

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:08-cv-01023-JSW**

Electronic Frontier Foundation v. Office of the Director of  
National Intelligence et al  
Assigned to: Hon. Jeffrey S. White  
Referred to: Magistrate Judge Joseph C. Spero  
Demand: \$0  
Relate Case Case: 3:08-cv-02997-JSW  
Case in other court: 9th Circuit, 09-17235  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/20/2008  
Date Terminated: 09/29/2010  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Electronic Frontier Foundation**

represented by **Marcia Clare Hofmann**  
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V.

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**Defendant****Department of Justice**

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**Andrew Irwin Warden**  
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**Marcia Berman**  
 (See above for address)  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/20/2008	<u>1</u>	COMPLAINT for Injunctive Relief – [Summons Issued] against Office of the Director of National Intelligence & Department of Justice, [Filing Fee:\$350.00, Receipt Number 34611016029]. Filed by Plaintiff Electronic Frontier Foundation. (tn, COURT STAFF) (Filed on 2/20/2008) (Entered: 02/21/2008)
02/20/2008		SUMMONS Issued as to Defendants Office of the Director of National Intelligence & Department of Justice. (tn, COURT STAFF) (Entered: 02/21/2008)
02/20/2008	<u>2</u>	ADR SCHEDULING ORDER: Joint Case Management Statement due 5/20/2008 & InitialCase Management Conference set for 5/27/2008 at 10:00 AM.. (Attachments: #(1) EDL Standing Order). (tn, COURT STAFF) (Filed on 2/20/2008) (Additional attachment(s) added on 2/21/2008: # <u>2</u> Standing Order for All Judges) (tn, COURT STAFF). (Entered: 02/21/2008)
02/20/2008	<u>3</u>	CERTIFICATION of Interested Entities or Persons Filed by Plaintiff Electronic Frontier Foundation. (tn, COURT STAFF) (Filed on 2/20/2008) (Entered: 02/21/2008)
02/20/2008		CASE DESIGNATED for Electronic Filing. (tn, COURT STAFF) (Entered: 02/21/2008)
02/25/2008	<u>4</u>	ORIGINAL SUMMONS in a Civil Case Returned Unexecuted Filed by Plaintiff Electronic Frontier Foundation as to the Office of the Director of National Intelligence. (tn, COURT STAFF) (Filed on 2/25/2008) (Entered: 02/27/2008)
02/25/2008	<u>5</u>	SUMMONS Re-Issued as to Defendant Office of the Director of National Intelligence. (tn, COURT STAFF) (Filed on 2/25/2008) (Entered: 02/27/2008)
02/25/2008	<u>6</u>	SUMMONS Re-Issued as to Defendant Department of Justice. (tn, COURT STAFF) (Filed on 2/25/2008) (Entered: 02/27/2008)
02/29/2008	<u>7</u>	MOTION for Preliminary Injunction ; <i>Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction</i> filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>8</u>	Declaration of Marcia Hofmann in Support of <u>7</u> MOTION for Preliminary Injunction ; <i>Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction</i> filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Exhibit A–D, # <u>2</u> Exhibit E–H, # <u>3</u> Exhibit I–K, # <u>4</u> Exhibit L, # <u>5</u> Exhibit M, # <u>6</u> Exhibit N, # <u>7</u> Exhibit O–R, # <u>8</u> Exhibit S–V)(Related document(s) <u>7</u> ) (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)

02/29/2008	<u>9</u>	Proposed Order re <u>7</u> MOTION for Preliminary Injunction ; <i>Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction Granting Plaintiffs Motion for Preliminary Injunction</i> by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>10</u>	CERTIFICATE OF SERVICE by Electronic Frontier Foundation re <u>7</u> MOTION for Preliminary Injunction ; <i>Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction</i> , <u>9</u> Proposed Order, <u>8</u> Declaration in Support, (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>11</u>	MOTION to Shorten Time <i>for Hearing on Plaintiffs Motion for Preliminary Injunction</i> filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>12</u>	Brief re <u>11</u> MOTION to Shorten Time <i>for Hearing on Plaintiffs Motion for Preliminary Injunction</i> filed by Electronic Frontier Foundation. (Related document(s) <u>11</u> ) (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>13</u>	Declaration of Marcia Hofmann in Support of <u>11</u> MOTION