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4 Attorneys for the Plaintiffs

5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
7 SAN FRANCISCO DIVISION

8 IN RE NATIONAL SECURITY  
9 AGENCY TELECOMMUNICATIONS  
10 RECORDS LITIGATION

MDL Docket No. 06-1791 (VRW)

11 STIPULATION AND [PROPOSED] ORDER  
12 REGARDING HEARING DATE AND  
13 BRIEFING SCHEDULE ON  
14 GOVERNMENT’S AND  
15 TELECOMMUNICATION CARRIER  
16 DEFENDANTS’ MOTIONS TO DISMISS  
17 PLAINTIFFS’ COMPLAINT

18 This Document Relates To:

19 *McMurray v. Verizon Comm., Inc.*, No.  
20 09-cv-0131-VRW

[CIVIL L.R. 7-11]

Chief Judge Vaughn R. Walker

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27 Stipulation and [Proposed] Order Regarding Hearing Date and Briefing Schedule on Government’s and  
28 Telecommunication Carrier Defendants’ Motions to Dismiss Plaintiffs’ Complaint, *McMurray, et al. v. Verizon, et al.*, 09-cv-0131-VRW (MDL 06-cv-1791-VRW).

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**RECITAL**

On March 13, 2009, the Government Defendants filed a Motion to Dismiss Plaintiffs' Complaint in 09-cv-0131-VRW and noticed the motion for oral argument on May 14, 2009. Dkt. No. 11 in 09-cv-0131-VRW. On March 16, 2009, the Carrier Defendants filed Motions to Dismiss Plaintiffs' Complaint and also noticed their motions for May 14, 2009. Dkt. No. 12, 16 in 09-cv-0131-VRW.

**STIPULATION**

1. The *McMurray* Plaintiffs, the Government Defendants, and the Carrier Defendants in 09-cv-0131-VRW, through their undersigned counsel, hereby request:
  - a. That the *McMurray* Plaintiffs' briefs in response to the pending motions shall be filed on or before May 7, 2009;
  - b. That the Government Defendants' and the Carrier Defendants' briefs in reply shall be filed on or before May 21, 2009; and
  - c. That the Government Defendants' and the Carrier Defendants' Motions to Dismiss be heard on June 3, 2009 at 10:30 a.m.
2. By entering into this Stipulation, neither Plaintiffs nor Defendants waive any procedural or substantive defenses, rights or objections, including, but not limited to, the right to challenge personal jurisdiction over any particular Defendant.

April 15, 2009

Respectfully submitted,  
  
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**Stipulation and [Proposed] Order Regarding Hearing Date and Briefing Schedule on Government's and Telecommunication Carrier Defendants' Motions to Dismiss Plaintiffs' Complaint, *McMurray, et al. v. Verizon, et al.*, 09-cv-0131-VRW (MDL 06-cv-1791-VRW).**

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**Stipulation and [Proposed] Order Regarding Hearing Date and Briefing Schedule on Government's and Telecommunication Carrier Defendants' Motions to Dismiss Plaintiffs' Complaint, *McMurray, et al. v. Verizon, et al.*, 09-cv-0131-VRW (MDL 06-cv-1791-VRW).**

**DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B.**

I, STEVEN E. SCHWARZ, hereby declare pursuant to General Order 45, § X.B., that I have obtained the concurrence in the filing of this document from the other signatories listed below.

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

Executed on April 15, 2009, at Chicago, IL.

/s/ Steven E. Schwarz  
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**Stipulation and [Proposed] Order Regarding Hearing Date and Briefing Schedule on Government's and Telecommunication Carrier Defendants' Motions to Dismiss Plaintiffs' Complaint, *McMurray, et al. v. Verizon, et al.*, 09-cv-0131-VRW (MDL 06-cv-1791-VRW).**

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**Stipulation and [Proposed] Order Regarding Hearing Date and Briefing Schedule on Government's and  
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By: /s/ Randolph D. Moss  
Randolph D. Moss  
*Attorneys for Verizon Communications Inc. and Cellco  
Partnership*

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**[PROPOSED] ORDER**

It is hereby **ORDERED** that oral argument on the Government's and the Carrier Defendants' Motions to Dismiss (Dkt. No. 11-17) shall be heard on June 3, 2009 at 10:30 a.m. It is also **ORDERED** that Plaintiffs' oppositions to such motions shall be due on or before May 7, 2009, and that the Government's and Carrier Defendants' replies shall be due on or before May 21, 2009.

IT IS SO ORDERED,

Dated: \_\_\_\_\_, 2009

\_\_\_\_\_  
Hon. Vaughn R. Walker  
United States District Chief Judge

Stipulation and [Proposed] Order Regarding Hearing Date and Briefing Schedule on Government's and Telecommunication Carrier Defendants' Motions to Dismiss Plaintiffs' Complaint, *McMurray, et al. v. Verizon, et al.*, 09-cv-0131-VRW (MDL 06-cv-1791-VRW).