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13 *Attorneys for Federal Defendant*  
 14 *United States Department of Commerce*

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 16 **IN THE UNITED STATES DISTRICT COURT**  
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 18 **SAN FRANCISCO DIVISION**

19		)	
20	ELECTRONIC FRONTIER FOUNDATION,	)	Case No. 3:12-cv-3683-TEH
		)	
21	Plaintiff,	)	
		)	<b>STIPULATION AND [PROPOSED] ORDER ON</b>
22	v.	)	<b>SUMMARY JUDGMENT BRIEFING</b>
		)	<b>SCHEDULE</b>
23	DEPARTMENT OF COMMERCE,	)	
		)	Place: Courtroom 12, 19th Floor
24	Defendant.	)	Judge: Hon. Thelton E. Henderson
		)	
25		)	
26	_____	)	

1 Plaintiff Electronic Frontier Foundation (“EFF”) and Federal Defendant the United States  
2 Department of Commerce respectfully submit the stipulation on summary judgment briefing in this  
3 matter and request that the Court order the same.

4 Defendant will file its Motion for Summary Judgment on January 21, 2013. Defendant will  
5 have 30 pages for its opening brief.

6 Plaintiff will file a combined Opposition to Defendant’s Motion/Cross-Motion for  
7 Summary Judgment on February 20, 2013. Plaintiff will have 30 pages for its combined  
8 Opposition/Cross-Motion.

9 Defendant will file a combined Opposition to Plaintiff’s Cross-Motion/Reply brief in  
10 support of its motion on March 22, 2013. Defendant will have 30 pages for its combined  
11 Opposition/Reply brief.

12 Plaintiff will file a Reply brief in support of its Motion for Summary Judgment on April 5,  
13 2013. Plaintiff will have 15 pages for its reply.

14 The hearing on the parties’ Motions for Summary Judgment will be held on April 29, 2013.

15 Unless the Court feels otherwise, the parties agree to vacate the Case Management  
16 Conference currently set for Monday, October 22, 2012.

17 DATED: October 18, 2012

Respectfully submitted,

18 /s/ Mark Rumold  
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24 \_\_\_\_\_  
25 /s/ \_\_\_\_\_  
Victoria Carradero  
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27 *Attorneys for Federal Defendant*

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**DECLARATION PURSUANT TO GENERAL ORDER 45**

I, Victoria R. Carradero, attest that I have obtained the concurrence of Mark Rumold, Counsel for Plaintiff, in the filing of this document.

Executed on October 18, 2012, in San Francisco, California.

/s/ Victoria R. Carradero  
Victoria R. Carradero

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

1 Defendant will file its Motion for Summary Judgment on January 21, 2013. Defendant will  
2 have 30 pages for its opening brief.

3 Plaintiff will file a combined Opposition to Defendant's Motion/Cross-Motion for  
4 Summary Judgment on February 20, 2013. Plaintiff will have 30 pages for its combined  
5 Opposition/Cross-Motion.

6 Defendant will file a combined Opposition to Plaintiff's Cross-Motion/Reply brief in  
7 support of its motion on March 22, 2013. Defendant will have 30 pages for its combined  
8 Opposition/Reply brief.

9 Plaintiff will file a Reply brief in support of its Motion for Summary Judgment on April 5,  
10 2013. Plaintiff will have 15 pages for its reply.

11 The hearing on the parties' Motions for Summary Judgment will be held on April 29, 2013.

12 The Case Management Conference currently set for Monday, October 22, 2012 is  
13 VACATED.

14  
15  
16 DATE: October 18, 2012

