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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16 JOSHUA GERSTEIN,)
17 Plaintiff,)
18 v.)
19 CENTRAL INTELLIGENCE AGENCY,)
et al.,)
20 Defendant.)
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Case No. C 06-04643 MMC

**STIPULATION TO EXTEND
DEFENDANTS' BRIEFING DEADLINE
FOR RENEWED MOTION FOR
SUMMARY JUDGMENT ; ORDER**

22 The parties hereby stipulate to a two-week extension of the deadline for defendants'
23 renewed motion for summary judgment set pursuant to the Court's September 26, 2008 Order.

24 The bases for this stipulation are as follows:

- 25 1. Pursuant to the September 26 Order, defendants were to file a renewed motion for
26 summary judgment with respect to two categories of documents: (1) the withholding by the
27 Central Intelligence Agency (CIA) of fourteen documents referred by the Department of Justice
28 (DOJ) pursuant to Exemption 3 of the Freedom of Information Act (FOIA), 5 U.S.C. § 552; and

1 (2) the withholding of documents by the Office of Professional Responsibility (OPR), an office
2 within DOJ. The September 26 Order allowed defendants the opportunity to supplement their
3 motions for summary judgment in order to further explain the basis for applications of FOIA
4 Exemptions to these two categories of documents by November 21, 2008.

5 2. Since receipt of the September 26, 2008 Order, defendants' counsel has been
6 coordinating the government's response thereto. Government counsel must attend a hearing in
7 Reno, Nevada on November 19, 2008, thus requiring her absence from the office for three days
8 (*i.e.*, November 18-20, 2008). Further, she has not yet received all of the information necessary
9 for preparation of the renewed motion for summary judgment to be filed on behalf of CIA and
10 OPR. Because of the Thanksgiving holiday, counsel believes that a period of two weeks is
11 required in order to finalize the motion.

12 3. Plaintiff stipulates to the request for a two-week extension of time, or until December
13 5, 2008, for defendants to file their papers.

14 Accordingly, the parties stipulate to extend the defendants' briefing deadline by two
15 weeks, or until December 5, 2008.

16 Respectfully submitted,

17 JOSHUA GERSTEIN

GREGORY A. KATSAS
Assistant Attorney General

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20 /s/
Plaintiff

/s/

Carlotta P. Wells
Senior Trial Counsel
United States Department of Justice
Civil Division
Federal Programs Branch

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24 Dated: November 17, 2008

Dated: November 17, 2008

~~PROPOSED~~ ORDER

1 Upon consideration of the parties' stipulation, the briefing deadline set by the September
2 26, 2008 Order is extended by two weeks, to reflect that defendants' renewed motion for summary
3 judgment is due no later than December 5, 2008.

4 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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6 Dated: November 18, 2008


MAXINE M. CHESNEY
United States District Judge