

**EISENBERG AND HANCOCK, LLP**

May 7, 2010

The Honorable Vaughn R. Walker
Chief Judge, United States District Court
Northern District of California
450 Golden Gate Ave.
San Francisco, CA 94102

Re: *Al-Haramain Islamic Foundation, Inc., et al. v. Obama, et al.*,
C07-CV-0109-VRW; *National Security Agency Telecommunications
Records Litigation*, MDL Docket No. 06-1791 VRW

Dear Chief Judge Walker:

We write to advise the Court that if the judgment in this case includes (as we have proposed consistent with the Court's order of March 31, 2010, Dkt. #115 at 45) a determination that plaintiffs shall be entitled to recover reasonable attorney's fees and other investigation and litigation costs pursuant to 50 U.S.C. § 1810, *see* Plaintiffs' Proposed Judgment, Dkt. #117 at ¶ 8, plaintiffs are willing to stipulate that the filing of plaintiffs' motion to determine the amount of those fees and costs shall be deferred until the completion of proceedings on an appeal from the judgment (if an appeal is filed) and that the judgment may reflect that stipulation.

We also advise the Court that if it is the Court's wish that plaintiffs file a reply to the Government Defendants' Response In Opposition To Plaintiffs' Proposed Judgment And Re: Alternative Form Of Judgment, Dkt. #119, to which the Court's order of March 31, 2010 does not provide for a reply, plaintiffs are prepared to file a reply expeditiously.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jon B. Eisenberg".

Jon B. Eisenberg, Calif. Bar No. 88278
William N. Hancock, Calif. Bar No. 104501
Steven Goldberg, Ore. Bar No. 75134
Thomas H. Nelson, Oregon Bar. No. 78315
Zaha S. Hassan, Ore. Bar No. 97062
J. Ashlee Albies, Ore. Bar No. 05184
Lisa Jaskol, Calif. Bar No. 138769

**Attorneys for Plaintiffs Al-Haramain Islamic
Foundation, Inc., Wendell Belew, and Asim
Ghafoor**

William N. Hancock

180 Montgomery Street, Suite 2200 San Francisco, CA 94104
TEL 415.984.0650 FAX 415.984.0651

Jon B. Eisenberg

1970 Broadway, Suite 1200 Oakland, CA 94612
TEL 510.452.2581 FAX 510.452.3277