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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 ) MDL NO. 06-1791 VRW  
13 )  
14 IN RE: ) **VERIZON’S OPPOSITION TO *BREADY***  
15 ) **PLAINTIFFS’ MOTION FOR**  
16 NATIONAL SECURITY AGENCY ) **ADMINISTRATIVE RELIEF**  
17 TELECOMMUNICATIONS )  
18 RECORDS LITIGATION ) Judge: Hon. Vaughn R. Walker  
19 This Document Relates To: )  
20 *Bready v. Verizon Maryland Inc.*, )  
21 No. 1:06-2185 )

22 The *Bready* Plaintiffs’ Motion for Administrative Relief should be denied because it is  
23 premature. Plaintiffs’ motion (at 2) asks the Court to “issue an order to show cause as to why the  
24 Court’s resolution of the remand motions” in the *Campbell* and *Riordan* cases “should not be  
25 applied to the remand motion pending” in the *Bready* case. But until the Court actually decides the  
26 motions to remand in *Campbell* and *Riordan*, it is impossible to know whether the Court’s ruling  
27 will be applicable to the *Bready* case. It makes no sense to ask the parties to brief *now* the impact of  
28 an order that has yet to be issued.

29 The Court’s ruling on the motions to remand in *Campbell* and *Riordan* may well be  
dispositive of the Plaintiffs’ motion to remand in *Bready*, but because the cases involve

1 substantively different claims under the laws of different states, the jurisdictional analysis applicable  
2 to the cases could differ depending on the grounds of the Court's decision. Indeed, when the Court  
3 decided to schedule oral argument on the motions to remand filed in *Campbell* and *Riordan* but not  
4 the other removed cases (including *Bready*), the Court recognized that those other cases "may  
5 involve peculiar facts or peculiar circumstances." 11-17-06 Hr'g Tr. at 77-78.

6 Verizon anticipates that the impact of the Court's ruling in *Campbell* and *Riordan* will be  
7 readily apparent once the Court issues a decision. As a result, the most efficient course is for the  
8 parties to confer expeditiously following the issuance of the Court's ruling in *Campbell* and *Riordan*  
9 to determine the proper manner of resolving any disputes that may then exist as to the propriety of  
10 the removal of the *Bready* case.

11 Accordingly, the *Bready* Plaintiffs' motion should be denied as premature.

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13 Dated: December 22, 2006

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