1	MICHAEL F. HERTZ	JON B. EISENBERG, Calif. Bar 88278			
2	Acting Assistant Attorney General DOUGLAS N. LETTER	Eisenberg and Hancock, LLP 1970 Broadway, Suite 1200			
3	Terrorism Litigation Counsel JOSEPH H. HUNT	Oakland, CA 94612 510.452.2581 - Fax 510.452.3277			
4	Director, Federal Programs Branch VINCENT M. GARVEY	STEVEN GOLDBERG, Oregon Bar 75134			
5	Deputy Branch Director ANTHONY J. COPPOLINO	River Park Center, Suite 300 205 SE Spokane St.			
6	Special Litigation Counsel ALEXANDER K. HAAS	Portland, OR 97202 503.445.4622 - Fax 503.238.7501			
7	Trial Attorney U.S. Department of Justice				
8	Civil Division, Federal Programs Branch 20 Massachusetts Avenue, NW, Rm. 6102	[FULL COUNSEL LIST BELOW]			
9	Washington, D.C. 20001 Phone: (202) 514-4782—Fax: (202) 616-8460				
10	Attorneys for the Government Defendants	Attorneys for the Plaintiffs			
11	UNITED STATES D	ISTRICT COURT			
12					
13	NORTHERN DISTRICT OF CALIFORNIA				
14	SAN FRANCIS				
15) IN RE NATIONAL SECURITY AGENCY	No. M:06-CV-01791-VRW			
16	TELECOMMUNICATIONS RECORDS)LITIGATION)	STIPULATION AND REQUEST FOR BRIEFING SCHEDULE AND			
17	This Document Solely Relates To:)	EXTENDED PAGE LIMITS ON PLAINTIFFS' MOTION FOR PARTIAL SUMMARY			
18	Al-Haramain Islamic Foundation, Inc., <u>et al.</u>)	FOR PARTIAL SUMMARY JUDGMENT			
19	v. Obama, <u>et al</u> . (07-CV-109-VRW))	Honorable Vaughn R. Walker			
20					
40					
21					
21 22					
21 22 23					
21 22 23 24 25					
 20 21 22 23 24 25 26 27 					

