

FILED

UNITED STATES COURT OF APPEALS

FEB 12 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: NATIONAL SECURITY AGENCY  
TELECOMMUNICATIONS RECORDS  
LITIGATION,

No. 09-16676

D.C. Nos. 3:06-cv-00672-VRW  
M:06-cv-01791-VRW

Northern District of California,  
San Francisco

TASH HEPTING; et al.,

Plaintiffs - Appellants,

ORDER

v.

AT&T CORPORATION; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

SEAN BASINSKI, on behalf of himself  
and all others similarly situated; et al.,

No. 09-16677

D.C. Nos. 3:06-cv-06434-VRW  
M-06-cv-01791-VRW

Northern District of California,  
San Francisco

Plaintiffs - Appellants,

v.

VERIZON COMMUNICATIONS, INC.;  
et al.,

Defendants - Appellees,  
UNITED STATES OF AMERICA,  
Defendant-intervenor -  
Appellee.

RICHARD D. SUCHANEK, III, on behalf  
of himself and all others similarly situated;  
et al.,

Plaintiffs - Appellants,

v.

SPRINT NEXTEL CORPORATION,

Defendant - Appellee,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16679

D.C. Nos. 3:06-cv-06295-VRW  
M:06-cv-01791-VRW

Northern District of California,  
San Francisco

CHARLES F. BISSITT; et al.,

Plaintiffs - Appellants,

v.

VERIZON COMMUNICATIONS, INC.;  
et al.,

Defendants - Appellees.

No. 09-16682

D.C. Nos. 3:06-cv-05066-VRW  
M:06-cv-01791-VRW

Northern District of California,  
San Francisco

CHRISTOPHER BREADY; et al.,  
  
Plaintiffs - Appellants,  
  
v.  
  
VERIZON MARYLAND, INC.; et al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

No. 09-16683  
  
D.C. Nos. 3:06-cv-06313-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

TOM CAMPBELL; et al.,  
  
Plaintiffs - Appellants,  
  
v.  
  
AT&T COMMUNICATIONS OF  
CALIFORNIA, a corporation; et al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

No. 09-16684  
  
D.C. Nos. 3:06-cv-03596-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

DENNIS P. RIORDAN; et al.,

Plaintiffs - Appellants,

v.

VERIZON COMMUNICATIONS, INC., a  
corporation; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16685

D.C. Nos. 3:06-cv-03574-VRW

M:06-cv-01791-VRW

Northern District of California,  
San Francisco

GLEN CHULSKY; et al.,

Plaintiffs - Appellants,

v.

CELLCO PARTNERSHIP, DBA Verizon  
Wireless; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16686

D.C. Nos. 3:06-cv-06570-VRW

M:06-cv-01791-VRW

Northern District of California,  
San Francisco

CHARMAINE CROCKETT; et al.,

No. 09-16687

Plaintiffs - Appellants,  
  
v.  
  
VERIZON WIRELESS, (VAW) LLC; et  
al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

D.C. Nos. 3:06-cv-06254-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

TRAVIS CROSS; et al.,  
  
Plaintiffs - Appellants,  
  
v.  
  
AT&T COMMUNICATIONS, INC.; et  
al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

No. 09-16688  
  
D.C. Nos. 3:06-cv-06222-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

JOAN DUBOIS; et al.,  
  
Plaintiffs - Appellants,

No. 09-16690  
  
D.C. Nos. 3:06-cv-06387-VRW  
M:06-cv-01791-VRW

v.

AT&T CORP.; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

Northern District of California,  
San Francisco

TRAVIS CROSS; et al.,

Plaintiffs - Appellants,

v.

AT&T COMMUNICATIONS OF  
CALIFORNIA, INC.; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16691

D.C. Nos. 3:06-cv-06224-VRW  
M:06-cv-01791-VRW

Northern District of California,  
San Francisco

PAT MAHONEY, individually, and on  
behalf of all others similarly situated; et  
al.,

Plaintiffs - Appellants,

v.

