and respectfully request  
3 the Court set the following briefing schedule for the plaintiffs' motion for partial summary  
4 judgment (ECF No. 261), filed on July 25, 2014. Because of the significant nature of the issues  
5 raised, the parties have agreed, subject to the approval of the Court, to allow each other additional  
6 time in excess of the Local Rules, for response and reply. The parties propose the following  
7 schedule:

8 **Government Defendants' Response:** September 19, 2014

9 **Plaintiffs' Reply:** October 17, 2014.

10 Plaintiffs have set the hearing date for their motion as October 31, 2014. The Government  
11 Defendants object to a hearing date being set at this time, for reasons that will be explained in their  
12 response to the motion.

13 DATE: July 29, 2014

Respectfully submitted,

14 \_\_\_\_\_  
15 /s/ Cindy Cohn

16 CINDY COHN  
17 LEE TIEN  
18 KURT OPSAHL  
19 JAMES S. TYRE  
20 DAVID GREENE  
21 MARK RUMOLD  
22 ANDREW CROCKER  
23 ELECTRONIC FRONTIER FOUNDATION

RICHARD R. WIEBE  
LAW OFFICE OF RICHARD R. WIEBE

THOMAS E. MOORE III  
ROYSE LAW FIRM, PC

24 RACHAEL E. MENY  
25 PAULA L. BLIZZARD  
26 MICHAEL S. KWUN  
27 AUDREY WALTON-HADLOCK  
28 BENJAMIN W. BERKOWITZ  
PHILIP J. TASSIN  
KEKER & VAN NEST LLP

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ARAM ANTARAMIAN  
LAW OFFICE OF ARAM ANTARAMIAN

*Counsel for Plaintiffs*

Dated: July 29, 2014

STUART F. DELERY  
Assistant Attorney General  
JOSEPH H. HUNT  
Director, Federal Programs Branch  
ANTHONY J. COPPOLINO  
Deputy Branch Director  
JAMES J. GILLIGAN  
Special Litigation Counsel  
BRYAN DEARINGER  
Trial Attorney  
RODNEY PATTON  
Trial Attorney

/s/ Marcia Berman  
MARCIA BERMAN  
Senior Trial Counsel  
U.S. Department of Justice, Civil Division  
20 Massachusetts Avenue, NW, Rm. 7132  
Washington, D.C. 20001  
Phone: (202) 514-2205  
marcia.berman@usdoj.gov

*Counsel for the Government Defendants*

\* \* \* \* \*

**DECLARATION PURSUANT TO LOCAL RULE 5-1**

I, Cindy Cohn, hereby declare pursuant to Local Rule 5-1 that I have obtained Defendants' concurrence in the filing of this document from Marcia Berman, Counsel for Defendants.

Executed on July 29, 2014, in San Francisco, California.

/s/ Cindy Cohn  
Cindy Cohn

\* \* \* \* \*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

PURSUANT TO STIPULATION, it is hereby ORDERED that the briefing schedule on Plaintiffs' Motion for Partial Summary Judgment shall be in accordance with the parties' Stipulation.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Hon. Jeffrey S. White  
United States District Judge