2 for plaintiffs' motion for partial summary judgment scheduled for hearing on September 1, 2009; 3 July 10: Plaintiffs' notice of motion and motion. August 5: Government Defendants' opposition. August 19: Plaintiffs' reply Additionally, plaintiffs request an extension of the page limit for their notice of motion and motion to 35 pages, and an extension of the page limit for their reply to 20 pages. The Government Defendants do not object to plaintiffs' requested page limit extension, but request that, if the Court grants plaintiffs' request, it also extend the page limits for the Government Defendants' opposition by an equal amount (i.e. to 35 pages). DATED this 16th day of June, 2009. Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. I, Jon B. Eisenberg, attest, under penalty of the Plaintiffs Jon B. Eisenberg, attest, under penalty of the Plaintiffs I, Jon B. Eisenberg, attest, under penalty of the Plaintiffs Jon B. Eisenberg, Califf. Bar No. 88278 Attorney for the Plaintiffs Jon B. Eisenberg Jon B. Eisenberg Attorney for the Government Defendants Attorney for the Government Defendants I, Signation and Attorney for the Government Defendants I, Signation and Planet Kernet K	1	By this st	tipulation, the p	arties request the Court to approve the following briefing schedule	
 August 5: Government Defendants' opposition. August 19: Plaintiffs' reply Additionally, plaintiffs request an extension of the page limit for their notice of motion and motion to 35 pages, and an extension of the page limit for their reply to 20 pages. The Government Defendants do not object to plaintiffs' requested page limit extension, but request that, if the Court grants plaintiffs' request, it also extend the page limits for the Government Defendants' opposition by an equal amount (i.e. to 35 pages). DATED this <u>16th</u> day of June, 2009. I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <u>/s/ Jon B. Eisenberg</u> Jon B. Eisenberg, Calif. Bar No. 88278 Attorney for the Plaintiffs <u>/s/ Anthony J. Coppolino</u> Anthony J. Coppolino Anthony J. Coppolino Anthony J. Coppolino Anthony J. Coppolino 	2	for plaintiffs	' motion for par	rtial summary judgment scheduled for hearing on September 1, 2009:	
 August 19: Plaintiffs' reply Additionally, plaintiffs request an extension of the page limit for their notice of motion and motion to 35 pages, and an extension of the page limit for their reply to 20 pages. The Government Defendants do not object to plaintiffs' requested page limit extension, but request that, if the Court grants plaintiffs' request, it also extend the page limits for the Government Defendants' opposition by an equal amount (i.e. to 35 pages). DATED this 16th day of June, 2009. I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <u>/s/ Jon B. Eisenberg</u> Jon B. Eisenberg, Calif. Bar No. 88278 Attorney for the Plaintiffs <u>/s/ Anthony J. Coppolino</u> Anthony J. Coppolino 	3	•	July 10:	Plaintiffs' notice of motion and motion.	
6 Additionally, plaintiffs request an extension of the page limit for their notice of motion and 7 motion to 35 pages, and an extension of the page limit for their reply to 20 pages. The 8 Government Defendants do not object to plaintiffs' requested page limit extension, but request 9 that, if the Court grants plaintiffs' request, it also extend the page limits for the Government 10 Defendants' opposition by an equal amount (i.e. to 35 pages). 11 DATED this 16th_day of June, 2009. 13 I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this 15 document has been obtained from the other signatory, Anthony J. Coppolino. 16 _/s/ Jon B. Eisenberg 17 Jon B. Eisenberg, Calif. Bar No. 88278 20 Attorney for the Plaintiffs 21 _/s/ Anthony J. Coppolino 23 Attorney for the Government Defendants 24 _/s/ Anthony J. Coppolino 25 _/s/ Anthony J. Coppolino 26	4	•	August 5:	Government Defendants' opposition.	
 motion to 35 pages, and an extension of the page limit for their reply to 20 pages. The Government Defendants do not object to plaintiffs' requested page limit extension, but request that, if the Court grants plaintiffs' request, it also extend the page limits for the Government Defendants' opposition by an equal amount (i.e. to 35 pages). DATED this <u>16th</u> day of June, 2009. I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <i>/s/</i> Jon B. Eisenberg Jon B. Eisenberg Jon B. Eisenberg of the Plaintiffs <i>/s/</i> Anthony J. Coppolino Attorney for the Plaintiffs Attorney for the Government Defendants 	5	•	August 19:	Plaintiffs' reply	
