

**IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

LARRY KLAYMAN, *et. al*

Plaintiffs,

v.

BARACK HUSSEIN OBAMA II, *et. al*

Defendants.

Civil Action No. 13-cv- 851 RJL

MOTION FOR EXTENSION OF TIME TO CERTIFY CLASS ACTION

Plaintiffs hereby move this court for an extension of time of thirty (30) days to file a motion moving for class certification in the above styled lawsuit and as grounds therefor would show:

1. Plaintiffs filed suit challenging on Constitutional grounds the legality of Defendants' participation and conduct in a secret and illicit government scheme to intercept and analyze vast quantities of domestic telephonic communications. The order, issued and signed by Judge Roger Vinson of the Foreign Intelligence Surveillance Act ("FISA") Court, blatantly violates the fundamental rights guaranteed by First, Fourth, and Fifth Amendments to the U.S. Constitution as well as federal laws, including, but not limited to, the outrageous breach of privacy, freedom of speech, freedom of association, and the due process rights of American citizens. This outrageous and unconstitutional action by the government has violated the rights of millions --if not tens of millions-- of American citizens.

2. Because the vast number of people who have had their constitutional rights violated, a class action lawsuit would be appropriate in order ensure that the issue is decided for all those involved and to avoid the wasting of judicial resources with duplicative lawsuits.
3. Due to the secretive nature of the FISA Court, new information is coming to light on a weekly basis that shows, among other things, how the National Security Agency has been lying to this Court and the American public about what information is being gathered and monitored and the extent to which the American people are being spied upon by their own government.
4. Because of all the uncertainty and the new information that has come to light the Plaintiffs are still in the process of preparing to move for class certification. Plaintiffs are also in the process of ensuring that all the Defendants, have been served so that this lawsuit may proceed.
5. In addition, Plaintiff Larry Klayman has been traveling out of his office extensively and will not be returning to his office in the next two weeks.
6. A short extension of thirty days will allow the Plaintiff to gather the information needed to prepare and file a motion to certify this lawsuit as a class action.
7. No prejudice will result to the Defendants, as they have yet to file responsive pleadings.
8. Plaintiff's counsel contacted the government defendants' counsel to seek consent for this motion. Defendant has not as of yet granted consent. If he does consent we will expeditiously advise the Court.

WHEREFORE, Plaintiffs respectfully move for an additional thirty (30) days to move for certification of a class action in the above styled lawsuit or by October 30, 2013.

Dated: September 30, 2013

Respectfully submitted,

/s/ *Larry Klayman*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of September, 2012 a true and correct copy of the foregoing Notice of Appeal (Civil Action No. 13-cv- 851) was submitted electronically to the District Court for the District of Columbia and served via courier, electronic mail, or U.S. mail upon the following:

Via electronic service:

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Attorney for Defendants.

Respectfully submitted,

/s/ Larry Klayman
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