to Shorten Time <i>for Hearing on Plaintiffs Motion for Preliminary Injunction</i> filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>11</u> ) (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>14</u>	Proposed Order re <u>11</u> MOTION to Shorten Time <i>for Hearing on Plaintiffs Motion for Preliminary Injunction Granting Plaintiffs Motion to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction</i> by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>15</u>	CERTIFICATE OF SERVICE by Electronic Frontier Foundation re <u>14</u> Proposed Order, <u>13</u> Declaration in Support, <u>12</u> Brief, <u>11</u> MOTION to Shorten Time <i>for Hearing on Plaintiffs Motion for Preliminary Injunction</i> (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>16</u>	CONSENT to Proceed Before a US Magistrate Judge by Electronic Frontier Foundation.. (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
02/29/2008	<u>17</u>	CERTIFICATE OF SERVICE by Electronic Frontier Foundation re <u>16</u> Consent to Proceed Before a US Magistrate Judge (Hofmann, Marcia) (Filed on 2/29/2008) (Entered: 02/29/2008)
03/05/2008	<u>18</u>	ORDER denying motion to relate cases. Signed by Judge Illston on 2/29/08. (ts, COURT STAFF) (Filed on 3/5/2008) (Entered: 03/05/2008)
03/05/2008	<u>19</u>	NOTICE of Appearance by Andrew Irwin Warden (Warden, Andrew) (Filed on 3/5/2008) (Entered: 03/05/2008)
03/05/2008	<u>20</u>	Declination to Proceed Before a U.S. Magistrate Judge by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Exhibit)(Warden, Andrew) (Filed on 3/5/2008) (Entered: 03/05/2008)
03/05/2008	<u>21</u>	Memorandum in Opposition re <u>11</u> MOTION to Shorten Time <i>for Hearing on Plaintiffs Motion for Preliminary Injunction</i> filed by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order)(Warden, Andrew) (Filed on 3/5/2008) (Entered: 03/05/2008)
03/06/2008	<u>22</u>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (lmh, COURT STAFF) (Filed on 3/6/2008) (Entered: 03/06/2008)
03/06/2008	<u>23</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Jeffrey S. White for all further proceedings. Judge Magistrate Judge Elizabeth D. Laporte no longer assigned to the case. Signed by Executive Committee on 3/6/08. (mab, COURT STAFF) (Filed on 3/6/2008) (Entered: 03/06/2008)
03/10/2008	<u>24</u>	STIPULATION <i>To Extend Page Limit For Defendants' Opposition To Plaintiff's Motion For Preliminary Injunction</i> by Office of the Director of National Intelligence, Department of Justice. (Warden, Andrew) (Filed on 3/10/2008) (Entered: 03/10/2008)
03/10/2008	<u>25</u>	Renotice motion hearing filed by Electronic Frontier Foundation. Motion Hearing set for 5/9/2008 09:00 AM in Courtroom 2, 17th Floor, San Francisco. (Hofmann, Marcia)

		(Filed on 3/10/2008) (Entered: 03/10/2008)
03/10/2008	<u>26</u>	ORDER GRANTING <u>24</u> Stipulation to Exceed Page Limit for Defendants' Opposition to Plaintiff's Motion for Preliminary Injunction. Signed by Judge Jeffrey S. White on 3/10/08. (jjo, COURT STAFF) (Filed on 3/10/2008) (Entered: 03/10/2008)
03/10/2008	<u>27</u>	INITIAL SCHEDULING CONFERENCE ORDER: Case Management Conference set for 6/13/2008 01:30 PM. Case Management Statement due by 6/6/2008.. Signed by Judge Jeffrey S. White on 3/10/08. (jjo, COURT STAFF) (Filed on 3/10/2008) (Entered: 03/10/2008)
03/11/2008	<u>28</u>	MOTION to Amend/Correct <u>11</u> MOTION to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction ; Memorandum in Support of Amended Application for Order to Shorten Time for a Hearing on Plaintiff's Motion for a Preliminary Injunction filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 3/11/2008) (Entered: 03/11/2008)
03/11/2008	<u>29</u>	Declaration of Marcia Hofmann in Support of <u>28</u> MOTION to Amend/Correct <u>11</u> MOTION to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction ; Memorandum in Support of Amended Application for Order to Shorten Time for a Hearing on Plaintiff's Motion for a Prelimina MOTION to Amend/Correct <u>11</u> MOTION to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction ; Memorandum in Support of Amended Application for Order to Shorten Time for a Hearing on Plaintiff's Motion for a Prelimina filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Exhibit A)(Related document(s) <u>28</u> ) (Hofmann, Marcia) (Filed on 3/11/2008) (Entered: 03/11/2008)
