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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

CAROLYN JEWEL, TASH HEPTING,
 YOUNG BOON HICKS, as executrix of the
 estate of GREGORY HICKS, ERIK KNUTZEN
 and JOICE WALTON, on behalf of themselves
 and all others similarly situated,
 Plaintiffs,
 v.
 NATIONAL SECURITY AGENCY, *et al.*,
 Defendants.

) CASE NO. 08-CV-4373-JSW
)
) **ADMINISTRATIVE MOTION TO**
) **ADVANCE HEARING DATE ON**
) **PLAINTIFFS' MOTION FOR ACCESS**
) **TO CLASSIFIED DISCOVERY**
) **MATERIALS PURSUANT TO**
) **18 U.S.C. § 2712(b)(4)**
)
) **Before:** The Honorable Jeffrey S. White

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1 assented. While the government filed written objections and responses to plaintiffs' discovery on
2 that date, the government did not file the actual answers to plaintiffs' discovery until it filed the a
3 193-page classified declaration by National Security Agency Director Admiral Michael S. Rogers
4 on March 30, 2018.

5 The government's discovery responses appear to be voluminous, factually complex and
6 technically sophisticated. They also fail to respond to interrogatories and requests for admissions
7 directly but instead respond to groups of interrogatories and requests for admissions in a narrative
8 fashion. Under the relevant statutes, the Court may order that plaintiffs be given access to the
9 classified discovery materials, under appropriate security procedures and protective orders, where
10 necessary in order for the Court to make an accurate determination of the issues before
11 it. 18 U.S.C. § 2712(b)(4); 50 U.S.C. § 1806(f); *see* ECF Nos. 347 at 1-2; 340 at 2; 153 at 2, 11-
12 13, 15, 24. Plaintiffs' motion asserts that this one of rare cases in which the Court should grant
13 access to the plaintiffs under appropriate security procedures. ECF Nos. 393, 393-1.

14 Plaintiffs believe that its motion should be heard before the Court begins the process of
15 standing-related briefing and is faced with determining standing based on its own unaided analysis
16 of the government's voluminous discovery responses. To advance expeditiously the progress of
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1 this lawsuit, plaintiffs urge the Court to specially set plaintiffs' motion for June 8, 2018.
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4 DATE: May 10, 2018

Respectfully submitted,

5 _____
6 /s/
7 Thomas E. Moore III

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