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11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13) **MDL 06-1791 VRW; 07-109 VRW**
 14 IN RE NATIONAL SECURITY AGENCY)
 TELECOMMUNICATIONS RECORDS)
 15 LITIGATION) **DECLARATION OF ANDREW H.**
) **TANNENBAUM IN SUPPORT OF**
 16 This Document Relates To:) **DEFENDANTS' ADMINISTRATIVE**
) **MOTION FOR AN INTERIM STAY OF**
) **BRIEFING PENDING THE COURT OF**
 17 *Al-Haramain Islamic Foundation, Inc. et al.*) **APPEALS' CONSIDERATION OF**
v. Bush, et al., 07-109) **DEFENDANTS' STAY MOTION**
 18)
 19 Hon. Vaughn R. Walker

21 I, ANDREW H. TANNENBAUM, do hereby state and declare as follows:

22 1. I am a Trial Attorney with the United States Department of Justice, Civil
 23 Division, Federal Programs Branch, and one of the counsel of record for the United States in this
 24 action. I make this declaration pursuant to Civil Local Rule 7-11 in support of Defendants'
 25 Administration Motion for an Interim Stay of Briefing Pending the Court of Appeals'
 26 Consideration of Defendants' Stay Motion. The statements made herein are based on my
 27 personal knowledge and information provided to me in the course of my official duties.
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2. On March 26, 2007, counsel for Defendants (including myself and Anthony Coppelino) spoke and conferred with Steven Goldberg and Jon Eisenberg, counsel for Plaintiffs in this action. We explained our intention to file an administrative motion for an interim stay of briefing pending the Ninth Circuit's consideration of a motion to stay further proceedings in this case pending appeal. Mr. Goldberg and Mr. Eisenberg both indicated that Plaintiffs would not consent to the relief requested in the motion.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: March 26, 2007

s/ Andrew H. Tannenbaum
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