

1 CINDY COHN (SBN 145997)
cindy@eff.org
2 LEE TIEN (SBN 148216)
3 KURT OPSAHL (SBN 191303)
4 MARK RUMOLD (SBN 279060)
5 DAVID GREENE (SBN 160107)
6 JAMES S. TYRE (SBN 083117)
7 ANDREW CROCKER (SBN 291596)
8 ELECTRONIC FRONTIER FOUNDATION
815 Eddy Street
San Francisco, CA 94109
Telephone: (415) 436-9333
Fax: (415) 436-9993

9 THOMAS E. MOORE III (SBN 115107)
tmoore@rroyselaw.com
10 ROYSE LAW FIRM, PC
11 1717 Embarcadero Road
12 Palo Alto, CA 94303
13 Telephone: (650) 813-9700
14 Fax: (650) 813-9777

15
16 *Counsel for Plaintiffs*

RACHAEL E. MENY (SBN 178514)
rmeny@kvn.com
BENJAMIN W. BERKOWITZ (SBN 244441)
MICHAEL S. KWUN (SBN 198945)
JUSTINA K. SESSIONS (SBN 270914)
PHILIP J. TASSIN (SBN 287787)
KEKER & VAN NEST, LLP
633 Battery Street
San Francisco, CA 94111
Telephone: (415) 391-5400
Fax: (415) 397-7188

RICHARD R. WIEBE (SBN 121156)
wiebe@pacbell.net
LAW OFFICE OF RICHARD R. WIEBE
One California Street, Suite 900
San Francisco, CA 94111
Telephone: (415) 433-3200
Fax: (415) 433-6382

ARAM ANTARAMIAN (SBN 239070)
aram@eff.org
LAW OFFICE OF ARAM ANTARAMIAN
1714 Blake Street
Berkeley, CA 94703
Telephone: (510) 289-1626

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **OAKLAND DIVISION**

20 FIRST UNITARIAN CHURCH OF LOS)
ANGELES, *et al.*,)
21 Plaintiffs,)
22 v.)
23 NATIONAL SECURITY AGENCY, *et al.*,)
24 Defendants.)

Case No: 4:13-cv-03287 JSW

**STIPULATION AND
[PROPOSED] ORDER**

Courtroom 5, 2nd Floor
The Honorable Jeffrey S. White

1 THE FOLLOWING PARTIES, BY AND THROUGH THEIR RESPECTIVE
2 COUNSEL, HEREBY STIPULATE:

3 1. Subject to the Court adopting Paragraph 2 of this Stipulation in full, defendants
4 Admiral Michael S. Rogers, Eric H. Holder, John P. Carlin, James B. Comey and James R.
5 Clapper, only insofar as they are sued in their individual capacity, through their undersigned
6 counsel, accept service of summons and Plaintiffs' Second Amended Complaint in their personal
7 capacity, waive timely service of a summons, and agree they will not challenge the adequacy or
8 timeliness of service.

9 2. No answer or other response to the Second Amended Complaint will be due from
10 these defendants to the extent they are sued in their individual capacity until 30 days after the
11 filing of the Court's decision on the Government Defendants' currently pending motion to
12 dismiss (ECF No. 66).

13
14 Dated: January 30, 2015

Respectfully submitted,

15 *s/ Richard R. Wiebe* _____

16 RICHARD R. WIEBE

LAW OFFICE OF RICHARD R. WIEBE

17 CINDY COHN

18 LEE TIEN

19 KURT OPSAHL

JAMES S. TYRE

20 MARK RUMOLD

ANDREW CROCKER

21 DAVID GREENE

ELECTRONIC FRONTIER FOUNDATION

22 THOMAS E. MOORE III

23 ROYSE LAW FIRM

24 RACHAEL E. MENY

25 BENJAMIN W. BERKOWITZ

MICHAEL S. KWUN

26 JUSTINA K. SESSIONS

27 PHILIP J. TASSIN

28 KEKER & VAN NEST LLP

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ARAM ANTARAMIAN
LAW OFFICE OF ARAM ANTARAMIAN

Counsel for Plaintiffs

Dated: January 30, 2015

/s James R. Whitman
James R. Whitman
Trial Attorney
U.S. Department of Justice
Civil Division, Torts Branch
Constitutional Torts Section
1425 New York Ave., N.W.
Washington, DC 20005

*Counsel for Michael S. Rogers, Eric H. Holder,
John P. Carlin, James B. Comey, and James R.
Clapper, only insofar as they are sued in their
individual capacity*

DECLARATION PURSUANT TO LOCAL RULE 5-1

I, Richard R. Wiebe, hereby declare pursuant to Local Rule 5-1 that Plaintiffs have obtained the concurrence of James R. Whitman, counsel to the Individual Capacity Defendants, in the filing of this document.

Executed on January 30, 2015, in San Francisco, California.

s/ Richard R. Wiebe
Richard R. Wiebe

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[PROPOSED] ORDER

Pursuant to stipulation, it is ordered that the time for Individual Capacity Defendants Admiral Michael S. Rogers, Eric H. Holder, John P. Carlin, James B. Comey, and James R. Clapper to answer or otherwise respond to Plaintiffs' Second Amended Complaint is extended to 30 days after the filing of the Court's decision on the Government Defendants' currently pending motion to dismiss (ECF No. 66).

IT IS SO ORDERED.

Dated: _____

JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE