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

14 \_\_\_\_\_  
 15 IN RE NATIONAL SECURITY AGENCY  
 TELECOMMUNICATIONS RECORDS  
 16 LITIGATION  
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17 This Document Relates Only to:  
 18 *Center for Constitutional Rights v. Obama* ,  
 (Case No. 07-cv-1115-VRW)  
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**No. 3:06-md-01791-VRW**

**REVISED STIPULATION AND  
 REQUEST TO EXTEND AND  
 MODIFY BRIEFING  
 SCHEDULE**

Chief Judge Vaughn R. Walker

20 **RECITALS**

21 1. By order dated March 26, 2010 (Dkt. 720 in 06-md-1791, Dkt. 36 in 07-cv-1115),  
 22 the Court, upon consideration of the parties' joint status report, set a schedule in this action for the  
 23 submission of cross dispositive motions by the parties under which defendants were to renew their  
 24 dispositive motion by April 28, 2010; plaintiffs were to file an opposition to defendants' renewed  
 25 motion and renew plaintiffs' cross-motion for summary judgment by May 28, 2010; defendants  
 26 were to reply and file an opposition to plaintiffs' cross-motion by June 18, 2010; and plaintiffs  
 27 were to file a cross-reply by July 9, 2010.

28 3:06-md-1791-VRW REVISED STIPULATION AND REQUEST TO EXTEND & MODIFY BRIEFING  
 SCHEDULE; PROPOSED ORDER IN *CENTER FOR CONSTITUTIONAL RIGHTS*  
*V. OBAMA* (07-CV-1115-VRW)

1           2.       Counsel for the parties then stipulated (Dkt. 725 in 06-md-1791, Dkt. 37 in 07-cv-  
2 1115 (filed Apr. 27, 2010)) to a revised briefing schedule under which defendants were to renew  
3 their dispositive motion by May 27, 2010; plaintiffs were to file an opposition to defendants'  
4 renewed motion and renew plaintiffs' cross-motion for summary judgment by June 24, 2010;  
5 defendants were to reply and file an opposition to plaintiffs' cross-motion by July 15, 2010; and  
6 plaintiffs were to file a cross-reply by August 5, 2010. The Court issued an order adopting the  
7 revised briefing schedule pursuant to stipulation on April 28, 2010 (Dkt. 726 in 06-md-1791, Dkt.  
8 38 in 07-cv-1115).

9           3.       Defendants filed their renewed motion on May 27, 2010 (Dkt. 731 in 06-md-1791,  
10 Dkt. 39 in 07-cv-1115).

11           4.       Counsel for the parties then stipulated (Dkt. 736 in 06-md-1791, Dkt. 41 in 07-cv-  
12 1115 (filed Jun. 17, 2010)) to a revised briefing schedule under which plaintiffs were to file an  
13 opposition to defendants' renewed motion and renew plaintiffs' cross-motion for summary  
14 judgment by July 22, 2010; defendants were to reply and file an opposition to plaintiffs' cross-  
15 motion by September 2, 2010; and plaintiffs were to file a cross-reply by September 23, 2010. The  
16 Court issued an order adopting the revised briefing schedule pursuant to stipulation on June 21,  
17 2010 (Dkt. 737 in 06-md-1791, Dkt. 42 in 07-cv-1115).

18           4.       Plaintiffs and defendants, through counsel, hereby submit this revised stipulation to  
19 extend the time for submission of plaintiffs' opposition and renewed motion, defendants' reply,  
20 and plaintiffs' cross-reply, and request that the Court make this stipulation an order of the Court.

21           5.       The one-week enlargement of time for plaintiffs' opposition and cross-motion is  
22 necessary to accommodate burdens on plaintiffs' counsel created by a prolonged system-wide  
23 email failure during the week of July 5th. Further slight adjustments beyond one week have been  
24 proposed for the two subsequent deadlines in order to accommodate the religious holidays in early  
25 September.

26           6.       There have been two previous modifications of the original schedule, as described  
27 above. No prejudice will result from the requested enlargement of time and, as there are no further  
28 deadlines currently scheduled in the case, it will not affect any other schedule for the case.

1 **REVISED STIPULATION**

2 The parties, through their undersigned counsel, hereby stipulate and agree to the following  
3 revised briefing schedule in this action: (i) plaintiffs must file an opposition to defendants' renewed  
4 motion and renew plaintiffs' cross-motion for summary judgment by July 29, 2010; (ii) defendants  
5 must reply and file an opposition to plaintiffs' cross-motion by September 14, 2010; (iii) plaintiffs  
6 may file a cross-reply by October 5, 2010. A proposed order is attached hereto.

7 Respectfully submitted,

8  
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July 16, 2010



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

IN RE NATIONAL SECURITY AGENCY  
TELECOMMUNICATIONS RECORDS  
LITIGATION

**No. 3:06-md-01791-VRW**

Judge: Hon. Vaughn R. Walker

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

**[PROPOSED] ORDER**

Upon consideration of the parties' revised stipulation and request to extend and modify the current briefing schedule in this action, and good cause appearing, the Court hereby revises the current briefing schedule set forth in the Court's Order of June 21, 2010 (Dkt. 737 in 06-md-1791, Dkt. 42 in 07-cv-1115) as follows: the Court ORDERS that (i) plaintiffs must file an opposition to defendants' renewed motion and renew plaintiffs' cross-motion for summary judgment by July 29, 2010; (ii) defendants must reply and file an opposition to plaintiffs' cross-motion by September 14, 2010; (iii) plaintiffs may file a cross-reply by October 5, 2010.

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATE: \_\_\_\_\_

\_\_\_\_\_  
Chief Judge Vaughn R. Walker