03/11/2008	<u>30</u>	Proposed Order re <u>28</u> MOTION to Amend/Correct <u>11</u> MOTION to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction ; Memorandum in Support of Amended Application for Order to Shorten Time for a Hearing on Plaintiff's Motion for a Prelimina MOTION to Amend/Correct <u>11</u> MOTION to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction ; Memorandum in Support of Amended Application for Order to Shorten Time for a Hearing on Plaintiff's Motion for a Prelimina by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 3/11/2008) (Entered: 03/11/2008)
03/11/2008	31	MOTION for leave to appear in Pro Hac Vice–David Sobel ( Filing fee \$ 210, receipt number 34611016824.) filed by Electronic Frontier Foundation. (hdj, COURT STAFF) (Filed on 3/11/2008) (Entered: 03/12/2008)
03/11/2008		Received Document (Proposed) Order 31 by Electronic Frontier Foundation. (hdj, COURT STAFF) (Filed on 3/11/2008) (Entered: 03/13/2008)
03/12/2008	<u>32</u>	ORDER by Judge Jeffrey S. White granting 31 Motion for Pro Hac Vice for David Sobel (jjo, COURT STAFF) (Filed on 3/12/2008) (Entered: 03/12/2008)
03/13/2008	<u>33</u>	Memorandum in Opposition re <u>28</u> MOTION to Amend/Correct <u>11</u> MOTION to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction ; Memorandum in Support of Amended Application for Order to Shorten Time for a Hearing on Plaintiff's Motion for a Prelimina MOTION to Amend/Correct <u>11</u> MOTION to Shorten Time for Hearing on Plaintiffs Motion for Preliminary Injunction ; Memorandum in Support of Amended Application for Order to Shorten Time for a Hearing on Plaintiff's Motion for a Prelimina filed by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Proposed Order)(Warden, Andrew) (Filed on 3/13/2008) (Entered: 03/13/2008)
03/13/2008	<u>34</u>	ORDER by Judge Jeffrey S. White GRANTING Modified <u>11</u> , <u>28</u> Motion Shorten Time for Hearing on Motion for a Preliminary Injunction. (jswlc2, COURT STAFF) (Filed on 3/13/2008) (Entered: 03/13/2008)
03/13/2008	<u>35</u>	CERTIFICATE OF SERVICE by Electronic Frontier Foundation for Civil Standing Orders of Judge Jeffrey S. White (Hofmann, Marcia) (Filed on 3/13/2008) (Entered: 03/13/2008)
03/13/2008		Set/Reset Deadlines as to <u>7</u> MOTION for Preliminary Injunction ; Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction. Motion Hearing set for 4/4/2008 09:00 AM. (hdj, COURT STAFF) (Filed on 3/13/2008) (Entered: 03/14/2008)

03/18/2008	<u>36</u>	Memorandum in Opposition re <u>7</u> MOTION for Preliminary Injunction ; <i>Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction</i> filed by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Affidavit Sessoms Declaration, # <u>2</u> Affidavit Colborn Declaration, # <u>3</u> Affidavit Pustay Declaration, # <u>4</u> Affidavit Hackett Declaration, # <u>5</u> Exhibit EFF Order, # <u>6</u> Exhibit EPIC Order)(Warden, Andrew) (Filed on 3/18/2008) (Entered: 03/18/2008)
03/25/2008	<u>37</u>	RESPONSE in Support re <u>7</u> MOTION for Preliminary Injunction ; <i>Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction</i> filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 3/25/2008) (Entered: 03/25/2008)
03/25/2008	<u>38</u>	Declaration of Marcia Hofmann in Support of <u>37</u> Response in Support of <i>Motion for a Preliminary Injunction</i> filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Exhibit A–G)(Related document(s) <u>37</u> ) (Hofmann, Marcia) (Filed on 3/25/2008) (Entered: 03/25/2008)
03/31/2008	<u>39</u>	ANSWER to Complaint by Office of the Director of National Intelligence, Department of Justice. (Warden, Andrew) (Filed on 3/31/2008) (Entered: 03/31/2008)
03/31/2008	<u>40</u>	NOTICE OF TENTATIVE RULING AND QUESTIONS re <u>7</u> MOTION for Preliminary Injunction. Signed by Judge Jeffrey S. White on March 31, 2008. (jswlc2, COURT STAFF) (Filed on 3/31/2008) (Entered: 03/31/2008)
04/02/2008	<u>41</u>	RESPONSE to re <u>40</u> Order by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Warden, Andrew) (Filed on 4/2/2008) (Entered: 04/02/2008)