 Government Defendants do not object to plaintiffs' requested page limit extension, but request that, if the Court grants plaintiffs' request, it also extend the page limits for the Government Defendants' opposition by an equal amount (i.e. to 35 pages). DATED this <u>16th</u> day of June, 2009. I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <i>[s/]</i> Jon B. Eisenberg Jon B. Eisenberg Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <i>[s/] [s/]</i> Anthony J. Coppolino Attorney for the Plaintiffs Attorney for the Government Defendants Attorney for the Government Defendants 	6	Addition	ally, plaintiffs r	equest an extension of the page limit for their notice of motion and	
 that, if the Court grants plaintiffs' request, it also extend the page limits for the Government Defendants' opposition by an equal amount (i.e. to 35 pages). DATED this <u>16th</u> day of June, 2009. I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <i>/s/ Jon B. Eisenberg</i> Jon B. Eisenberg Jon B. Eisenberg Jon B. Eisenberg Attorney for the Plaintiffs <i>/s/ Anthony J. Coppolino</i> Attorney for the Government Defendants Attorney for the Government Defendants	7	motion to 35	pages, and an e	extension of the page limit for their reply to 20 pages. The	
 Intervent gener gener primitie request, in the transmitter programme of provident intervention in the programme of provident intervention in the programme of the provident intervention interv	8	Government Defendants do not object to plaintiffs' requested page limit extension, but request			
11 DATED this 16th day of June, 2009. 13 I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this 15 document has been obtained from the other signatory, Anthony J. Coppolino. 16 /s/ Jon B. Eisenberg 17 In B. Eisenberg 18 /s/ Jon B. Eisenberg 19 /s/ Jon B. Eisenberg 10 Jon B. Eisenberg, Calif. Bar No. 88278 20 Attorney for the Plaintiffs 21 /s/ Anthony J. Coppolino 22 Attorney for the Covernment Defendants 24	9	that, if the Court grants plaintiffs' request, it also extend the page limits for the Government			
12 DATED this 16th day of June, 2009. 13 I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this 14 I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this 15 document has been obtained from the other signatory, Anthony J. Coppolino. 16	10	Defendants' opposition by an equal amount (i.e. to 35 pages).			
 I. Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <i>/s/</i> Jon B. Eisenberg Jon B. Eisenberg Jon B. Eisenberg, Calif. Bar No. 88278 Attorney for the Plaintiffs <i>/s/</i> Anthony J. Coppolino Attorney for the Government Defendants Attorney for the Government Defendants 	11				
 I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this document has been obtained from the other signatory, Anthony J. Coppolino. <i>I</i> 	12	DATED this <u>16th</u> day of June, 2009.			
 document has been obtained from the other signatory, Anthony J. Coppolino. <i>/s/ Jon B. Eisenberg</i> <i>Jon B. Eisenberg</i> <i>Jon B. Eisenberg</i> <i>Jon B. Eisenberg</i>, Calif. Bar No. 88278 Attorney for the Plaintiffs <i>/s/ Anthony J. Coppolino</i> <i>Attorney for the Government Defendants</i> <i>Attorney for the Government Defendants</i> <i>I</i> <i>I</i><	13				
16 17 18 19 Jon B. Eisenberg 19 Jon B. Eisenberg, Calif. Bar No. 88278 20 Attorney for the Plaintiffs 21 _/s/ Anthony J. Coppolino 22 Anthony J. Coppolino 23 Attorney for the Government Defendants 24 25 26 27	14	I, Jon B. Eisenberg, attest, under penalty of perjury, that concurrence in the filing of this			
 17 18 19 10 Jon B. Eisenberg Jon B. Eisenberg, Calif. Bar No. 88278 20 20 21 22 23 24 25 26 27 	15	document has been obtained from the other signatory, Anthony J. Coppolino.			
 18 /s/ Jon B. Eisenberg Jon B. Eisenberg, Calif. Bar No. 88278 20 Attorney for the Plaintiffs 21 /s/ Anthony J. Coppolino Anthony J. Coppolino 23 Attorney for the Government Defendants 24 25 26 27 	16				
19 /s/ Jon B. Eisenberg 20 Attorney for the Plaintiffs 21 /s/ Anthony J. Coppolino 22 Anthony J. Coppolino 23 Attorney for the Government Defendants 24 25 26 27	17				
19 Jon B. Eisenberg, Calif. Bar No. 88278 20 Attorney for the Plaintiffs 21 /s/ Anthony J. Coppolino 22 Anthony J. Coppolino 23 Attorney for the Government Defendants 24 25 26 27	18			/a/ Ion D. Eisenhaug	
21 /s/ Anthony J. Coppolino 22 Anthony J. Coppolino 23 Attorney for the Government Defendants 24 25 26 27	19			Jon B. Eisenberg, Calif. Bar No. 88278	
 22 /s/ Anthony J. Coppolino 23 Attorney for the Government Defendants 24 25 26 27 	20			Attorney for the Plaintiffs	
Anthony J. Coppolino Attorney for the Government Defendants Attorney for the Government Defendants	21			/a/ Anthony I. Connoling	
24 25 26 27	22				
25 26 27	23			Attorney for the Government Defendants	
26 27	24				
27	25				
	26				
Stinulation And Paguest For Briefing Schedule And Extended Page Limits On Plaintiffs' Motion For Partial	27				
28 Summary Judgment	28	Summary Jud	gment	iefing Schedule And Extended Page Limits On Plaintiffs' Motion For Partial <i>n. Inc. v. Ohama</i> (07-cy-109-VRW) (MDL06-cy-1791-VRW) -2-	

