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10 *Attorneys for the Government Defendants*

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**

14		)	No. M:06-CV-01791-VRW
15	IN RE NATIONAL SECURITY AGENCY	)	
16	TELECOMMUNICATIONS RECORDS	)	<b>STIPULATION TO EXTEND</b>
17	LITIGATION	)	<b>RESPONSE DATE IN</b>
18	<u>This Document Solely Relates To:</u>	)	<b>ORDER OF APRIL 17, 2009</b>
19	<i>Al-Haramain Islamic Foundation et al.</i>	)	<b>[DKT. 84] AND PROPOSED ORDER</b>
20	<i>v. Obama, et al.</i> (07-CV-109-VRW)	)	[Civil L.R. 6-1(b); 6-2; 7-12]
21		)	Courtroom: 6, 17 <sup>th</sup> Floor
		)	Judge: Hon. Vaughn R. Walker
		)	
		)	
		)	

22 Pursuant to Local Rule 6.1(b), the parties, through their undersigned counsel, hereby  
23 stipulate to an extension of the response date set forth in the Court’s Order of April 17, 2009  
24 (Dkt. 84 in 07-cv-109-VRW) from May 8, 2009 to May 15, 2009.

25 **RECITALS**

26 1. On April 17, 2009, the Court issued an order directing the parties to meet and  
27 confer regarding the entry of an appropriate protective order in this action concerning classified

1 information and to either submit a stipulated order by May 8, 2009, or, if the parties are  
2 unable to agree on all terms, to jointly submit a document containing all agreed terms together  
3 with a document setting forth the terms about which they are unable to reach agreement and the  
4 respective positions of the parties with regard to each such term. *See* Order, April 17, 2009 (Dkt.  
5 84 in 07-cv-109-VRW).

6 2. Plaintiffs forwarded their proposed draft protective order to the Government  
7 Defendants on April 24, 2009.

8 3. The Government Defendants require additional time to complete internal  
9 deliberations on its position in response to the Court's Order, confer with the plaintiffs regarding  
10 the Government's position, and prepare the Government's response under the Order.

11 4. In addition, the undersigned counsel for the Government (Mr. Coppolino) is  
12 currently scheduled to be before the Court in San Francisco on May 7, 2009, for a hearing on a  
13 separate matter in this MDL proceeding (the Government's motion for summary judgement in  
14 actions concerning various state government investigations, *see* Dkt. 536 (Government's motion)  
15 and Dkt. 574 (setting hearing for May 7, 2009) in MDL 06-cv-1791-VRW).

16 5. No prior modifications of the response date in the Court's April 17 Order have  
17 been sought or entered. L.R. 6-2(a)(2).

18 6. The requested time modification would have no other impact on the schedule of  
19 this case. L.R. 6-2(a)(3).

#### 20 STIPULATION

21 Pursuant to L.R. 6.1(b), the parties, through their undersigned counsel, hereby stipulate  
22 and agree to a one-week extension of the response date set by the Court in its April 17 Order  
23 from May 8, 2009 to May 15, 2009.

24 DATED: April 30, 2009

Respectfully Submitted,

25 MICHAEL F. HERTZ  
Acting Assistant Attorney General

26 DOUGLAS N. LETTER  
Terrorism Litigation Counsel

1 JOSEPH H. HUNT  
Director, Federal Programs Branch

2 VINCENT M. GARVEY  
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10 By: s/ Anthony J. Coppolino  
11 Anthony J. Coppolino

12 *Attorneys for the Government Defendants*

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**DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B**

1 I, ANTHONY J. COPPOLINO, hereby declare that, pursuant to General Order 45, § X.B,  
2 I have obtained the concurrence in the filing of this document from the other signatory listed  
3 below.

4 I declare under penalty of perjury that the foregoing declaration is true and correct.

5 Executed on April 30, 2009, in the City of Washington, District of Columbia.

6 s/ Anthony J. Coppolino  
7 ANTHONY J. COPPOLINO  
8 Special Litigation Counsel  
9 U.S. Department of Justice  
10 Civil Division, Federal Programs Branch  
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13 Phone: (202) 514-4782—Fax: (202) 616-8460  
14 (tony.coppolino@usdojgov)

15 SIGNATORY PER G.O. 45:

16 By: s/ Steven Goldberg per G.O. 45  
17 Steven Goldberg, Oregon Bar No. 75134  
18 River Park Center, Suite 300  
19 205 SE Spokane St.  
20 Portland, OR 97202  
21 503.445.4622 - Fax 503.238.7501  
22 ([steven@stevengoldberglaw.com](mailto:steven@stevengoldberglaw.com))

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**[PROPOSED] ORDER**

Pursuant to the foregoing Stipulation, and good cause appearing, the Court hereby orders that the response date set forth in the Court’s Order of April 17, 2009 [Dkt. 84] shall be and hereby is extended to May 15, 2009.

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

Dated: \_\_\_\_\_, 2009

\_\_\_\_\_  
Hon. Vaughn R. Walker  
United States District Chief Judge