No. 09-16692

D.C. Nos. 3:06-cv-05065-VRW  
M:06-cv-01791-VRW

Northern District of California,  
San Francisco

AT&T COMMUNICATIONS, INC.; et  
al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

PAMELA A. MAHONEY, on behalf of  
herself and all others similarly situated; et  
al.,

Plaintiffs - Appellants,

v.

VERIZON COMMUNICATIONS, INC.;  
et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16693

D.C. Nos. 3:06-cv-05064-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

MARK P. SOLOMON, MD, on behalf of  
himself and all others similarly situated; et  
al.,

Plaintiffs - Appellants,

No. 09-16694

D.C. Nos. 3:06-cv-06388-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

v.

VERIZON COMMUNICATIONS, INC.;  
et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

RHEA FULLER, on behalf of herself and  
all others similarly situated; et al.,

Plaintiffs - Appellants,

v.

VERIZON COMMUNICATIONS, INC.;  
et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16696

D.C. Nos. 3:06-cv-05267-VRW

M:06-cv-01791-VRW

Northern District of California,  
San Francisco

SHELLY D. SOUDER; et al.,

Plaintiffs - Appellants,

v.

No. 09-16697

D.C. Nos. 3:06-cv-05067-VRW

M:06-cv-01791-VRW

Northern District of California,



AT&T INC.; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

San Francisco

STEVE DOLBERG, on behalf of himself  
and all others similarly situated; et al.,

Plaintiffs - Appellants,

v.

AT&T, INC.; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16698

D.C. Nos. 3:06-cv-05269-VRW

M:06-cv-01791-VRW

Northern District of California,  
San Francisco

THERESA FORTNASH; et al.,

Plaintiffs - Appellants,

v.

AT&T CORP.,

Defendant - Appellee,

No. 09-16700

D.C. Nos. 3:06-cv-06385-VRW

M:06-cv-01791-VRW

Northern District of California,  
San Francisco

UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

D. CLIVE HARDY; et al.,  
  
Plaintiffs - Appellants,  
  
v.

AT&T CORPORATION,  
  
Defendant - Appellee,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

No. 09-16701

D.C. Nos. 3:06-cv-06924-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

JAMES C. HARRINGTON; et al.,  
  
Plaintiffs - Appellants,  
  
v.

AT&T, INC.; et al.,  
  
Defendants - Appellees.

No. 09-16702

D.C. Nos. 3:06-cv-05452-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

TINA HERRON; et al.,

No. 09-16704

Plaintiffs - Appellants,  
  
v.  
  
VERIZON GLOBAL NETWORKS, INC.;  
et al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

D.C. No. 3:06-cv-05343-VRW  
Northern District of California,  
San Francisco

DARRYL HINES; et al.,  
  
Plaintiffs - Appellants,  
  
v.  
  
VERIZON NORTHWEST, INC., an active  
Washington corporation; et al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

No. 09-16706  
  
D.C. Nos. 3:06-cv-05341-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

HOWARD JACOBS, a natural person; et  
al.,  
  
Plaintiffs - Appellants,

No. 09-16707  
  
D.C. Nos. 3:07-cv-02538-VRW  
M:06-cv-01791-VRW

v.  
  
AT&T CORP., a foreign corporation; et  
al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

Northern District of California,  
San Francisco

CLAUDIA MINK; et al.,  
  
Plaintiffs - Appellants,  
  
v.  
  
AT&T COMMUNICATIONS OF THE  
SOUTHWEST, INC., a Delaware  
corporation; et al.,  
  
Defendants - Appellees,  
  
UNITED STATES OF AMERICA,  
  
Defendant-intervenor -  
Appellee.

No. 09-16708  
  
D.C. Nos. 3:06-cv-07934-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

RICHARD ROCHE; et al.,  
  
Plaintiffs - Appellants,  
  
v.

No. 09-16709  
  
D.C. Nos. 3:07-cv-01243-VRW  
M:06-cv-01791-VRW  
Northern District of California,

AT&T CORP.,

Defendant - Appellee,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

San Francisco

BENSON B. ROE; et al.,

Plaintiffs - Appellants,

v.

