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9 *Attorneys for the Government Defendants*

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

12		)	No. M:06-CV-01791-VRW
13	IN RE NATIONAL SECURITY AGENCY	)	
14	TELECOMMUNICATIONS RECORDS	)	<b>GOVERNMENT DEFENDANTS’</b>
15	LITIGATION	)	<b>UNOPPOSED ADMINISTRATIVE</b>
16	<u>This Document Solely Relates To:</u>	)	<b>MOTION TO EXTEND TIME</b>
17	<i>Al-Haramain Islamic Foundation et al.</i>	)	<b>TO SUBMIT REPORT ON</b>
18	<i>v. Obama, et al.</i> (07-CV-109-VRW)	)	<b>DECLASSIFICATION REVIEW</b>
19		)	
20		)	Honorable Vaughn R. Walker
21		)	
22		)	Local Rule 7-11
23		)	
24		)	
25		)	
26		)	
27		)	

20 In its Order of January 5, 2009, the Court directed the Government Defendants to  
 21 “review the Sealed Document and their classified submissions to date in this litigation and  
 22 determine whether the Sealed Document and/or any of defendants’ classified submissions may  
 23 be declassified, take all necessary steps to declassify those that they have determined may be  
 24 declassified and, no later than forty-five (45) days from the date of this order, serve and file a  
 25 report of the outcome of that review.” *See* Dkt. 57 at 24-25. The report ordered by the Court is  
 26 due today (February 19, 2009). The Government moves unopposed for an extension of time to  
 27

28 **Government Defendants’ Unopposed Administrative Motion to Extend Time to Submit Report on  
 Declassification Review *Al-Haramain et al. v. Obama et al.* (07-cv-109-VRW) (MDL06-cv-1791-VRW)**

1 complete its submission to the Court by no later than February 27, 2009.

2 The declassification review process ordered by the Court began immediately and is near  
3 completion. The Government can report today, as we indicated in a filing made on February 11,  
4 2009, that we expect the relevant information at issue in the privilege assertion to remain  
5 classified. *See* Government Defendants' Reply in Support of Motion to Stay Proceedings  
6 Pending Appeal and for Certification of Interlocutory Appeal Under 28 U.S.C. § 1292(b) (Dkt.  
7 70) at 13, n.11. The Government anticipated being prepared to file on time, but additional  
8 review and consultation is required to complete the forthcoming submission to the Court.

9 No prejudice will result from the requested extension. Plaintiffs' counsel has advised the  
10 undersigned that the plaintiffs do not oppose this motion. In addition, by Order dated February  
11 13, 2009, the Court directed the Government to inform the Court by February 27, 2009, how it  
12 intends to comply with the January 5 Order, *see* Dkt. 71 at 3, and the Government requests that  
13 the due date for the declassification report be extended to that date as well.

14 For the foregoing reasons, the Government respectfully requests that the Court grant a  
15 brief extension of time to February 27, 2009, for the Government to submit the declassification  
16 review report ordered by the Court on January 5, 2009. A proposed Order is attached hereto.

17 Dated: February 19, 2009

Respectfully Submitted,

18 MICHAEL F. HERTZ  
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