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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

FREEDOM OF THE PRESS FOUNDATION,)	Civil Action No. 15-cv-03503-HSG
)	
Plaintiff,)	STIPULATION CONCERNING
)	BRIEFING SCHEDULE AND
v.)	ORDER
)	
UNITED STATES DEPARTMENT OF)	
JUSTICE,)	
)	
Defendant.)	
)	

1 Pursuant to Local Rule 7-12, and this Court’s January 20, 2016 order in the above-
2 captioned case, Plaintiff Freedom of the Press Foundation (“FPF”) and Defendant Department of
3 Justice (“DOJ” or “Defendant”) hereby stipulate and agree as follows:

4 1. On January 19, 2016, this Court held a Case Management Conference in this case.

5 2. After that Case Management Conference, this Court entered an order directing
6 Defendant to prepare a draft *Vaughn* index explaining and justifying its withholding of records in
7 response to FPF’s Freedom of Information Act (“FOIA”) request under applicable FOIA
8 exemptions, and to exchange that index with FPF on or before March 21, 2016. *See* Doc. 24. This
9 Court further directed the parties to meet and confer regarding a proposed briefing schedule in this
10 case, and to submit a stipulation and proposed order. *Id.*

11 3. Accordingly, the parties have agreed to, and request that the Court approve, the
12 below schedule in this case:

- 13 a. On or before March 30, 2016, FPF shall inform Defendant whether it believes
14 motions practice will be necessary and, if so, the specific withholdings it intends to
15 challenge.
16 b. On or before April 1, 2016, the parties shall file a Joint Case Management Statement
17 informing the Court as to whether motions practice will be necessary.
18 c. If motions practice is deemed necessary by the parties, then the following briefing
19 schedule will apply:
20 i. May 9, 2016 for Defendant’s motion for summary judgment.
21 ii. June 10, 2016 for FPF’s opposition to Defendant’s motion, and any cross-
22 motion for summary judgment by FPF.
23 iii. July 1, 2016 for Defendant’s reply in support of Defendant’s motion for
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summary judgment and opposition to FPF's cross-motion if a cross-motion is filed.

iv. July 25, 2016 for FPF's reply in support of FPF's cross-motion if a cross-motion is filed.

4. Accordingly, the parties respectfully request that the Court order the proposed schedule set forth above.

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DATED: January 21, 2016

Respectfully submitted,

/s/
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FREEDOM OF THE PRESS FOUNDATION

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/s/
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ATTORNEYS FOR DEFENDANT
DEPARTMENT OF JUSTICE


1 **ORDER**

2 Upon stipulation of the parties, the Court hereby orders the following schedule in this
3 matter:

- 4 a. On or before March 30, 2016, FPF shall inform Defendant whether it believes
5 motions practice will be necessary and, if so, the specific withholdings it intends to
6 challenge.
7
- 8 b. On or before April 1, 2016, the parties shall file a Joint Case Management Statement
9 informing the Court as to whether motions practice will be necessary.
- 10 c. If motions practice is deemed necessary by the parties, then the following briefing
11 schedule will apply:
12
- 13 i. May 9, 2016 for Defendant’s motion for summary judgment.
 - 14 ii. June 10, 2016 for FPF’s opposition to Defendant’s motion, and any cross-
15 motion for summary judgment by FPF.
 - 16 iii. July 1, 2016 for Defendant’s reply in support of Defendant’s motion for
17 summary judgment and opposition to FPF’s cross-motion if a cross-motion
18 is filed.
 - 19 iv. July 25, 2016 for FPF’s reply in support of FPF’s cross-motion if a cross-
20 motion is filed.
21

22 PURSUANT TO STIPULATION, IT IS SO ORDERED except that the hearing on the motion will
23 be on August 11, 2016 at 2:00 p.m.

24 Date: 1/21/2016

25 
26 HON. HAYWOOD S. GILLIAM JR.
27 United States District Judge

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DECLARATION PURSUANT TO CIV. L.R. 5-1(i)(3)

I, Andrew M. Bernie, declare that I have obtained the concurrence in the filing of this Stipulation Concerning Briefing Schedule and [Proposed] Order from Marcia Hofman and Victoria Baranetsky, counsel for Plaintiff in this matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 21, 2016 in Washington, D.C.

/s/
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