

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

In re: APPLICATION OF THE
UNITED STATES OF AMERICA
FOR AN ORDER PURSUANT TO 18
U.S.C. SECTION 2703(D)

Case No. 11-5151

MOVANTS-APPELLANTS' UNOPPOSED MOTION
FOR AN EXTENSION OF TIME

Pursuant to Federal Rule of Appellate Procedure 26(b) and Rule 27, and the corresponding Local Rules of this Court, Movants-Appellants Jacob Appelbaum, Rop Gonggrijp, and Birgitta Jonsdottir (“Movants”) respectfully move the Court for a one-week extension of the deadlines in the briefing schedule for this case. Appellee United States of America (“Appellee”) does not oppose this motion.

Movants’ opening brief and the Appendix are currently due on January 12, 2012, Appellee’s response brief is due on February 6, 2012, and Movants’ reply brief is due within ten days of service of Appellee’s response brief. Movants request that those dates be extended by eight days, respectively, so that Movants’ opening brief and the Appendix are due on January 20, 2012, Appellee’s response brief is due on February 14, 2012, and Movants’ reply brief is due within ten days of service of Appellee’s response brief.

This motion is made on the following grounds:

1. This is the first request for an extension in this matter.
2. This brief extension is requested in order to accommodate previously-planned holiday vacation schedules of Movants' respective counsel, and to ensure that Movants have sufficient time to brief the complex issues presented by this matter, which involves a joint appeal of several motions filed by three separate individuals.
3. This brief extension is also necessary to ensure that there is sufficient time to compile and file the Appendix. In addition to the upcoming holidays, additional time is required for the Appendix because of the existence of several sealed documents in this matter, which may necessitate the creation and filing of different volumes of the Appendix, along with accompanying pre-filing discussions with counsel for Appellee.
4. The presence of sealed materials may also require the filing of multiple versions of Movants' opening brief. This brief extension is necessary to ensure that Movants have sufficient time to comply with the Court's rules regarding briefs discussing sealed materials.
5. This short extension will not cause any prejudice to Appellee or unduly burden the Court. Counsel for Appellee, Andrew Peterson, has stated that Appellee does not object to this motion. Moreover, Movants' docketing statement

and their respective counsel's notices of appearance are not due until December 22, 2011, after the filing of this motion.

For the foregoing reasons, Movants respectfully request that the Court extend the briefing schedule by eight days, so that Movants' opening brief and the Appendix are due on January 20, 2012, Appellee's response brief is due on February 14, 2012, and Movants' reply brief is due within ten days of service of Appellee's response brief.

Respectfully submitted,

Dated: December 20, 2011

By: /s/ Aden J. Fine
Aden J. Fine
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor
New York, NY 10004
Telephone: 212.549.2500
Facsimile: 212.549.2651
Email: afine@aclu.org

Rebecca K. Glenberg
AMERICAN CIVIL LIBERTIES UNION
OF VIRGINIA FOUNDATION, INC.
530 E. Main Street, Suite 310
Richmond, VA 23219
Telephone: 804.644.8080
Facsimile: 804.649.2733
Email: rglenberg@acluva.org

Cindy A. Cohn
Lee Tien
Marcia Hofmann
ELECTRONIC FRONTIER
FOUNDATION

454 Shotwell Street
San Francisco, CA 94110
Telephone: 415.436.9333 x108
Facsimile: 415 436.9993
Email: cindy@eff.org
Email: tien@eff.org
Email: marcia@eff.org

Attorneys for BIRGITTA JONSDOTTIR

Dated: December 20, 2011

By: /s/ Rachael E. Meny
John W. Kecker
Rachael E. Meny
Steven P. Ragland
KEKER & VAN NEST LLP
710 Sansome Street
San Francisco, CA 94111-1704
Telephone: 415.391.5400
Facsimile: 415.397.7188
Email: jkecker@kvn.com
Email: rmeny@kvn.com
Email: sragland@kvn.com

John K. Zwerling
Stuart Sears
ZWERLING, LEIBIG & MOSELEY, P.C.
108 North Alfred Street
Alexandria, VA 22314
Telephone: 703.684.8000
Facsimile: 703.684.9700
Email: JZ@Zwerling.com
Email: Chris@Zwerling.com
Email: Andrea@Zwerling.com
Email: Stuart@Zwerling.com

Attorneys for JACOB APPELBAUM

Dated: December 20, 2011

By: /s/ John D. Cline
John D. Cline
LAW OFFICE OF JOHN D. CLINE
235 Montgomery Street, Suite 1070
San Francisco, CA 94104
Telephone: 415.322.8319
Facsimile: 415.524.8265
Email: cline@johndclinelaw.com

K.C. Maxwell
LAW OFFICE OF K.C. MAXWELL
235 Montgomery Street, Suite 1070
San Francisco, CA 94104
Telephone: 415.322.8817
Facsimile: 415.888.2372
Email: kcm@kcmxlaw.com

Nina J. Ginsberg
DIMUROGINSBERG, P.C.
908 King Street, Suite 200
Alexandria, VA 22314
Telephone: 703.684.4333
Facsimile: 703.548.3181
Email: nginsberg@dimuro.com

Attorneys for ROP GONGGRIJP

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of December, 2011, the foregoing Unopposed Motion was filed electronically through the CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system.

/s/ Aden J. Fine
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