

1 BENJAMIN C. MIZER
 Acting Assistant Attorney General
 2 ANTHONY J. COPPOLINO
 Deputy Branch Director
 3 PAUL G. FREEBORNE
 Virginia Bar No. 33024
 4 Senior Trial Counsel
 5 KIERAN G. GOSTIN
 Trial Attorney
 6
 Civil Division, Federal Programs Branch
 7 U.S. Department of Justice
 P.O. Box 883
 8 Washington, D.C. 20044
 Telephone: (202) 353-0543
 9 Facsimile: (202) 616-8460
 10 E-mail: paul.freeborne@usdoj.gov

11 *Attorneys for Federal Defendants*

12 **UNITED STATES DISTRICT COURT**
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 WILEY GILL; JAMES PRIGOFF; TARIQ
 15 RAZAK; KHALID IBRAHIM; and AARON
 CONKLIN,

16 Plaintiffs,

17 v.

18 DEPARTMENT OF JUSTICE, *et al.*,

19 Defendants.
20
21

No. 3:14-cv-03120 (RS)

DEFENDANTS' UNOPPOSED
ADMINISTRATIVE MOTION TO FILE
DEFENDANTS' ANSWER UNDER SEAL

1 Pursuant to Civil Local Rules 7-11 and 79-5, Defendants respectfully submit this
2 administrative motion to permit Defendants to file the answer in this matter, due April 3, 2015,
3 under seal, to protect information contained in the answer that is protected by the Privacy Act,
4 5 U.S.C. § 552a. Recognizing that certain information in the answer can be publicly disclosed,
5 and that Plaintiffs may choose to waive the release of Privacy Act information, Defendants
6 request that they be afforded until April 24, 2015 to file a redacted version of the answer to the
7 Court pursuant to L.R. 79-5(d)(1)(C). Undersigned counsel has consulted with Plaintiffs'
8 counsel, and the parties agree that the preferred course for determining what Privacy Act
9 protected information may be placed on the public docket is to permit counsel for the parties to
10 meet and confer after Plaintiffs' counsel has an opportunity to review the unredacted answer.
11 Defendants request the twenty-one day extension for the filing of redacted answer to permit this
12 consultation.

13 Defendants agree to provide Plaintiffs' counsel with the unredacted answer on April 3,
14 2015 by secure email, as well as to file an unredacted version with the Court under seal.
15 Plaintiffs will thereafter advise undersigned counsel no later than April 10, 2015 whether they
16 wish to waive the release of Privacy Act protected information on the public docket. If there is
17 Privacy Act protected information that Plaintiffs wish to protect from public disclosure, the
18 parties would then meet and confer in an attempt to agree upon a redacted answer suitable for
19 public filing. Should Plaintiffs decide not to provide a waiver for the release of Privacy Act
20 protected information, Defendants would file a redacted version of the answer on April 24, 2015
21 that protects Privacy Act protected information from public disclosure on the docket. Should
22 Plaintiffs wish to protect information in the answer from public disclosure that is not Privacy Act
23 protected, Plaintiffs would be obligated to file a motion under L.R. 79-5 seeking to protect that
24 additional information, and Defendants reserve the right to oppose that motion.

25 In the alternative, should the Court wish to receive the unredacted and redacted version of
26 the answer before the Court rules on whether to permit the sealing of Defendants' answer,
27 Defendants request that the time to file an answer be extended to April 24th. Under this
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1 alternative framework, Defendants would present an unredacted version of the answer to
2 Plaintiffs' counsel in a password protected email on April 3rd, as above, and meet and confer
3 with Plaintiffs' counsel thereafter in an attempt to agree upon the redactions to the answer that
4 would be filed along with unredacted answer on April 24, 2015.

5 Undersigned counsel has consulted with Plaintiffs' counsel in a conference call on March
6 27, 2015, and in email correspondence, and Plaintiffs' counsel has advised that Plaintiffs do not
7 oppose either of the alternative procedures and extensions of time set forth in this motion.

8
9 April 1, 2015

Respectfully submitted,

10 /s/ Paul G. Freeborne

11 PAUL G. FREEBORNE
12 Senior Trial Counsel

13 KIERAN G. GOSTIN
14 Trial Attorney

15 Civil Division, Federal Programs Branch
16 U.S. Department of Justice
17 P.O. Box 883
18 Washington, D.C. 20044
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20 Facsimile: (202) 616-8460
21 E-mail: paul.freeborne@usdoj.gov

22 *Attorneys for Federal Defendants*
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