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9 *Attorneys for the Government Defendants*

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12)	No. M:06-CV-01791-VRW
13	IN RE NATIONAL SECURITY AGENCY)	
14	TELECOMMUNICATIONS RECORDS)	GOVERNMENT DEFENDANTS’
15	LITIGATION)	UNOPPOSED ADMINISTRATIVE
16	<u>This Document Solely Relates To:</u>)	MOTION TO EXTEND TIME
17	<i>Al-Haramain Islamic Foundation et al.</i>)	TO SUBMIT REPORT ON
18	<i>v. Obama, et al.</i> (07-CV-109-VRW))	DECLASSIFICATION REVIEW
19)	
20)	Honorable Vaughn R. Walker
21)	
22)	Local Rule 7-11
23)	
24)	
25)	
26)	
27)	

21 In its Order of January 5, 2009, the Court directed the Government Defendants to
 22 “review the Sealed Document and their classified submissions to date in this litigation and
 23 determine whether the Sealed Document and/or any of defendants’ classified submissions may
 24 be declassified, take all necessary steps to declassify those that they have determined may be
 25 declassified and, no later than forty-five (45) days from the date of this order, serve and file a
 26 report of the outcome of that review.” *See* Dkt. 57 at 24-25. The report ordered by the Court is
 27 due today (February 19, 2009). The Government moves unopposed for an extension of time to

28 **Government Defendants’ Unopposed Administrative Motion to Extend Time to Submit Report on
 Declassification Review *Al-Haramain et al. v. Obama et al.* (07-cv-109-VRW) (MDL06-cv-1791-VRW)**

1 complete its submission to the Court by no later than February 27, 2009.

2 The declassification review process ordered by the Court began immediately and is near
3 completion. The Government can report today, as we indicated in a filing made on February 11,
4 2009, that we expect the relevant information at issue in the privilege assertion to remain
5 classified. *See* Government Defendants' Reply in Support of Motion to Stay Proceedings
6 Pending Appeal and for Certification of Interlocutory Appeal Under 28 U.S.C. § 1292(b) (Dkt.
7 70) at 13, n.11. The Government anticipated being prepared to file on time, but additional
8 review and consultation is required to complete the forthcoming submission to the Court.

9 No prejudice will result from the requested extension. Plaintiffs' counsel has advised the
10 undersigned that the plaintiffs do not oppose this motion. In addition, by Order dated February
11 13, 2009, the Court directed the Government to inform the Court by February 27, 2009, how it
12 intends to comply with the January 5 Order, *see* Dkt. 71 at 3, and the Government requests that
13 the due date for the declassification report be extended to that date as well.

14 For the foregoing reasons, the Government respectfully requests that the Court grant a
15 brief extension of time to February 27, 2009, for the Government to submit the declassification
16 review report ordered by the Court on January 5, 2009. A proposed Order is attached hereto.

17 Dated: February 19, 2009

Respectfully Submitted,

18 MICHAEL F. HERTZ
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