04/04/2008	<u>42</u>	Minute Entry: Preliminary Injunction Hearing held on 4/4/2008 before Judge Jeffrey S. White (Date Filed: 4/4/2008). (Court Reporter Lydia Zinn.) (jjo, COURT STAFF) (Date Filed: 4/4/2008) (Entered: 04/04/2008)
04/04/2008	<u>43</u>	ORDER by Judge Jeffrey S. White GRANTING <u>7</u> Motion for Preliminary Injunction. (jswlc2, COURT STAFF) (Filed on 4/4/2008) (Entered: 04/04/2008)
04/21/2008	<u>44</u>	RESPONSE to re <u>43</u> Order on Motion for Preliminary Injunction by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Exhibit Hackett Declaration, # <u>2</u> Exhibit Sessoms Declaration, # <u>3</u> Exhibit Colborn Declaration, # <u>4</u> Exhibit Hitter Declaration, # <u>5</u> Exhibit Hardy Declaration, # <u>6</u> Exhibit Kovakas Declaration)(Warden, Andrew) (Filed on 4/21/2008) (Entered: 04/21/2008)
05/20/2008	<u>45</u>	STIPULATION <i>Requesting to Extend Date of Case Management Conference</i> by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 5/20/2008) (Entered: 05/20/2008)
05/21/2008	<u>46</u>	ORDER GRANTING <u>45</u> Stipulation Requesting to Extend Date of Case Management Conference. Signed by Judge Jeffrey S. White on 5/21/08. (jjo, COURT STAFF) (Filed on 5/21/2008) (Entered: 05/21/2008)
05/21/2008		Set/Reset Hearings: Case Management Conference set for 6/20/2008 01:30 PM. (hdj, COURT STAFF) (Filed on 5/21/2008) (Entered: 05/22/2008)
05/29/2008	<u>47</u>	ADR Certification (ADR L.R. 3–5b) of discussion of ADR options (Hofmann, Marcia) (Filed on 5/29/2008) (Entered: 05/29/2008)
05/30/2008	<u>48</u>	ADR Certification (ADR L.R. 3–5b) of discussion of ADR options (Warden, Andrew) (Filed on 5/30/2008) (Entered: 05/30/2008)
05/30/2008	<u>49</u>	NOTICE of need for ADR Phone Conference (ADR L.R. 3–5 d) (Warden, Andrew) (Filed on 5/30/2008) (Entered: 05/30/2008)
06/09/2008	<u>50</u>	Consent MOTION to Appear by Telephone <i>At Case Management Conference</i> filed by Office of the Director of National Intelligence, Department of Justice. Motion Hearing set for 6/20/2008 01:30 PM in Courtroom 2, 17th Floor, San Francisco. (Attachments: # <u>1</u> Proposed Order)(Warden, Andrew) (Filed on 6/9/2008) (Entered: 06/09/2008)
06/10/2008	<u>51</u>	ORDER GRANTING REQUEST TO APPEAR BY TELEPHONE. Signed by Judge Jeffrey S. White on 6/10/08. (jjo, COURT STAFF) (Filed on 6/10/2008) (Entered: 06/10/2008)

06/12/2008	<u>52</u>	ADR Clerks Notice Setting ADR Phone Conference on 6/18/08 at 2:30 p.m. Please take note that plaintiff's counsel initiates the call to all parties. (tjs, COURT STAFF) (Filed on 6/12/2008) (Entered: 06/12/2008)
06/13/2008	<u>53</u>	CASE MANAGEMENT STATEMENT filed by Office of the Director of National Intelligence, Department of Justice. (Warden, Andrew) (Filed on 6/13/2008) (Entered: 06/13/2008)
06/18/2008	<u>54</u>	MOTION to Relate Case filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Declaration of Marcia Hofmann, # <u>2</u> Proposed Order)(Hofmann, Marcia) (Filed on 6/18/2008) (Entered: 06/18/2008)
06/18/2008		ADR Remark: ADR Phone Conference held 6/18/08 by DB. (tjs, COURT STAFF) (Filed on 6/18/2008) (Entered: 06/18/2008)
06/20/2008	<u>55</u>	Minute Entry: Initial Case Management Conference held on 6/20/2008 before Judge Jeffrey S. White (Date Filed: 6/20/2008). (Court Reporter Lydia Zinn.) (jjo, COURT STAFF) (Date Filed: 6/20/2008) (Entered: 06/20/2008)
06/20/2008		Set/Reset Deadlines as to Motion Hearing set for 10/3/2008 09:00 AM. (hdj, COURT STAFF) (Filed on 6/20/2008) (Entered: 06/23/2008)
06/23/2008	<u>56</u>	Memorandum in Opposition re <u>54</u> MOTION to Relate Case filed by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Proposed Order)(Warden, Andrew) (Filed on 6/23/2008) (Entered: 06/23/2008)
06/27/2008	<u>57</u>	JOINT CASE MANAGEMENT STATEMENT of <i>Reconsideration of Assignment to a United States Magistrate Judge</i> filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 6/27/2008) (Entered: 06/27/2008)
07/08/2008	<u>58</u>	ORDER GRANTING <u>54</u> MOTION to Relate Case. Signed by Judge Jeffrey S. White on 7/8/08. (jjo, COURT STAFF) (Filed on 7/8/2008) (Entered: 07/08/2008)
07/08/2008	<u>59</u>	ORDER RELATING CASE.. Signed by Judge Jeffrey S. White on 7/8/08. (jjo, COURT STAFF) (Filed on 7/8/2008) (Entered: 07/08/2008)
07/11/2008	<u>60</u>	AMENDED COMPLAINT for <i>Injunctive Relief</i> against Office of the Director of National Intelligence, Department of Justice. Filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 7/11/2008) (Entered: 07/11/2008)
