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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO

14 ELECTRONIC FRONTIER FOUNDATION, 15 Plaintiff, 16 v. 17 OFFICE OF THE DIRECTOR OF NATIONAL 18 INTELLIGENCE and UNITED STATES 19 DEPARTMENT OF JUSTICE 20 Defendants,	) No. 08-2997 JSW ) ) <b>STIPULATION TO EXCEED</b> ) <b>PAGE LIMITATION FOR</b> ) <b>MOTIONS FOR SUMMARY</b> ) <b>JUDGMENT</b> ) <b>AND ORDER THEREON</b>
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21 THE PARTIES HEREBY STIPULATE, pursuant to Local Rules 7-4(b) and 7-12, that  
22 the page limitation for defendants' consolidated motion for summary judgment, due on  
23 December 8, 2008, shall be extended to up to 50 pages, and that plaintiff's opposition brief and  
24 cross-motion for summary judgment may also be up to 50 pages, should plaintiff find that it  
25 needs additional pages to respond to defendants' consolidated motion for summary judgment and

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27 Stipulation to Exceed Page Limitation for Motions for Summary Judgment , C 08-2997 (JSW)  
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1 cross-move for summary judgment. In support of this stipulation, the parties state the following:

- 2 1. Defendants' motion for summary judgment is due on December 8, 2008. The  
3 motion will be a consolidated motion for summary judgment for two Freedom of  
4 Information Act ("FOIA") cases, C 08-1023 (JSW) and C 08-2997 (JSW). (See  
5 Civil Action No. 08-1023, dkt. # 59). These two cases involve multiple FOIA  
6 requests to multiple federal agency components and large volumes of responsive  
7 and exempt documents. The brief discusses numerous exemptions claimed to  
8 protect various documents from disclosure under the FOIA, and multiple  
9 declarations will be submitted in support of the brief. The brief also necessarily  
10 includes a detailed factual discussion of the FOIA requests and the components'  
11 responses.
- 12 2. The parties have agreed to extend the page limitations for their opening briefs in  
13 support of their motions for summary judgment, to up to 50 pages. Plaintiff  
14 recognizes that it may not need additional pages and cannot make that  
15 determination until it receives defendants' consolidated motion for summary  
16 judgment. Nevertheless, plaintiff has no objection to the Court granting the  
17 government additional pages provided that plaintiff receives the same number of  
18 pages.
- 19 3. Because of the complexity of the case, both factually and legally, the parties  
20 respectfully request this extension of the 25-page limitation set forth in Local  
21 Rule 7-4(b).

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23 Dated: December 5, 2008

Respectfully submitted,

24 GREGORY G. KATSAS  
Assistant Attorney General

25 JOHN TYLER  
26 Assistant Director, Federal Programs Branch

27 Stipulation to Exceed Page Limitation for Motions for Summary Judgment , C 08-2997 (JSW)

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The stipulation is DENIED. The parties may have 35 pages for the opening and opposition briefs and 20 pages for their replies.

Dated: December 5, 2008



JEFFREY S. WHITE  
UNITED STATES DISTRICT COURT