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1	GREGORY G. KATSAS							
2	Assistant Attorney General, Civil Division CARL J. NICHOLS							
3	Principal Deputy Associate Attorney General JOHN C. O'QUINN							
4	Deputy Assistant Attorney General DOUGLAS N. LETTER							
5	Terrorism Litigation Counsel JOSEPH H. HUNT							
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12	Attorneys for the Government Defendants Sued in Their Official Capacity							
13	UNITED STATES DISTRICT COURT							
14	NORTHERN DISTRICT OF CALIFORNIA							
15	5 SAN FRANCISCO DIVISION							
16		No. 08-cv-4373-VRW						
17	JEWEL, et al.	) STIPULATION TO EXTEND TIME						
18	Plaintiffs,	TO RESPOND TO COMPLAINT						
19	V. ()	Courtroom: 6, 17th Floor Judge: Hon. Vaughn R. Walker						
20	NATIONAL SECURITY AGENCY, et al.,	Judge. Hon. Vulgini K. Wulker						
21	Defendants.							
22	Pursuant to Local Rule 6 1(a) the parties	hereby stipulate to an extension of time for the						
23	Pursuant to Local Rule 6.1(a), the parties hereby stipulate to an extension of time for the							
24								
25	on September 18, 2008.							
26								
27	1. On September 18, 2008, plaintiffs filed a complaint alleging violations of the							
28	Constitution and federal statutes arising out of alleged warrantless surveillance and raising claims							

against the National Security Agency ("NSA"), and Government officials in their official and

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1	individual capacities. See Dkt. 1 in 08-cv-4373 (Sept. 18, 2008).							
2	2. Plaintiffs moved to relate this case to <i>Hepting, et al. v. AT&amp;T Corp. et al.</i> , 06-cv-							
3	0672-vrw, see Dkt. 7 in 08-cv-4373, which is consolidated with other actions before the Court by							
4	Order of the Judicial Panel on Multidistrict Litigation, see Dkt. 1 in 06-m-1791. The Court							
5	granted plaintiffs' motion on October 28, 2008, see Dkt. 9 in 08-cv-4373.							
6	3. A response to the complaint by the NSA and Government Defendants sued in							
7	their official capacity is currently due December 8, 2008.							
8	4. The parties have stipulated and agreed that a response to the complaint by the							
9	NSA and Government Defendants sued in their official capacities would be due no later than							
10	February 2, 2009. The parties aver that the requested extension will not alter the date of any							
11	event or any deadline already fixed by Court order. See LCvR 6-1(a).							
12	STIPULATION							
13	Pursuant to Local Rule 6.1(a), the parties hereby stipulate that the response of the NSA							
14	and the Government Defendants sued in their official capacity to the complaint would be due no							
15	later than February 2, 2009.							
16	DATED: November 26, 2008 Respectfully Submitted,							
17	GREGORY G. KATSAS Assistant Attorney General, Civil Division							
18	CARL J. NICHOLS Principal Deputy Associate Attorney General							
19	JOHN C. O'QUINN Deputy Assistant Attorney General							
20	DOUGLAS N. LETTER Terrorism Litigation Counsel							
21	JOSEPH H. HUNT Director, Federal Programs Branch							
22	ANTHONY J. COPPOLINO Special Litigation Counsel							
23	ALEXANDER K. HAAS (SBN 220932) PAUL G. FREEBORNE							
24	Trial Attorneys Email: tony.coppolino@usdoj.gov							
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28	By: <u>/s Alexander K. Haas</u>							

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1	Alexander K. Haas Attorneys for the Government Defendants Sued in Their Official Capacity								
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## **DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B** 1 2 I, ALEXANDER K. HAAS, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this document from each of the other signatories 3 4 listed below. 5 I declare under penalty of perjury that the foregoing declaration is true and correct. Executed on November 26, 2008, in the City of Washington, District of Columbia. 6 GREGORY G. KATSAS 7 Assistant Attorney General, Civil Division 8 CARL J. NICHOLS Principal Deputy Associate Attorney General 9 JOHN C. O'QUINN Deputy Assistant Attorney General DOUĞLAS N. LETTER 10 **Terrorism Litigation Counsel** JOSEPH H. HUNT 11 Director, Federal Programs Branch ANTHONY J. COPPOLINO 12 Special Litigation Counsel ALEXANDER K. HAAS (SBN 220932) 13 PAUL G. FREEBORNE 14 **Trial Attorneys** U.S. Department of Justice Civil Division, Federal Programs Branch 15 20 Massachusetts Avenue, N.W., Rm. 7328 Washington, DC 20001 16 Telephone: (202) 514-4782 — Fax: (202) 616-8460 Email: tony.coppolino@usdoj.gov 17 18 By: s/ Alexander K. Haas Alexander K. Haas 19 Attorneys for the Government Defendants Sued in Their Official Capacity 20 21 ELECTRONIC FRONTIER FOUNDATION CINDY COHN (145997) 22 LEE TIEN (148216) KURT OPSAHL (191303) 23 KEVIN S. BANKSTON (217026) JAMES S. TYRE (083117) 454 Shotwell Street 24 San Francisco, CA 94110 Telephone: 415/436-9333 25 415/436-9993 (fax) 26 *s/ Cindy Cohn* per G.O. 45 By: Cindy Cohn 27 Attorneys for Plaintiffs 28