07/15/2008	<u>61</u>	NOTICE of Appearance by Adam Kirschner (Kirschner, Adam) (Filed on 7/15/2008) (Entered: 07/15/2008)
07/17/2008	<u>62</u>	STIPULATION to <i>Extend Briefing Schedule and Proposed Order</i> by Office of the Director of National Intelligence, Department of Justice. (Kirschner, Adam) (Filed on 7/17/2008) (Entered: 07/17/2008)
07/17/2008	<u>63</u>	ORDER GRANTING <u>62</u> Stipulation to Extend Time to File Motion for Summary Judgment. Signed by Judge Jeffrey S. White on July 17, 2008. (jswlc2, COURT STAFF) (Filed on 7/17/2008) (Entered: 07/17/2008)
07/21/2008	<u>64</u>	AMENDED ORDER GRANTING STIPULATION TO EXTEND TIME TO FILE MOTION FOR SUMMARY JUDGMENT. (Correction in year for date of hearing). Signed by Judge Jeffrey S. White on 7/21/08. (jjo, COURT STAFF) (Filed on 7/21/2008) (Entered: 07/21/2008)
07/21/2008		Set/Reset Deadlines as to Motion Hearing set for 1/16/2009 09:00 AM. (hdj, COURT STAFF) (Filed on 7/21/2008) (Entered: 07/22/2008)
10/08/2008	<u>65</u>	ORDER GRANTING STIPULATION FOR COURT ORDER PRODUCTION SCHEDULE AND TO EXTEND TIME TO FILE MOTION FOR SUMMARY JUDGMENT. Signed by Judge Jeffrey S. White on 10/8/08. (jjo, COURT STAFF) (Filed on 10/8/2008) (Entered: 10/08/2008)
10/08/2008		Set/Reset Deadlines as to Motion Hearing set for 2/27/2009 09:00 AM. (hdj, COURT STAFF) (Filed on 10/8/2008) (Entered: 10/09/2008)
11/13/2008	<u>66</u>	NOTICE of Appearance by Marcia Berman (Berman, Marcia) (Filed on 11/13/2008) (Entered: 11/13/2008)

11/24/2008	<u>67</u>	ORDER GRANTING (23 in 3:08-cv-02997-JSW) Stipulation to Extend Time to File Motion for Summary Judgment. Signed by Judge Jeffrey S. White on 11/24/08. (jjo, COURT STAFF) (Filed on 11/24/2008) (Entered: 11/24/2008)
12/05/2008	<u>68</u>	ORDER DENYING IN PART Stipulation to Exceed Page Limitation. Signed by Judge Jeffrey S. White on December 5, 2008. (jswlc2, COURT STAFF) (Filed on 12/5/2008) (Entered: 12/05/2008)
12/09/2008	<u>69</u>	ORDER by Judge Jeffrey S. White GRANTING (27) Motion for Extension of Time to File Motion for Summary Judgment. (jswlc2, COURT STAFF) (Filed on 12/9/2008) (Entered: 12/09/2008)
12/09/2008		Set/Reset Deadlines as to Cross-Motions for Summary Judgment Hearing set for 3/13/2009 09:00 AM. (hdj, COURT STAFF) (Filed on 12/9/2008) (Entered: 12/10/2008)
02/10/2009	<u>70</u>	MOTION to Stay <i>Proceedings</i> filed by Electronic Frontier Foundation. Motion Hearing set for 4/3/2009 09:00 AM in Courtroom 2, 17th Floor, San Francisco. (Hofmann, Marcia) (Filed on 2/10/2009) (Entered: 02/10/2009)
02/10/2009	<u>71</u>	Declaration of Marcia Hofmann in Support of <u>70</u> MOTION to Stay <i>Proceedings</i> filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Related document(s) <u>70</u> ) (Hofmann, Marcia) (Filed on 2/10/2009) (Entered: 02/10/2009)
02/10/2009	<u>72</u>	Proposed Order by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 2/10/2009) (Entered: 02/10/2009)
02/11/2009	<u>73</u>	ORDER RE MOTION TO STAY. Signed by Judge Jeffrey S. White on 2/11/09. (jjo, COURT STAFF) (Filed on 2/11/2009) (Entered: 02/11/2009)
02/24/2009	<u>74</u>	Memorandum in Opposition re <u>70</u> MOTION to Stay <i>Proceedings</i> filed by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> Proposed Order)(Berman, Marcia) (Filed on 2/24/2009) (Entered: 02/24/2009)
03/03/2009	<u>75</u>	RESPONSE in Support <u>70</u> of Motion for a Stay of Proceedings filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 3/3/2009) Modified on 3/4/2009 (hdj, COURT STAFF). (Entered: 03/03/2009)
03/03/2009	<u>76</u>	Declaration of Marcia Hofmann in Support of <u>75</u> Response in Support of <i>Motion for a Stay of Proceedings</i> filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Exhibit 1-4)(Related document(s) <u>75</u> ) (Hofmann, Marcia) (Filed on 3/3/2009) (Entered: 03/03/2009)
03/23/2009	<u>77</u>	ORDER by Judge Jeffrey S. White dated March 23, 2009 GRANTING (70) Motion to Stay in case 3:08-cv-01023-JSW and GRANTING (53) Motion to Stay in case 3:08-cv-02997-JSW. (jswlc2, COURT STAFF) (Filed on 3/23/2009) (Entered: 03/23/2009)
04/24/2009	<u>78</u>	STATUS REPORT <i>Joint Status Report</i> by Office of the Director of National Intelligence, Department of Justice. (Berman, Marcia) (Filed on 4/24/2009) (Entered: 04/24/2009)
