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11	IN THE UNITED STATES DISTRICT COURT		
12	FOR THE NORTHERN D	ISTRICT OF CALIFORNIA	
13	SAN FRANCISCO DIVISION		
14)		
15	ELECTRONIC FRONTIER FOUNDATION,)	Case No.: 14-cv-03010-RS	
16	Plaintiff,)	STIPULATION AND FPROPOSED	
17	V.)	ORDER] TO EXTEND DEADLINE FOR PARTIES TO REPORT TO THE	
18	NATIONAL SECURITY AGENCY, OFFICE) OF THE DIRECTOR OF NATIONAL)	REACHED AN AGREEMENT	
19	INTELLIGENCE,	ON THE ISSUE OF ATTORNEYS' FEES AND COSTS	
20)	Hon. Richard Seeborg	
21	Defendants.		
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27	Stidii ατίων ανώ [Ρρωρώςες Οργες] το εν	TEND DEADLINE FOR PARTIES TO REPORT TO THE	
20	COURT WHETHER THEY HAVE REACHED AN A AND	GREEMENT ON THE ISSUE OF ATTORNEYS' FEES COSTS	
	Case No.: 14-cv-03010-RS		
		Dockets.Justia.com	

1	Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Local Civil Rule 6-2,	
2	Defendants request and the parties, by and through undersigned counsel, have conferred and	
3	hereby stipulate to and respectfully request that the Court extend the deadline from May 6 to June	
4	6, 2016 for the parties to report to the Court regarding whether they have reached agreement or	
5	whether the plaintiff's claim for costs and attorneys' fees will be presented to the Court for	
6	consideration.	
7	The parties provide the following bases in support of their request:	
8	1. On March 17, 2016, the Court granted the Government's motion for summary judgment	
9	and denied Plaintiff's cross-motion for summary judgment. See Order Re: Cross	
10	Motions for Summary Judgment (ECF No. 41) ("Order");	
11	2. The Court ordered that the Government submit a proposed final judgment, see Order at	
12	5, which it did on April 7, 2016. See [Proposed] Final Judgment (ECF No. 43-1);	
13	3. The Court entered final judgment on April 7, 2016. See Final Judgment (ECF No. 45);	
14	4. In that Final Judgment, the Court ordered that, by May 6, 2016, the parties must submit	
15	a report stating "whether the parties have reached agreement or whether the plaintiff's	
16	claim" for attorneys' fees and costs "will be presented to the Court for consideration."	
17	Final Judgment at 1;	
18	5. Since that time the parties have been engaged in good faith discussions regarding	
19	attorneys' fees and costs in an effort to resolve this issue without motions practice;	
20	6. Due to a variety of competing priorities, particularly for the Government, those	
21	discussions are not yet complete;	
22	7. The parties request that the deadline for the parties to report to the Court on this issue be	
23	extended from May 6 to June 6, 2016, to allow for these discussions to be completed.	
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28	1 STIPULATION AND [PROPOSED ORDER] TO EXTEND DEADLINE FOR PARTIES TO REPORT TO THE	
	COURT WHETHER THEY HAVE REACHED AN AGREEMENT ON THE ISSUE OF ATTORNEYS' FEES AND COSTS	
	Case No.: 14-cv-03010-RS	

1	DATED: May 6, 2016 Respectfully submitted,
2	BENJAMIN C. MIZER Principal Deputy Assistant Attorney General
3	MELINDA HAAG
4	United States Attorney
5 6	ELIZABETH J. SHAPIRO Deputy Branch Director
7	/s/ Rodney Patton RODNEY PATTON JULIA A. BERMAN
8	United States Department of Justice
9	Civil Division, Federal Programs Branch 20 Massachusetts Avenue, N.W., Room 7320
10	Washington, D.C. 20001 Telephone: (202) 305-7919
11	Facsimile: (202) 616-8470
12	Attorneys for Defendants
13	/s/ Andrew Crocker
14	Andrew Crocker Mark Rumold
15	Natk Runold Nathan Cardozo
16	Jennifer Lynch ELECTRONIC FRONTIER FOUNDATION
17	815 Eddy St.
	San Francisco, CA 94109
18	Attorneys for Plaintiff
19	Electronic Frontier Foundation
20	ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)
21	I, Rodney Patton, hereby attest that I obtained the concurrence of Andrew Crocker, counsel
22	for the Plaintiff, Electronic Frontier Foundation, in the filing of this document.
23	
24	<u>/s/ Rodney Patton</u> RODNEY PATTON
25	Senior Counsel
26	United States Department of Justice Civil Division, Federal Programs Branch
27	20 Massachusetts Avenue, N.W. Washington, D.C. 20001
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28	STIPULATION AND [PROPOSED ORDER] TO EXTEND DEADLINE FOR PARTIES TO REPORT TO THE
	COURT WHETHER THEY HAVE REACHED AN AGREEMENT ON THE ISSUE OF ATTORNEYS' FEES AND COSTS Case No.: 14-cv-03010-RS

1	PURSUANT TO STIPULATION, it is hereby ORDERED that	
2	1. The current deadline of May 6 for the parties to report to the Court about whether they	
2	have resolved the issue of attorneys' fees and costs be extended to June 6, 2016.	
4	 The parties will report to the Court on or before June 6, 2016, regarding whether the 	
5	parties have reached agreement on this issue or whether the plaintiff's claim will be	
6	presented to the Court for consideration.	
7	AND IT IS SO ORDERED.	
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9	Dated: 5/10/16	
10	HON. RICHARD SEEBORG UNITED STATES DISTRICT JUDGE	
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28	3 STIPULATION AND [PROPOSED ORDER] TO EXTEND DEADLINE FOR PARTIES TO REPORT TO THE	
	COURT WHETHER THEY HAVE REACHED AN AGREEMENT ON THE ISSUE OF ATTORNEYS' FEES AND COSTS Case No.: 14-cv-03010-RS	
	Case INU., 14-CV-USUTU-KS	