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

14 ELECTRONIC FRONTIER FOUNDATION,) Civil Action No. 3:08-1023 JSW
15)
16 Plaintiff,) **JOINT STATEMENT OF**
17 v.) **RECONSIDERATION OF ASSIGNMENT**
18 OFFICE OF THE DIRECTOR OF NATIONAL) **TO A UNITED STATES MAGISTRATE**
19 INTELLIGENCE) **JUDGE**
20 and)
21 DEPARTMENT OF JUSTICE,)
22 Defendants.)

23 Pursuant to the Court’s June 20, 2008 order, Plaintiff Electronic Frontier Foundation
24 (“EFF”) and Defendants Office of the Director of National Intelligence (“ODNI”) and Department
25 of Justice (“DOJ”) have reconsidered the possible assignment of this case to a United States
26 Magistrate Judge for all further proceedings. After due consideration, the parties report that they
27 have not agreed to proceed before a United States Magistrate Judge.
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DATED: June 27, 2008

Respectfully submitted,

/s/ Marcia Hofmann
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GENERAL ORDER NO. 45(X) CERTIFICATION

I attest that I have obtained Andrew I. Warden's concurrence in the filing of this document.

/s/ Marcia Hofmann
Marcia Hofmann