

1 Shayana Kadidal
CENTER FOR CONSTITUTIONAL RIGHTS
2 666 Broadway, 7th Floor
New York, NY 10012-2317
3 Phone: (212) 614-6438
Fax: (212) 614-6499
4 Email: kadidal@ccr-ny.org

5 *Attorney for Plaintiffs*

6 Anthony J. Coppolino
Special Litigation Counsel
7 UNITED STATES DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
8 20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001
9 Phone: (202) 514-4782—Fax: (202) 616-8460
Email: tony.coppolino@usdoj.gov

10 *Attorney for Defendants*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 _____
IN RE NATIONAL SECURITY AGENCY
15 TELECOMMUNICATIONS RECORDS
LITIGATION
16 _____

17 This Document Relates Only to:
Center for Constitutional Rights v. Bush,
18 (Case No. 07-1115)
19 _____

No. M:06-cv-01791-VRW

**REVISED STIPULATION TO
EXTEND TIME TO SUBMIT
JOINT STATUS REPORT;
PROPOSED ORDER**

Chief Judge Vaughn R. Walker

20 **RECITALS**

21
22 By Order dated January 20, 2010 (dkt. 702 in M:06-cv-1791, dkt. 31 in 3:07-cv-1115), this
23 Court ordered the parties to submit “on or before February 26, 2010, a joint status report advising
24 the court of the status of this case, what proceedings are necessary to resolve it and proposing a
25 tentative schedule for such proceedings.” Plaintiffs and Defendants, through counsel, hereby
26 submit this revised stipulation to extend the time for submission of the requested joint status report
27 and proposed schedule to March 19, 2010, and request that the Court make this stipulation an order
28 of the Court.

1 The enlargement of time is necessary to accommodate other litigation burdens on Plaintiffs’
2 counsel, particularly a variety of pre- and post-oral argument responsibilities in *Holder v.*
3 *Humanitarian Law Project*, Nos. 08-1498, 09-89, to be argued at the Supreme Court on February
4 23, 2010, and supplemental and reply briefing in *Kiyemba v. Obama*, No. 08-1234, to be argued at
5 the Supreme Court on March 23, 2010. As a result of these burdens, counsel for the parties
6 originally stipulated an enlargement of time to March 9, 2010, by stipulation filed February 18,
7 2010 (dkt. 32 in 3:07-cv-1115).

8 Since that time, counsel for both parties have experienced unanticipated time constraints.
9 Counsel for Plaintiffs has had to make an emergency trip to travel internationally for a week to
10 Albania to deal with the transfer of a Libyan national Guantanamo client who the government has
11 resettled there, beginning this Friday, February 25, 2010. (Counsel for plaintiffs did not have prior
12 notice from the Defense Department of the date of that client’s transfer, and thus could not plan
13 around it.) Counsel for the Defendants will be unavailable on March 8-10, 2010 because of the
14 need to assist in the health care of a family member.

15 Because this court has not yet entered the previously-stipulated proposed order for
16 enlargement of time, there have been no previous time modifications relating to the aforementioned
17 Order of January 20, 2010. No prejudice will result from the requested enlargement of time and, as
18 there are no further deadlines scheduled in the case, it will not affect the schedule for the case.

19
20 **REVISED STIPULATION**

21 Plaintiffs and Defendants, through counsel, hereby stipulate that the time for submission of
22 the requested joint status report and proposed schedule be enlarged through March 19, 2010, and
23 request that the Court make this stipulation an order of the Court.

24 Respectfully submitted,

25
26 By: /s/Shayana Kadidal
Shayana Kadidal
Michael Ratner
27 CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
28 New York, NY 10012-2317

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Phone: (212) 614-6438 — Fax: (212) 614-6499
Email: kadidal@ccrjustice.org

David Cole
(CCR Cooperating Counsel)
c/o Georgetown University Law Center
600 New Jersey Avenue, N.W.
Washington, D.C. 20001
(202) 662-9078

Michael Avery
J. Ashlee Albies
NATIONAL LAWYERS GUILD
c/o Suffolk Law School
120 Tremont Street
Boston, MA 02108
(617) 573-8551

Attorneys for Plaintiffs

MICHAEL F. HERTZ
Deputy Assistant Attorney General

JOSEPH H. HUNT
Director, Federal Programs Branch

VINCENT M. GARVEY
Deputy Branch Director

By: /s/Anthony J. Coppolino
Anthony J. Coppolino
Special Litigation Counsel

UNITED STATES DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001
Phone: (202) 514-4782—Fax: (202) 616-8460
Email: tony.coppolino@usdoj.gov

Attorneys for Defendants

February 25, 2010

DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, SHAYANA KADIDAL, hereby declare pursuant to General Order 45, § X.B, that I have obtained the concurrence in the filing of this document from the other signatory listed below.

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

Executed on February 25, 2010, in the City of New York, New York.

/s/Shayana Kadidal

Shayana Kadidal
Michael Ratner
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, NY 10012-2317
(212) 614-6438
Email: kadidal@ccrjustice.org

ANTHONY J. COPPOLINO
Special Litigation Counsel
UNITED STATES DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001
Phone: (202) 514-4782—Fax: (202) 616-8460
Email: tony.coppolino@usdoj.gov

By: /s/ Anthony J. Coppolino per G.O. 45

Attorney for Defendants

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE NATIONAL SECURITY AGENCY
TELECOMMUNICATIONS RECORDS
LITIGATION

No. M:06-cv-01791-VRW

Judge: Hon. Vaughn R. Walker

This Document Relates Only to:
Center for Constitutional Rights v. Bush,
(Case No. 07-1115)

[PROPOSED] ORDER

The stipulation for an enlargement of time to submit the joint status report and proposed schedule previously ordered by the Court, *see* Order dated January 20, 2010 (Dkt. 702), shall be and hereby is GRANTED, and the required joint status report and proposed schedule shall be due by no later than March 19, 2010.

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATE: _____

Chief Judge Vaughn R. Walker

