

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMENDED CIVIL MINUTE ORDER

DATE: March 19, 2014

Time in Court: 2 hours 9 minutes

JUDGE: JEFFREY S. WHITE

Court Reporter: Lydia Zinn

Courtroom Deputy: Jennifer Ottolini

Case No.: C 08-04373 JSW (Related)

Carolyn Jewel, et al., v. NSA, et al., ,

Case No.: C 13-03287 JSW (Related)

First Unitarian Church of Los Angeles, et al., v. NSA, et al.,

COUNSEL FOR PLAINTIFF:

Cindy Cohn
Richard Wiebe
Kurt Opsahl
David Greene
Mark Rumold

COUNSEL FOR DEFENDANT:

James Gilligan
Marcia Berman
Rodney Patton

PROCEEDINGS: Motion re: Evidence Preservation

RESULTS: The Court heard argument from counsel.

By March 26, 2014, Defendants shall notify the Court whether the Rule 11 Certifications can be unsealed.

The Court extends the temporary restraining order issued on March 10, 2014 until a final order resolving the matter is issued.

The Court is inclined to issue a preservation order in *First Unitarian Church* and adopt the language from the *Jewel* preservation order.

The parties shall submit suggested language to preserve the evidence that relates to the precise claims made by Plaintiffs in the *First Unitarian Church* complaint.

Plaintiffs' submission due no later than: March 20, 2014 at 10:00 a.m. PST.
Defendants' submissions due no later than: March 20, 2014 at 2:00 p.m. PST.

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Regarding the Government's compliance with this Court's prior preservation orders in *Jewel and in Shubert*, the Court hereby issues the following briefing schedule:

Government brief filed no later than May 9, 2014

Plaintiffs' brief filed no later than May 30, 2014

Government reply filed by no later than June 13, 2014

A hearing, if necessary, shall be set by further order of the Court.

The Court clarified its oral order from September 2013 as follows:

The Court requires the declassification of information that has been previously disclosed by the Government within all previously classified declarations filed in *Jewel, Shubert* and *First Unitarian Church* and set the following deadline:

Government submission is due: April 21, 2014.

The submission shall indicate which declarations (by docket number - as filed in ECF) will be declassified as a result of the Government review. All declarations, whether from the MDL or any other matter, incorporated by reference shall be similarly reviewed for declassified purposes pursuant to this Court's order.

The parties are directed to order a transcript of these proceedings on an expedited basis.