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20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA

22 CAROLYN JEWEL, TASH HEPTING,  
 GREGORY HICKS, ERIK KNUTZEN and  
 23 JOICE WALTON, on behalf of themselves  
 and all other similarly situated,

24 Plaintiffs,

25 v.

26 NATIONAL SECURITY AGENCY, et al.,

27 Defendants.

Case No. C-08-4373-VRW  
CLASS ACTION

**DECLARATION OF CINDY A. COHN IN  
 SUPPORT OF ADMINISTRATIVE  
 MOTION FOR LEAVE TO FILE  
 SUPPLEMENTAL BRIEF ON THE  
 SCOPE OF FISA ACT PREEMPTION**

**Local Rule 7-11**

Judge: Vaughn R. Walker  
 Date Comp. Filed: September 18, 2008

1 I, CINDY A. COHN, hereby declare,

2 1. I am an attorney of record for Plaintiffs in this action and a member of good  
3 Standing of the California State Bar, and am admitted to practice before this Court. I have  
4 personal knowledge of the matters stated in this declaration. If called upon to do so, I am  
5 competent to testify to all matters set forth herein.

6 2. I left a message for defense counsel Mr. Coppolino on July 30, informing him of  
7 this motion and request and offering that plaintiffs would agree that the government could have  
8 10 court days to respond with a brief of comparable length.

9 3. Mr. Coppolino returned my call later that day and indicated that he would prefer  
10 to reserve the government's position until he sees the motion and brief. He also indicated that  
11 given his current schedule, if the Court was going to grant our motion, he would seek at least  
12 thirty days to respond to the brief from the date that the motion was granted.

13 I declare under penalty of perjury under the laws of the State of California that the  
14 foregoing is true and correct and that this declaration was executed in San Francisco, California,  
15 on August 3, 2009.

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17 By: /s/ Cindy A. Cohn  
18 CINDY A. COHN  
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