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11 *Attorneys for Government Defendants*  
 12 *in their Official Capacities*

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

16	IN RE NATIONAL SECURITY AGENCY	)	<b>No. M:06-cv-01791-VRW</b>
17	TELECOMMUNICATIONS RECORDS	)	<b>STIPULATION TO EXTEND TIME</b>
18	LITIGATION	)	
19	_____	)	
20	<u>This Document Solely Relates To:</u>	)	<b>FOR GOVERNMENT DEFENDANTS</b>
21	<i>Al-Haramain Islamic Foundation et al.</i>	)	<b>TO RESPOND TO AMENDED</b>
	<i>v. Bush, et al.</i> (07-CV-109-VRW)	)	<b>COMPLAINT</b>
	_____	)	

Courtroom: 6, 17th Floor  
 Judge: Hon. Vaughn R. Walker

22 Pursuant to Local Rule 6.1(a), the parties hereby stipulate and agree as follows to an  
 23 extension of time for the Defendants in this action sued in their official capacity (hereafter  
 24 “defendants” or “Government defendants”) to respond to Plaintiffs’ Amended Complaint filed  
 25 on July 29, 2008.<sup>1</sup>

26 \_\_\_\_\_  
 27 <sup>1</sup> The time in which the only defendant sued in his personal capacity (FBI Director  
 28 Robert Mueller) would respond to the Amended Complaint is addressed by separate stipulation.  
 See Dkt. 39 (07-CV-109-VRW).

1 **RECITALS**

2 1. On July 2, 2008, this Court entered an order dismissing plaintiffs’ claims under  
3 the Foreign Intelligence Surveillance Act (“FISA”) without prejudice and with the right to file an  
4 amended complaint within 30 days of that order. See Dkt. 33 (07-CV-109-VRW), Order in *Al-*  
5 *Haramain Islamic Foundation et al. v. Bush et al.* (July 2, 2008) at 56.

6 2. On July 29, 2008, plaintiffs filed an amended complaint pursuant to the Court’s  
7 July 2 Order. See Dkt. 35 (07-CV-109-VRW) (July 29, 2008).

8 3. The plaintiffs and Government defendants are conferring on a joint case  
9 management report that will set forth their views and any differences on further proceedings.

10 4. In the meantime, the parties agree that the Government defendants’ response to  
11 the amended complaint should be deferred until a schedule for further proceedings is set by  
12 stipulation or by the Court upon review of a joint case management report and, in any event,  
13 would not be due before September 11, 2008.

14 **STIPULATION**

15 Pursuant to Local Rule 6.1(a), the parties hereby stipulate that the Government  
16 defendants’ response to the amended complaint is deferred until a schedule for further  
17 proceedings is set by stipulation or by the Court upon review of a joint case management report  
18 and, in any event, would not be due before September 11, 2008.

19 DATED: July 31, 2008

Respectfully Submitted,

<p>20 <b>FOR PLAINTIFFS</b></p> <p>21 Jon B. Eisenberg, California Bar 88278 (jon@eandhlaw.com) 22 William N. Hancock, California Bar 104501 (bill@eandhlaw.com) 23 Eisenberg &amp; Hancock LLP 24 1970 Broadway, Suite 1200 Oakland, CA 94612 25 510.452.2581 – Fax 510.452.3277</p>	<p><b>FOR GOVERNMENT DEFENDANTS</b></p> <p>GREGORY G. KATSAS Assistant Attorney General, Civil Division</p> <p>CARL J. NICHOLS Principal Deputy Associate Attorney General</p> <p>JOHN C. O’QUINN Deputy Assistant Attorney General</p>
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1 **FOR PLAINTIFFS**

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2 *(continued)*

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*Attorneys for Government Defendants  
in their Official Capacities*

1                                   **DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B**

2                   I, ANTHONY J. COPPOLINO, hereby declare pursuant to General Order 45, § X.B, that  
3 I have obtained the concurrence in the filing of this document from the other signatory listed  
4 below.

5                   I declare under penalty of perjury that the foregoing declaration is true and correct.

6                   Executed on July 31, 2008, in the City of Washington, District of Columbia.

7                                   GREGORY G. KATSAS  
8                                   Assistant Attorney General, Civil Division

9                                   CARL J. NICHOLS  
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28                                  Anthony J. Coppolino

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