05/12/2009	<u>79</u>	NOTICE by Office of the Director of National Intelligence, Department of Justice <i>Notice of Filing</i> (Berman, Marcia) (Filed on 5/12/2009) (Entered: 05/12/2009)
05/12/2009	<u>80</u>	Declaration of John Hackett in Support of <u>79</u> Notice (Other) filed by Office of the Director of National Intelligence, Department of Justice. (Related document(s) <u>79</u> ) (Berman, Marcia) (Filed on 5/12/2009) (Entered: 05/12/2009)
05/12/2009	<u>81</u>	Declaration of Paul Colborn in Support of <u>79</u> Notice (Other) filed by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> revised Vaughn index)(Related document(s) <u>79</u> ) (Berman, Marcia) (Filed on 5/12/2009) (Entered: 05/12/2009)
05/12/2009	<u>82</u>	Declaration of Melanie Ann Pustay in Support of <u>79</u> Notice (Other) filed by Office of the Director of National Intelligence, Department of Justice. (Related document(s) <u>79</u> ) (Berman, Marcia) (Filed on 5/12/2009) (Entered: 05/12/2009)

05/12/2009	<u>83</u>	Declaration of Susan Kim in Support of <u>79</u> Notice (Other) filed by Office of the Director of National Intelligence, Department of Justice. (Attachments: # <u>1</u> revised Vaughn index)(Related document(s) <u>79</u> ) (Berman, Marcia) (Filed on 5/12/2009) (Entered: 05/12/2009)
06/02/2009	<u>84</u>	Reply to Opposition to <i>Cross Motion for Summary Judgment</i> filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 6/2/2009) (Entered: 06/02/2009)
06/02/2009	<u>85</u>	Declaration of Marcia Hofmann in Support of <u>84</u> Reply to Opposition to <i>Cross Motion for Summary Judgment</i> filed by Electronic Frontier Foundation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D part 1, # <u>5</u> Exhibit D part 2, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Exhibit J, # <u>12</u> Exhibit K)(Related document(s) <u>84</u> ) (Hofmann, Marcia) (Filed on 6/2/2009) (Entered: 06/02/2009)
06/08/2009	<u>86</u>	CLERKS NOTICE Setting Hearing on Cross-Motions for Summary Judgment on 8/14/2009 at 09:00 AM in Courtroom 11, 19th Floor, San Francisco. (jjo, COURT STAFF) (Filed on 6/8/2009) (Entered: 06/08/2009)
08/10/2009	<u>87</u>	ORDER REFERRING Consolidated Cross-Motions for Summary Judgment to a randomly assigned Magistrate Judge for Report and Recommendation. Signed by Judge Jeffrey S. White on 8/10/09. (jjo, COURT STAFF) (Filed on 8/10/2009) (Entered: 08/10/2009)
08/11/2009		CASE REFERRED to Magistrate Judge Magistrate Judge Joseph C. Spero for Report and Recommendation on validity of withholding documents. (wh, COURT STAFF) (Filed on 8/11/2009) (Entered: 08/11/2009)
08/17/2009	<u>88</u>	ORDER WITHDRAWING (70 in 3:08-cv-02997-JSW) Order Referring Case to Magistrate Judge for Report and Recommendation and SUGGESTION for Consent. Signed by Judge Jeffrey S. White on August 17, 2009. (jswlc2, COURT STAFF) (Filed on 8/17/2009) (Entered: 08/17/2009)
08/21/2009	<u>89</u>	NOTICE by Electronic Frontier Foundation of <i>Joint Statement of Consideration of Assignment to a United States Magistrate Judge</i> (Hofmann, Marcia) (Filed on 8/21/2009) (Entered: 08/21/2009)
09/24/2009	<u>90</u>	ORDER by Judge Jeffrey S. White in case 3:08-cv-01023-JSW; DENYING (29) Defendants' Motion for Summary Judgment in case 3:08-cv-02997-JSW and GRANTING Plaintiff's Cross-Motion for Summary Judgment. (jswlc2, COURT STAFF) (Filed on 9/24/2009) (Entered: 09/24/2009)
09/30/2009	<u>91</u>	MOTION to Stay re <u>90</u> Order on Motion for Summary Judgment for 60 Days Pending Appeal Determination by Solicitor General filed by Department of Justice, Office of the Director of National Intelligence. Motion Hearing set for 10/7/2009 09:00 AM in Courtroom 2, 17th Floor, San Francisco. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Stipulation to Expedite Motion for 60-Day Stay Pending Appeal Determination)(Berman, Marcia) (Filed on 9/30/2009) (Entered: 09/30/2009)
10/02/2009	<u>92</u>	ORDER GRANTING Modified Stipulation re (91 in 3:08-cv-01023-JSW) MOTION to Stay re (90) Order on Motion for Summary Judgment for 60 Days Pending Appeal Determination by Solicitor General; MOTION to Stay re (90) Order on Motion for Summary Judgment, (73 in 3:08-cv-02997-JSW) MOTION to Stay re (72) Order on Motion for Summary Judgment for 60 days pending appeal determination by Solicitor General MOTION to Stay re (72) Order on Motion for Summary Judgment. Signed by Judge Jeffrey S. White on October 2, 2009. (jswlc2, COURT STAFF) (Filed on 10/2/2009) (Entered: 10/02/2009)
