

As required by Local Rule 79-5, submitted herewith are: a declaration establishing that the document requested to be filed under seal is properly sealable, and a proposed order that identifies the sealable material. As explained in the Declaration of James J. Gilligan submitted herewith, the Government Defendants' response to the Court's Order regarding the preservation of evidence is properly sealable because the Court's Order required that the document in question be submitted under seal. *See* Decl. of James J. Gilligan, Exhibit 1 hereto, ¶¶ 3–4; *see also* Order ¶ E.

For the foregoing reasons, the Government Defendants respectfully request that the Court grant this administrative motion.

Dated: May 5, 2014

Respectfully Submitted,

STUART F. DELERY
Assistant Attorney General

JOSEPH H. HUNT
Director, Federal Programs Branch

ANTHONY J. COPPOLINO
Deputy Branch Director

/s/ James J. Gilligan
JAMES J. GILLIGAN
Special Litigation Counsel
james.gilligan@usdoj.gov

MARCIA BERMAN
Senior Trial Counsel
marcia.berman@usdoj.gov

BRYAN DEARINGER
RODNEY PATTON
JULIA BERMAN
Trial Attorneys

U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001
Phone: (202) 514-3358
Fax: (202) 616-8470

*Attorneys for the Government Defendants
Sued in their Official Capacities*

STUART F. DELERY
Assistant Attorney General
JOSEPH H. HUNT

Director, Federal Programs Branch
ANTHONY J. COPPOLINO

Deputy Branch Director
JAMES J. GILLIGAN
Special Litigation Counsel
james.gilligan@usdoj.gov

MARCIA BERMAN
Senior Trial Counsel
marcia.berman@usdoj.gov

BRYAN DEARINGER

RODNEY PATTON

JULIA BERMAN

Trial Attorneys

U.S. Department of Justice, Civil Division
20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001

Phone: (202) 514-3358; Fax: (202) 616-8470

Attorneys for the Government Defs. in their Official Capacity

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

_____)	Case No. 3:13-cv-03287-JSW
FIRST UNITARIAN CHURCH OF LOS)	
ANGELES, <i>et al.</i> ,)	
)	DECLARATION OF
Plaintiffs,)	JAMES J. GILLIGAN
v.)	
)	
NATIONAL SECURITY AGENCY, <i>et al.</i> ,)	
)	
Defendants.)	The Honorable Jeffrey S. White
_____)	

Pursuant to 28 U.S.C. § 1746, I, James J. Gilligan, hereby declare:

1. I serve as Special Litigation Counsel in the United States Department of Justice, Civil Division, Federal Programs Branch. I serve as one of the counsel for the Government Defendants in the above-captioned case.

Declaration of James J. Gilligan, Submitted in Support of the Government Defendants' Administrative Motion to File Under Seal their Response to the Court's Order of March 21, 2014 Regarding Preservation of Evidence *First Unitarian Church of Los Angeles, et al. v. National Security Agency, et al.*, Case No. 13-cv-03287-JSW

2. I submit this declaration, pursuant to Local Rule 79-5(d)(1)(A), in support of the Government Defendants' Administrative Motion to File under Seal their Response to the Court's Order of March 21, 2014 Regarding Preservation of Evidence.

3. The Government Defendants' Response to the Court's Order of March 21, 2014 Regarding Preservation of Evidence is sealable pursuant to this Court's March 21, 2014 Order regarding the preservation of evidence (ECF No. 103) ("Order") which requires that, *inter alia*, counsel representing each party submit to the Court a statement that the directive in paragraph E of the Order has been carried out. *See* Order ¶ E. The Order further requires that counsel submit that statement under seal. *See id.*

4. That statement, the Government Defendants' Response to the Court's Order of March 21, 2014 Regarding Preservation of Evidence, constitutes the sole document that the Government Defendants seek to file under seal in their Administrative Motion.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 5, 2014

/s/ James J. Gilligan
JAMES J. GILLIGAN

STUART F. DELERY
Assistant Attorney General
JOSEPH H. HUNT
Director, Federal Programs Branch
ANTHONY J. COPPOLINO
Deputy Branch Director
JAMES J. GILLIGAN
Special Litigation Counsel
james.gilligan@usdoj.gov
MARCIA BERMAN
Senior Trial Counsel
marcia.berman@usdoj.gov
BRYAN DEARINGER
RODNEY PATTON
JULIA BERMAN
Trial Attorneys
U.S. Department of Justice, Civil Division
20 Massachusetts Avenue, NW, Rm. 6102
Washington, D.C. 20001
Phone: (202) 514-3358; Fax: (202) 616-8470
Attorneys for the Government Defs. in their Official Capacity

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

)	
FIRST UNITARIAN CHURCH OF LOS)	Case No. 3:13-cv-03287-JSW
ANGELES, <i>et al.</i> ,)	
)	[PROPOSED] ORDER
Plaintiffs,)	
v.)	
)	
NATIONAL SECURITY AGENCY, <i>et al.</i> ,)	
)	
Defendants.)	The Honorable Jeffrey S. White
)	

Upon consideration of the Government Defendants’ Administrative Motion to File under Seal their Response to the Court’s Order of March 21, 2014 Regarding Preservation of Evidence, it is hereby

Government Defendants’ Administrative Motion to File Under Seal their Response to the Court’s Order of March 21, 2014 Regarding Preservation of Evidence
First Unitarian Church of Los Angeles, et al. v. National Security Agency, et al., Case No. 13-cv-03287-JSW

ORDERED that the Government Defendants' motion is granted. The Government Defendants' Response to the Court's Order of March 21, 2014 Regarding Preservation of Evidence shall remain under seal in its entirety.

IT IS SO ORDERED.

Dated: _____

JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE