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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

23	IN RE NATIONAL SECURITY)	MDL Dkt. No. 06-1791 VRW
24	AGENCY TELECOMMUNICATIONS)	
25	RECORDS LITIGATION)	
26)	
27	This Document Relates To All Cases)	NOTICE OF PROPOSED JUDGMENT
28	Except:)	
29)	Courtroom: 6, 17th Floor
30	<i>Al-Haramain Islamic Foundation, Inc.</i>)	
31	<i>v. Bush</i> , No. 07-cv-0109; <i>Center for</i>)	Chief Judge Vaughn R. Walker
32	<i>Constitutional Rights v. Bush</i> , No. 07-)	
33	<i>cv-1115; Guzzi v. Bush</i> , No. 06-cv-6225;)	
34	<i>Shubert v. Bush</i> , No. 07-cv-0693;)	
35	<i>Clayton v. AT&T Communications of the</i>)	
36	<i>Southwest, Inc.</i> , No. 07-cv-1187; <i>United</i>)	

1 *States v. Clayton*, No. 07-cv-1242;)
 2 *United States v. Adams*, No. 07-cv-1323;)
 3 *United States v. Farber*, No. 07-cv-1324;)
 4 *United States v. Palermino*, No. 07-cv-)
 5 1326; *United States v. Volz*, No. 07-cv-)
 6 1396; *McMurray v. Verizon*)
 7 *Communications*, No. 07-cv-2029)
 8 (McMurray I); *McMurray v. Verizon*)
 9 *Communications*, No. 09-cv-0131)
 10 (McMurray II))
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8 The telecommunications carrier defendants hereby provide notice of their filing of a
 9 proposed judgment in the above-captioned cases. In the Court’s June 3, 2009 Order granting the
 10 United States’ motion to dismiss, the Court granted plaintiffs leave to amend their master
 11 consolidated complaints in a manner consistent with the Court’s order within 30 days of the date of
 12 the Court’s order. Dkt. 639. On July 1, 2009, certain of the MDL plaintiffs filed a notice declining
 13 to amend their complaints. Dkt. 651. The time has now passed for the remaining plaintiffs to
 14 amend their complaints, and they have not done so. No other reason appearing why final judgment
 15 should not be entered, the telecommunications carriers submit the attached proposed judgment. As
 16 reflected in the captions of this notice and the proposed judgment, the judgment therefore applies to
 17 all civil actions in the MDL against the carrier defendants except the state-federal cases, in which the
 18 Court granted summary judgment for the United States on June 3, 2009 (*see* Dkt. 640) and entered
 19 judgment on June 15, 2009; *McMurray I*, which is subject to a pending motion for reconsideration¹;
 20 and *McMurray II*, in which the parties have filed supplemental memoranda advising the Court what
 21 issues remain to be decided, *see* Dkts. 649, 650. It also does not apply to the actions against only
 22 government defendants.

23 Respectfully submitted,

24 Dated: July 10, 2009

25 SIDLEY AUSTIN LLP

26 ¹ On June 17, 2009, the *McMurray I* plaintiffs moved for leave to file a motion for reconsideration of this Court’s June 3,
 27 2009 Order (Dkt. 639) dismissing the claims brought by individuals against telecommunications companies. Dkt. 648.
 28 If the Court does not grant relief to the *McMurray I* plaintiffs, the defendants respectfully request that the Court enter
 judgment in that action as well.

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DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B

I, Marc H. Axelbaum, 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 above.

I declare under penalty of perjury that the foregoing declaration is true and correct.
Executed on July 10, 2009, at San Francisco, California.

By: /s/ Marc H. Axelbaum
Marc H. Axelbaum
Attorney for the AT&T, BellSouth, and
Cingular Defendants

CERTIFICATE OF SERVICE

I, Marc H. Axelbaum, an attorney, hereby certify that, on this 10th day of July, 2009, I electronically filed and served the foregoing Notice of Proposed Judgment and Proposed Judgment using the CM/ECF system which will send via electronic mail copies to all attorneys who are registered users of that system.

By: /s/ Marc H. Axelbaum
Marc H. Axelbaum