10/06/2009	<u>93</u>	MOTION for Leave to File <i>Motion for Reconsideration and Request that Reconsideration be Granted Without Further Briefing</i> filed by Department of Justice, Office of the Director of National Intelligence. (Attachments: # <u>1</u> Memorandum of Points and Authorities, # <u>2</u> Proposed Order)(Berman, Marcia) (Filed on 10/6/2009) (Entered: 10/06/2009)
10/06/2009	<u>94</u>	Declaration of Susan L. Kim in Support of <u>93</u> MOTION for Leave to File <i>Motion for Reconsideration and Request that Reconsideration be Granted Without Further Briefing</i> filed by Department of Justice, Office of the Director of National Intelligence. (Attachments: # <u>1</u> NSD Second Revised Vaughn Index)(Related document(s) <u>93</u> )



		(Berman, Marcia) (Filed on 10/6/2009) (Entered: 10/06/2009)
10/06/2009	<u>95</u>	Memorandum in Opposition to <i>Motion for a 60 Day Stay Pending Appeal Determination by Solicitor General</i> filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 10/6/2009) (Entered: 10/06/2009)
10/07/2009	<u>96</u>	Reply Memorandum re <u>91</u> MOTION to Stay re <u>90</u> Order on Motion for Summary Judgment for 60 Days Pending Appeal Determination by Solicitor General MOTION to Stay re <u>90</u> Order on Motion for Summary Judgment for 60 Days Pending Appeal Determination by Solicitor General filed by Department of Justice, Office of the Director of National Intelligence. (Berman, Marcia) (Filed on 10/7/2009) (Entered: 10/07/2009)
10/07/2009	<u>97</u>	ORDER by Judge Jeffrey S. White DENYING (91) Motion to Stay; DENYING (93) Motion for Leave to File Motion for Reconsideration in case 3:08-cv-01023-JSW; DENYING (73) Motion to Stay; and DENYING (75) Motion for Leave to File Motion for Reconsideration in case 3:08-cv-02997-JSW. (jswlc2, COURT STAFF) (Filed on 10/7/2009) (Entered: 10/07/2009)
10/08/2009	<u>98</u>	NOTICE by Department of Justice, Office of the Director of National Intelligence <i>Notice of Appeal</i> (Berman, Marcia) (Filed on 10/8/2009) (Entered: 10/08/2009)
10/08/2009	<u>99</u>	NOTICE OF APPEAL as to (79 in 3:08-cv-02997-JSW, 79 in 3:08-cv-02997-JSW, 79 in 3:08-cv-02997-JSW, 97 in 3:08-cv-01023-JSW, 97 in 3:08-cv-01023-JSW, 97 in 3:08-cv-01023-JSW, 97 in 3:08-cv-01023-JSW) Order on Motion to Stay, Order on Motion for Leave to File by Department of Justice. Filing fee waived. (hdj, COURT STAFF) (Filed on 10/8/2009) (Entered: 10/09/2009)
10/09/2009	<u>100</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals by Department of Justice, Office of the Director of National Intelligence re <u>99</u> Notice of Appeal, (hdj, COURT STAFF) (Filed on 10/9/2009) (Entered: 10/09/2009)
10/09/2009	<u>101</u>	NOTICE by Department of Justice, Office of the Director of National Intelligence <i>Emergency Filing for Stay, per direction of Ninth Circuit</i> (Attachments: # <u>1</u> Ninth Cir. Stay Order, # <u>2</u> Emergency Stay Motion filed in Ninth Cir., # <u>3</u> EFF Opposition to Stay Mtn filed in Ninth Cir., # <u>4</u> Stay Reply filed in Ninth Cir., # <u>5</u> Notice of Appeal)(Berman, Marcia) (Filed on 10/9/2009) (Entered: 10/09/2009)
10/09/2009	<u>102</u>	Minute Entry: Telephone Conference (Date Filed: 10/9/2009). (Court Reporter Christine Triska.) (jjo, COURT STAFF) (Date Filed: 10/9/2009) (Entered: 10/09/2009)
10/09/2009	<u>103</u>	Memorandum in Opposition to <i>Emergency Filing for Temporary Stay Pending Decision by Solicitor General Regarding Appeal and Immediate Administrative Stay</i> filed by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 10/9/2009) (Entered: 10/09/2009)
10/13/2009	<u>104</u>	NOTICE by Department of Justice, Office of the Director of National Intelligence <i>Reply in Support of Emergency Filing for Stay Pending Appeal Determination</i> (Berman, Marcia) (Filed on 10/13/2009) (Entered: 10/13/2009)
10/13/2009	<u>105</u>	USCA Case Number 09-17235 9th Circuit for <u>99</u> Notice of Appeal, filed by Department of Justice. (hdj, COURT STAFF) (Filed on 10/13/2009) (Entered: 10/13/2009)
