

FILED

JUN 23 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**SEALED BY ORDER
OF COURT**

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CAROLYN JEWEL, ET AL.,

Plaintiffs,

No. C 08-04373 JSW

v.

NATIONAL SECURITY AGENCY, ET AL.,

Defendants.

No. C 07-00693 JSW

VIRGINIA SHUBERT, ET AL.,

Plaintiffs,

ORDER

v.

UNDER SEAL

BARACK OBAMA, ET AL.,

Defendants.

On June 12, 2014, the Court received an *ex parte, in camera* request from the Government Defendants lodged through the Classified Information Security Officer requesting an advance copy of the transcript prepared in the hearing held on Friday, June 6, 2014.

According to the request, the National Security Agency indicated that Government counsel, Anthony J. Coppolino, may have inadvertently made a statement during the hearing that the NSA contends is classified.

The Court determined that the request itself does not disclose any classified material but merely involves the process by which potentially classified information should be maintained, and issued an order under seal which alerted Plaintiffs to the Government's request and required a response in writing.

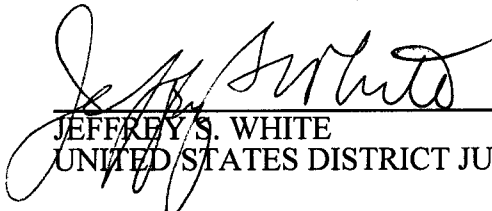
United States District Court
For the Northern District of California

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1 Having received Plaintiffs' response, the Court now issues this Order requiring that the
2 Government Defendants file a reply, also under seal, which addresses: (1) whether they can
3 meet their substantial burden to request the redaction; (2) a proposed procedure for the Court to
4 make a determination regarding whether and how the specific portions of the transcript should
5 be redacted; and (3) a response to Plaintiffs' motion to unseal all of the filings regarding
6 Defendants' redaction request. The reply from the Government shall be made in writing and
7 filed and served under seal by no later than June 30, 2014.

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9 **IT IS SO ORDERED.**

10 Dated: June 23, 2014

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13 JEFFREY S. WHITE
14 UNITED STATES DISTRICT JUDGE
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UNITED STATES DISTRICT COURT
FOR THE
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CAROLYN JEWEL et al,
Plaintiff,

Case Number: CV08-04373 JSW

v.

NATIONAL SECURITY AGENCY et al,
Defendant.

VIRGINIA SHUBERT et al,
Plaintiff,

Case Number: CV07-00693 JSW

v.

GEORGE W BUSH et al,
Defendant.

**CERTIFICATE OF SERVICE
UNDER SEAL**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 23, 2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

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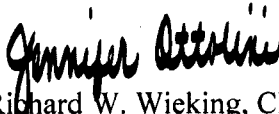
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Dated: June 23, 2014


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk

United States District Court
For the Northern District of California