1 2 3 4 5 6 7 8 9	TONY WEST Assistant Attorney General MELINDA HAAG United States Attorney ELIZABETH J. SHAPIRO Deputy Branch Director, Federal Programs Branch Civil Division NICHOLAS CARTIER, CA Bar #235858 Trial Attorney, Federal Programs Branch Civil Division 20 Massachusetts Ave NW, 7224 PO Box 883 (US Mail) Washington, DC 20530 Tel: 202-616-8351 Fax: 202-616-8470 email: nicholas.cartier@usdoj.gov Attorneys for Defendant
10 11 12	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION
13	
14	ELECTRONIC FRONTIER FOUNDATION, ) Case No. 10-CV-4892-RS
15	Plaintiff, ORDER STIPULATED REQUEST FOR ORDER
16	vs. <b>TO SET DEADLINE FOR</b> <b>PARTIES TO FILE</b>
17	JOINT REPORT SEEKING
18	DEPARTMENT OF JUSTICE, SCOPE OF COURT'S SUMMARY JUDGMENT ORDER
19	Defendant. ) [CIV. L.R. 6-2]
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22	Pursuant to the Court's December 17, 2013 Order, see ECF No. 81, the parties submit the
23	following status report to apprise the Court of their efforts to resolve a potential dispute about the
24	scope of the Court's Summary Judgment Order. ECF No. 77. The parties, through their counsel,
25	have met and conferred on multiple occasions, and as a result of these efforts, have successfully
26	
27	eliminated all the disputes that exist between the parties concerning the scope of the Court's
28	Summary Judgment Order save one: namely, whether the Drug Enforcement Administration

10-CV-4892-RS

1	("DEA") has properly invoked Exemption 7(E) with respect to certain materials that the Court in
2	its Summary Judgment Order concluded were not properly withheld under Exemption 4. The
3	parties have stipulated to and request that within 14 days, or no later than January 29, 2014, they be
4	permitted to file a joint report seeking clarification as to whether the Court's determination in its
5	Summary Judgment Order that certain DEA materials are not properly withheld under Exemption 4
6	precludes DEA from continuing to withhold certain of these materials pursuant to Exemption 7(E).
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8	At some future date, Plaintiff also intends to seek fees.
9	The requested change will not affect any other dates in the present schedule.
10	DATED: January 15, 2014
11 12	<u>/s/ Nicholas Cartier</u> NICHOLAS CARTIER, CA Bar #235858
12	Trial Attorney, Federal Programs Branch Civil Division
14	20 Massachusetts Ave NW, 7224 Washington, DC 20044 Taly 202,616 8251
15	Tel: 202-616-8351 Fax: 202-616-8470 email: nicholas.cartier@usdoj.gov
16	Attorney for Defendant
17	
18	CERTIFICATE OF SERVICE
19	I hereby certify that on January 15, 2014, I caused a copy of the foregoing to be served on
20	Plaintiff via the Court's ECF system.
21	
22	<u>/s/ Nicholas Cartier</u> NICHOLAS CARTIER
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28	10-CV- 4892-RS STIPULATION

1	<b>GENERAL ORDER NO. 45(X) CERTIFICATION</b>
2	I attest that I have obtained the concurrence of Jennifer Lynch, counsel for Plaintiff, in the
3	filing of this document.
4	<u>/s/ Nicholas Cartier</u> NICHOLAS CARTIER
5	NICHOLAS CARTIER
6	Pursuant to stipulation, by no later than January 29, 2014, the parties shall jointly file a
7 8	report seeking clarification as to whether the Court's determination in its Summary Judgment
0 9	Order that certain DEA materials are not properly withheld under Exemption 4 precludes DEA
10	from continuing to withhold certain of these materials pursuant to Exemption 7(E).
11	SO ORDERED.
12	SU ORDERED.
13	Pil Ale
14	Dated: <u>1/15/14</u> Hon. Richard Seeborg
15	United States District Judge
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	10-CV-   4892-RS   STIPULATION