IN THE UNITED STATES DISTRICT COURT

FILED

FOR THE EASTERN DIS ALEXANDRIA	A DIVISION ZOOZ MAR -9 P 4: 09
	CLERK US DISTRICT COURT ALEXANDRIA, VIRGINIA
IN RE NATIONAL SECURITY LETTER.	Misc. No. 1:12-mc - 7 ATT / IDD
)

MOTION TO SET BRIEFING SCHEDULE

Petitioner, the Attorney General of the United States of America, by and through his undersigned attorneys, moves the Court for an Order setting a schedule for the filing of memoranda in support of or opposition to the Petition for Judicial Review and to Enforce National Security Letter Nondisclosure Requirement. In particular, petitioner requests that the Court order that initial memoranda of law in support of or opposition to the Petition may be filed on or before March 30, 2012, and that rebuttal memoranda, if any, may be filed on or before April 13, 2012.

There is good cause for granting this Motion as follows:

- Because the Petition is filed pursuant to 18 U.S.C. § 3511, which does not specify a
 response time or deadline, the Court's entry of the proposed briefing schedule will
 provide certainty to the parties and the Court regarding the immediate schedule in this
 action.
- 2. The proposed schedule also provides sufficient time for the government to prepare and make available to the Court *ex parte* and *in camera* further information, which may include classified information, to support the Petition pursuant to 18 U.S.C.

§ 3511(d). See id. ("[i]n all proceedings under this section, the court shall, upon request of the government, review ex parte and in camera any government submission or portions thereof, which may include classified information.").

The proposed schedule minimizes the burden on respondent in that it permits, but does not require, respondent to participate in these proceedings if it so desires.

WHEREFORE, the Attorney General requests that the Court grant this Motion to Set Briefing Schedule.¹

Dated: March 9, 2012²

Respectfully submitted,

TONY WEST Assistant Attorney General

NEIL H. MacBRIDE United States Attorney

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contemporaneously with this motion, the certificate of service accompanying this filing is being submitted under seal.

¹ Counsel for the Attorney General has been in communication with respondent and has inquired whether respondent opposes the relief requested in this Motion, but respondent has not yet answered that inquiry. ² Pursuant to 18 U.S.C. § 3511(d), and for the reasons described in the Motion to Seal being filed

By:

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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA ALEXANDRIA DIVISION

IN RE NATIONAL SECURITY LETTER.	Misc. No. 1:12-mc-7 ATTIDD
[Propose	d] ORDER
Having considered the Motion to Set Br	iefing Schedule and the entire record in this case,
it is hereby	
ORDERED that the Motion to Set Brie	fing Schedule is GRANTED ; and it is
FURTHER ORDERED that the Attorn	ney General shall file his initial memorandum of
law in support of the Petition for Judicial Revie	w and Enforcement of a National Security Letter
Nondisclosure Requirement Pursuant to 18 U.S	.C. § 3511 on or before March 30, 2012; and it is
FURTHER ORDERED that responder	nt may file an initial memorandum addressing the
merits of the Petition on or before March 30, 20	012; and it is
FURTHER ORDERED that rebuttal m	nemoranda, if any, may be filed on or before April
13, 2012.	
Dated:	
	UNITED STATES DISTRICT JUDGE