AT&T CORP., a New York corporation; et  
al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16710

D.C. Nos. 3:06-cv-03467-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

ELAINE SPIELFOGEL-LANDIS, on  
behalf of herself and all others similarly  
situated; et al.,

Plaintiffs - Appellants,

v.

MCI, LLC, a Delaware limited liability

No. 09-16712

D.C. Nos. 3:06-cv-04221-VRW  
M:06-cv-01791-VRW  
Northern District of California,  
San Francisco

company; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -

Appellee.

STUDS TERKEL, (now deceased; et al.,

Plaintiffs - Appellants,

v.

AT&T CORP.; et al.,

Defendants - Appellees.

No. 09-16713

D.C. Nos. 3:06-cv-05340-VRW

M:06-cv-01791-VRW

Northern District of California,  
San Francisco

HERBERT WAXMAN, on behalf of  
himself and all others similarly situated; et  
al.,

Plaintiffs - Appellants,

v.

AT&T CORP.,

Defendant - Appellee,

UNITED STATES OF AMERICA,

Defendant-intervenor -

No. 09-16717

D.C. Nos. 3:06-cv-06294-VRW

M:06-cv-01791-VRW

Northern District of California,  
San Francisco

Appellee.

STEVEN LEBOW, Rabbi; et al.,

Plaintiffs - Appellants,

v.

BELL SOUTH CORPORATION; et al.,

Defendants - Appellees.

No. 09-16719

D.C. Nos. 3:07-cv-00464-VRW  
M:06-cv-01791-VRW

Northern District of California,  
San Francisco

RAY ANDERSON; et al.,

Plaintiffs - Appellants,

v.

VERIZON COMMUNICATIONS, INC.;  
et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

No. 09-16720

D.C. Nos. 3:07-cv-02029-VRW  
M:06-cv-01791-VRW

Northern District of California,  
San Francisco

JAMES JOLL; et al.,

Plaintiffs - Appellants,

No. 09-16723

D.C. Nos. 3:06-cv-05485-VRW  
M:06-cv-01791-VRW

v.

AT&T CORP.; et al.,

Defendants - Appellees,

UNITED STATES OF AMERICA,

Defendant-intervenor -  
Appellee.

Northern District of California,  
San Francisco

The district court docket reflects that the docketing fee was paid on July 31, 2009. Therefore, the joint opening brief filed on December 8, 2009 shall be filed in No. 09-16683 as well as in the other consolidated cases.

Appellants Joll, et al., Anderson, et al., Herron, et al., and Lebow, et al.'s opposed motion to file a supplemental opening brief is granted. The appellees shall also be given an opportunity to file a supplemental answering brief. The supplemental briefs for the appellants and the appellees shall not exceed 2,800 words.

The appellants' supplemental opening brief is due March 18, 2010. The appellees' supplemental answering brief is due April 19, 2010.

The answering brief submitted by appellees AT&T Corporation and AT&T, Inc., et al. was filed on February 10, 2010.

The court sua sponte extends the due date for the answering briefs for the government and remaining appellees' to May 19, 2010. The reply brief(s) are due July 1, 2010.



**Consolidated Case Nos:** 09-16676, 09-16677, 09-16679, 09-16682, 09-16683, 09-16684, 09-16685, 09-16686, 09-16687, 09-16688, 09-16690, 09-16691, 09-16692, 09-16693, 09-16694, 09-16696, 09-16697, 09-16698, 09-16700, 09-16701, 09-16702, 09-16704, 09-16706, 09-16707, 09-16708, 09-16709, 09-16710, 09-16712, 09-16713, 09-13717, 09-16719, 09-16720, & 09-16723

The government appellee's motion for an extension of time to file the answering brief is denied as moot.

The appellants' motion for an extension of time to file the reply brief(s) is denied as moot.

For the Court:

MOLLY C. DWYER  
Clerk of Court

Grace S. Santos  
Deputy Clerk  
Ninth Circuit Rule 27-7/Advisory Note to Rule 27  
and Ninth Circuit 27-10