



1 Plaintiff Electronic Frontier Foundation (“EFF”) and Defendant Department of Justice  
2 have conferred and hereby stipulate to and respectfully request that the Court permit counsel to  
3 appear telephonically at the initial case management conference scheduled for September 26, 2013  
4 in this matter.

5 Good cause exists for this request. Counsel for Defendant is an attorney for the United  
6 States Department of Justice who works and resides in Washington, D.C. Permitting counsel for  
7 Defendant to appear by telephone will enable the government to conserve resources that would  
8 otherwise be spent on transportation to and from the hearing, and overnight lodging in Oakland,  
9 California. Counsel for Plaintiff works in San Francisco, which is one hour from the Oakland  
10 courthouse. Permitting counsel for Plaintiff to appear by telephone will save counsel the time that  
11 would otherwise be spent traveling to and from the courthouse.

12 Moreover, this is a case pursuant to the Freedom of Information Act, and the parties have  
13 been in communication about the agency’s search for records and a possible processing and  
14 production schedule. Therefore, the parties expect there to be few areas of disagreement at the case  
15 management conference.

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17 DATED: September 16, 2013

Respectfully submitted,

1 /s/ Jennifer Lynch  
ELECTRONIC FRONTIER FOUNDATION  
2 Jennifer Lynch, Esq.  
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3 San Francisco, CA 94110  
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5 *Attorney for Plaintiff*

STUART F. DELERY  
Assistant Attorney General

ELIZABETH J. SHAPIRO  
Deputy Branch Director

/s/ Marcia K. Sowles  
Marcia K. Sowles  
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*Attorneys for Defendant*

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12 **DECLARATION PURSUANT TO CIVIL L. R. 5-1(i)(3)**

13 I, Marcia K. Sowles, attest that I have obtained the concurrence of Jennifer Lynch, Counsel  
14 for Plaintiff, in the filing of this document.

15 Executed on September 16, 2013, in Washington, DC.

16 /s/ Marcia K. Sowles  
17 Marcia K. Sowles

18 \* \* \* \* \*

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

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21 Dated: \_\_\_\_\_

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The Hon. Phyllis J. Hamilton  
United States District Judge

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 16, 2013, I electronically filed the foregoing document with the Clerk of the Court, using the CM/ECF system, which will send notification of such filing to the counsel of record in this matter who are registered on the CM/ECF system.

Executed on September 16, 2013, in Washington, DC.

/s/ Marcia K. Sowles  
Marcia K. Sowles