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12 Attorneys for Proposed Amicus Curiae  
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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

16 TASH HEPTING, GREGORY HICKS, )  
 17 CAROLYN JEWEL and ERIK KNUTZEN )  
 on Behalf of Themselves and All Others )  
 18 Similarly Situated, )  
 19 Plaintiff, )  
 20 v. )  
 21 AT&T CORP., AT&T INC. and DOES 1- )  
 22 20, inclusive, )  
 23 Defendant. )

Case No. C-06-00672-VRW

**NOTICE OF MOTION AND MOTION  
 OF THE CENTER FOR NATIONAL  
 SECURITY STUDIES FOR LEAVE TO  
 FILE BRIEF AS AMICUS CURIAE**

24 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

25 PLEASE TAKE NOTICE that The Center for National Security Studies (“Center”) hereby  
 26 moves the Court, pursuant to Civil Local Rule 7-11, for leave to appear and file the accompanying  
 27 proposed Brief of Amicus Curiae. This Motion is based on this Notice of Motion and Motion, the  
 28 Center’s proposed amicus brief submitted herewith, the proposed order submitted herewith, the

1 pleadings and papers on file herein, and such other argument and evidence as may be presented to  
2 the Court.

3 Proposed amicus curiae is The Center for National Security Studies. The Center is a  
4 nonpartisan civil liberties organization in Washington, D.C., that was founded in 1974 to ensure that  
5 civil liberties are not eroded in the name of national security. The Center seeks to find solutions to  
6 national security problems that protect both the civil liberties of individuals and the legitimate  
7 national security interests of the government.

8 The Center submits its brief in light of the fact that “[d]istrict courts frequently welcome  
9 amicus briefs from non-parties concerning legal issues that have potential ramifications beyond the  
10 parties directly involved or if the amicus has unique information or perspective that can help the  
11 court beyond the help that the lawyers for the parties are able to provide.” *Sonoma Falls Developers,  
12 LLC v. Nevada Gold & Casinos, Inc.*, 272 F. Supp. 2d 919, 925 (N.D. Cal. 2004), citing *Cobell v.  
13 Norton*, 246 F Supp 2d 59, 62 (D.D.C.2003) (quoting *Ryan v. Commodity Futures Trading Comm'n*,  
14 125 F.3d 1062, 1064 (7th Cir.1997)). Here, the Center has worked for more than twenty years to  
15 protect the Fourth Amendment rights of individuals to be free of unreasonable searches and seizures,  
16 especially when conducted in the name of national security. As such, the Center has information and  
17 a perspective pertinent to these proceedings. The Center believes that the submission of its amicus  
18 brief will assist the Court in adjudicating issues raised in this case.

19 The Center sought consent to file its papers from counsel for AT&T and for the United States  
20 government, and both have stipulated to the Center’s submission.

21 For the foregoing reasons, the Center respectfully requests that the Court grant this motion

22 Dated: June 16, 2006

Respectfully submitted,

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By:     //s// Terry Gross      
Terry Gross

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that the foregoing NOTICE OF MOTION AND MOTION OF THE CENTER  
3 FOR NATIONAL SECURITY STUDIES FOR LEAVE TO FILE BRIEF AS AMICUS CURIAE  
4 will be served by means of the Court's CM/ECF system on June 16, 2006, which will send  
5 notifications of such filing to the following:

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26 //s// Mary B. Cunniff