10/13/2009	<u>106</u>	ORDER of USCA as to <u>99</u> Notice of Appeal, filed by Department of Justice (hdj, COURT STAFF) (Filed on 10/13/2009) (Entered: 10/13/2009)
10/13/2009	<u>107</u>	ORDER re Notice (83 in 3:08-cv-02997-JSW) and Notice (101 in 3:08-cv-01023-JSW) DENYING Emergency Motion for Temporary Stay. Signed by Judge Jeffrey S. White on October 13, 2009. (jswlc2, COURT STAFF) (Filed on 10/13/2009) (Entered: 10/13/2009)
10/19/2009	<u>108</u>	ORDER of USCA as to (81 in 3:08-cv-02997-JSW, 99 in 3:08-cv-01023-JSW) Notice of Appeal, filed by Department of Justice (hdj, COURT STAFF) (Filed on 10/19/2009) (Entered: 10/19/2009)

11/04/2009	<u>109</u>	ORDER of USCA as to (81 in 3:08-cv-02997-JSW, 99 in 3:08-cv-01023-JSW) Notice of Appeal, filed by Department of Justice (hdj, COURT STAFF) (Filed on 11/4/2009) (Entered: 11/04/2009)
02/19/2010	<u>110</u>	OPINION of USCA as to (81 in 3:08-cv-02997-JSW, 99 in 3:08-cv-01023-JSW) Notice of Appeal, filed by Department of Justice (hdj, COURT STAFF) (Filed on 2/19/2010) Modified on 2/19/2010 (hdj, COURT STAFF). (Entered: 02/19/2010)
04/20/2010	<u>111</u>	USCA ORDER AMENDING and AMENDED OPINION as to-AFFIRMED in part, REVERSED in part, and REMANDED in part (81 in 3:08-cv-02997-JSW, 99 in 3:08-cv-01023-JSW) Notice of Appeal, filed by Department of Justice. (hdj, COURT STAFF) (Filed on 4/20/2010) (Entered: 04/20/2010)
05/04/2010	<u>112</u>	CLERKS NOTICE SETTING A CASE MANAGEMENT CONFERENCE: Case Management Statement due by 6/25/2010. Case Management Conference set for 7/2/2010 01:30 PM in Courtroom 11, 19th Floor, San Francisco. (jjoS, COURT STAFF) (Filed on 5/4/2010) (Entered: 05/04/2010)
05/06/2010	<u>113</u>	MANDATE of USCA as to (81 in 3:08-cv-02997-JSW, 99 in 3:08-cv-01023-JSW) Notice of Appeal, filed by Department of Justice (hdj, COURT STAFF) (Filed on 5/6/2010) (Entered: 05/14/2010)
05/14/2010	<u>114</u>	CLERKS Letter Spreading Mandate to Counsel (hdj, COURT STAFF) (Filed on 5/14/2010) (Entered: 05/14/2010)
06/23/2010	<u>115</u>	STIPULATION <i>to Continue Case Management Conference</i> by Department of Justice, Office of the Director of National Intelligence. (Berman, Marcia) (Filed on 6/23/2010) (Entered: 06/23/2010)
06/24/2010	<u>116</u>	ORDER GRANTING (96 in 3:08-cv-02997-JSW) Stipulation to Continue Case Management Conference. Case Management Statement due by 7/16/2010. Case Management Conference set for 7/23/2010 01:30 PM in Courtroom 11, 19th Floor, San Francisco.. Signed by Judge JEFFREY S. WHITE on 6/23/10. (jjo, COURT STAFF) (Filed on 6/24/2010) (Entered: 06/24/2010)
07/14/2010	<u>117</u>	STIPULATION ( <i>Second</i> ) <i>to Continue Case Management Conference</i> by Department of Justice, Office of the Director of National Intelligence. (Berman, Marcia) (Filed on 7/14/2010) (Entered: 07/14/2010)
07/15/2010	<u>118</u>	ORDER GRANTING (98 in 3:08-cv-02997-JSW) Stipulation TO CONTINUE CMC (117 in 3:08-cv-01023-JSW) Stipulation TO CONTINUE CMC. Case Management Statement due by 9/3/2010. Case Management Conference set for 9/10/2010 01:30 PM in Courtroom 11, 19th Floor, San Francisco.. Signed by Judge Jeffrey S. White on 7/15/10. (jjoS, COURT STAFF) (Filed on 7/15/2010) (Entered: 07/15/2010)
09/03/2010	<u>119</u>	STIPULATION re <u>118</u> Order, Set Deadlines/Hearings,, <i>Stipulation to Vacate Case Management Conference</i> by Department of Justice, Office of the Director of National Intelligence. (Berman, Marcia) (Filed on 9/3/2010) (Entered: 09/03/2010)
09/03/2010	<u>120</u>	ORDER GRANTING <u>119</u> Stipulation to Vacate Case Management Conference. Signed by Judge JEFFREY S. WHITE on 9/3/10. (jjoS, COURT STAFF) (Filed on 9/3/2010) (Entered: 09/03/2010)
09/03/2010		*** CASE MANAGEMENT CONFERENCE AND DEADLINES TERMINATED PURSUANT TO: <u>120</u> Order Granting Stipulation to Vacate Case Management Conference. (jjoS, COURT STAFF) (Filed on 9/3/2010) (Entered: 09/03/2010)
09/29/2010	<u>121</u>	STIPULATION <i>of Dismissal</i> by Electronic Frontier Foundation. (Hofmann, Marcia) (Filed on 9/29/2010) (Entered: 09/29/2010)
09/29/2010	<u>122</u>	ORDER GRANTING (121 in 3:08-cv-01023-JSW) AND (102 in 3:08-cv-02997-JSW) Stipulation of Dismissal. Signed by Judge JEFFREY S. WHITE on 9/29/10. (jjoS, COURT STAFF) (Filed on 9/29/2010) (Entered: 09/29/2010)