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

INTERNET ARCHIVE; AMERICAN CIVIL
 LIBERTIES UNION; AMERICAN CIVIL
 LIBERTIES UNION FOUNDATION;
 AMERICAN CIVIL LIBERTIES UNION OF
 NORTHERN CALIFORNIA, INC.;
 AMERICAN CIVIL LIBERTIES UNION
 FOUNDATION OF NORTHERN
 CALIFORNIA, INC.; and ELECTRONIC
 FRONTIER FOUNDATION,

Petitioner,

v.

MICHAEL B. MUKASEY, in his official
 capacity as Attorney General of the United
 States; ROBERT S. MUELLER III, in his

FILED

MAR 10 2008

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

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RECEIVED

MAR 10 2008

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

No. C 3:07-06346 CW

**STIPULATED REQUEST TO
 CONTINUE THE CASE
 MANAGEMENT CONFERENCE;
 DECLARATION OF MELISSA
 GOODMAN; [PROPOSED]
 ORDER**

[REDACTED]

Case No. C 3:07-06346 CW

Stipulated Request to Continue Case Management Conference;
 Declaration of Melissa Goodman; [Proposed] Order

1 official capacity as Director of the Federal
2 Bureau of Investigation; and ARTHUR M.
3 CUMMINGS II, in his official capacity as
4 Deputy Assistant Director of the
Counterterrorism Division of the Federal Bureau
of Investigation,

5 Defendants.
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1 COME NOW THE PARTIES, by and through their undersigned counsel, and
2 respectfully request by stipulation pursuant to Local Civil Rule 16-2(e) that this Court
3 continue the Case Management Conference currently set for March 25, 2008, at 2:00
4 p.m. to April 1, 2008, at 2:00 p.m., and that the March 18, 2008 deadline for the parties'
5 joint Case Management Statement be continued to March 25, 2008. In addition, because
6 of the nature of this case, the fact that it mainly presents pure issues of law, and the
7 likelihood that it will be resolved without any need for discovery, the parties also
8 respectfully request by stipulation that the March 4, 2008 deadline for the parties to meet
9 and confer about initial disclosures, early settlement, ADR process selection, discovery
10 plan, and Joint ADR Certification, as well as the March 18, 2008 deadline for the parties'
11 Rule 26(f) Report and initial disclosures be stayed pending discussion of those matters at
12 the Case Management Conference.

13 Good cause exists for this request. The parties are actively engaged in settlement
14 negotiations which, if successful, will result in resolution of this case without resort to
15 further litigation and will obviate the need for the Case Management Conference. Even
16 if those negotiations prove unsuccessful, defendants' deadline for answering or otherwise
17 responding to plaintiffs' complaint has been extended to March 26, 2008 and the parties
18 believe a Case Management Conference would be most fruitful if it occurred after that
19 date.

20 Dated March 4, 2008

Respectfully Submitted,

/s/ Melissa Goodman

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19 Assistant Branch Director

20 /s/ Steven Y. Bressler

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Attorneys for Defendants

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

/s/ Melissa Goodman

Case No. C 3:07-06346 CW
Stipulated Request to Continue Case Management Conference;
Declaration of Melissa Goodman; [Proposed] Order

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DECLARATION OF MELISSA GOODMAN

I, **Melissa Goodman**, declare as follows:

1. I am an attorney licensed to practice law in the State of New York and am admitted *pro hac vice* to practice before this Court. I am an attorney with the American Civil Liberties Union Foundation, co-counsel for plaintiff John Doe and for the other plaintiffs in this civil action. Except for those matters stated on information and belief, which I believe to be true, I have personal knowledge of the facts stated herein and, if called as a witness, I could and would competently testify thereto.

2. A Case Management Conference in the above-captioned action is currently scheduled to take place on March 25, 2008 at 2:00 p.m.

3. The parties have filed a request by stipulation that the Case Management Conference be continued to April 1, 2008 because the parties are actively engaged in settlement negotiations which, if successful, will result in resolution of this case without resort to further litigation and will obviate the need for the Case Management Conference. Even if those negotiations prove unsuccessful, defendants' deadline for answering or otherwise responding to plaintiffs' complaint has been extended to March 26, 2008 and the parties believe a Case Management Conference would be most fruitful if it occurred after that date.

4. The parties also have requested by stipulation that the March 4, 2008 deadline for the parties to meet and confer about initial disclosures, early settlement, ADR process selection, discovery plan, and Joint ADR Certification, as well as the March 18, 2008 deadline for the parties' Rule 26(f) Report and initial disclosures be stayed pending discussion of those matters at the Case Management Conference. The parties believe that this is the most productive and efficient way to proceed given the nature of this case, the fact that it mainly presents pure issues of law, and the likelihood that it will be resolved without any need for discovery.

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 4th day of March, 2008, at New York, New York.

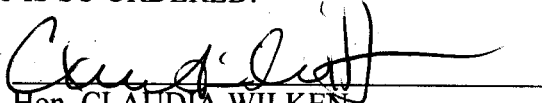
/s/Melissa Goodman
Melissa Goodman

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: MAR 10 2008


Hon. CLAUDIA WILKEN
United States District Judge