l

1	Plaintiffs' Full Counsel List
2 3 4 5 6 7	Jon B. Eisenberg, California Bar No. 88278 (jon@eandhlaw.com) William N. Hancock, California Bar No. 104501 (bill@eandhlaw.com) Eisenberg & Hancock LLP 1970 Broadway, Suite 1200 Oakland, CA 94612 510.452.2581 - Fax 510.452.3277 Steven Goldberg, Oregon Bar No. 75134 (steven@stevengoldberglaw.com) River Park Center, Suite 300 205 SE Spokane St. Portland, OR 97202
8 9 10	503.445.4622 - Fax 503.238.7501 Thomas H. Nelson, Oregon Bar No. 78315 (nelson@thnelson.com) P.O. Box 1211, 24525 E. Welches Road Welches, OR 97067 503.622.3123 - Fax: 503.622.1438
11 12 13	Zaha S. Hassan, California Bar No. 184696 (zahahassan@comcast.net) 8101 N.E. Parkway Drive, Suite F-2 Vancouver, WA 98662 360.213.9737 - Fax 866.399.5575
14 15	J. Ashlee Albies, Oregon Bar No. 05184 (ashlee@sstcr.com) Steenson, Schumann, Tewksbury, Creighton and Rose, PC 815 S.W. Second Ave., Suite 500 Portland, OR 97204 503.221.1792 - Fax 503.223.1516
16 17 18	Lisa R. Jaskol, California Bar No. 138769 (ljaskol@earthlink.net) 610 S. Ardmore Ave. Los Angeles, CA 90005 213.385.2977 - Fax 213.385.9089
19 20	Attorneys for Plaintiffs Al-Haramain Islamic Foundation, Inc., Wendell Belew and Asim Ghafoor
21 22	
23 24	
25 26 27	
27 28	Stipulation And Request For Briefing Schedule And Extended Page Limits On Plaintiffs' Motion For Partial
20	Summary Judgment Al-Haramain Islamic Foundation, Inc. v. Obama (07-cv-109-VRW) (MDL06-cv-1791-VRW) -3-

<u>CI</u>	CRTIFICATE OF SERVICE
In Re National Secrurity	Agency Telecommunications Records Litigation
MDL Docket No. 06-1791	VRW

1

2

3

4

5

6

7

8

9

12

13

14

15

16

17

18

RE:

I am a citizen of the United States and employed in the County of San Francisco, State of California. I am over eighteen (18) years of age and not a party to the above-entitled action. My business address is Eisenberg and Hancock, LLP, 180 Montgomery Street, Suite 2200, San Francisco, CA, 94104. On the date set forth below, I served the following documents in the manner indicated on the below named parties and/or counsel of record:

STIPULATION AND REQUEST FOR BRIEFING SCHEDULE AND EXTENDED PAGE LIMITS ON PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

- Facsimile transmission from (415) 544-0201 during normal business hours, complete and without error on the date indicated below, as evidenced by the report issued by the transmitting facsimile machine.
- 10 U.S. Mail, with First Class postage prepaid and deposited in a sealed envelope at San Francisco, California. 11

XX By ECF: I caused the aforementioned documents to be filed via the Electronic Case Filing (ECF) system in the United States District Court for the Northern District of California, on all parties registered for e-filing in In Re National Security Agency Telecommunications Records Litigation, Docket Number M:06-cv-01791 VRW, and Al-Haramain Islamic Foundation, Inc., et al. v. Bush, et al., Docket Number C07-CV-0109-VRW.

I am readily familiar with the firm's practice for the collection and processing of correspondence for mailing with the United States Postal Service, and said correspondence would be deposited with the United States Postal Service at San Francisco, California that same day in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 16, 2009 at San Francisco, California.

19	/s/ Jessica Dean
20	JESSICA DEAN
21	
22	
23	
24	
25	
26	
27	
28	Stipulation And Request For Briefing Schedule And Extended Page Limits On Plaintiffs' Motion For Partial Summary Judgment

Al-Haramain Islamic Foundation, Inc. v. Obama (07-cv-109-VRW) (MDL06-cv-1791-VRW)