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13	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION						
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15							
	CAROLYN JEWEL, et al.,) Cas	e No. 4:08-cv-043	373-JSW			
16 17	Plaintiffs,		VERNMENT D				
	v.) STI	ADMINISTRATIVE MOTION TO STRIKE PLAINTIFFS' "REVISED				
18 19	NATIONAL SECURITY AGENCY, e	t al., j TH	EIR MOTION F				
20	Defendants.)	hearing scheduled				
21	Pursuant to Local Civil Rule 7-11, the Government Defendants hereby move to strike						
22	Plaintiffs' so-called [<i>Revised</i> Proposed] Order Granting Plaintiffs Carolyn Jewel, Erik Knutzer and Joice Walton's Motion for Partial Summary Judgment (ECF No. 261) and Denying the						
23							
24	Government Defendants' Cross-Motion for Partial Summary Judgment (ECF No. 286)						

(Plaintiffs' "Revised Proposed Order") (ECF No. 319). In support of their motion the

Government Defendants aver as follows:

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Gov't Defs.'Admin. Mot. to Strike Pls.' "*Revised* Proposed Order" Granting Their Mot. for Partial Summ. Judg., Jewel v. NSA (4:08-cv-4373-JSW) 1

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The Court held an exhaustive hearing on the parties' pending cross-motions for
 partial summary judgment on December 19, 2014. Plaintiffs filed their Revised Proposed Order
 more than one month later, on January 23, 2015, without prior notice, or leave from the Court.

2. Plaintiffs' Revised Proposed Order is nothing of the kind. It is fourteen pages long and replete from start to finish with legal argument. There is no disguising its true purpose as an unsolicited post-hearing brief in support of Plaintiffs'motion for partial summary judgment.

3. Local Civil Rule 7-3(d) states plainly, with narrow exceptions that do not apply here, that "[o]nce a reply is filed" in support of a motion, "no additional memoranda, papers or letters may be filed" in support of the motion "without prior Court approval."

4. Plaintiffs filed their reply in support of their motion for partial summary judgment on October 24, 2014. *See* ECF No. 294-2. Thereafter, Plaintiffs neither obtained nor even sought the Court's leave to submit their disingenuously styled Revised Proposed Order in advance of filing it. Nor did the Court request such submissions from the parties.

5. Accordingly, Plaintiffs' Revised Proposed Order was filed in violation of Local Civil Rule 7-3(d), and as such should be stricken from the record.

Dated: January 28, 2015

Respectfully Submitted,

JOYCE R. BRANDA Acting Assistant Attorney General

JOSEPH H. HUNT Director, Federal Programs Branch

ANTHONY J. COPPOLINO Deputy Branch Director

/s/ James J. Gilligan JAMES J. GILLIGAN Special Litigation Counsel james.gilligan@usdoj.gov

Gov't Defs.'Admin. Mot. to Strike Pls.' "*Revised* Proposed Order" Granting Their Mot. for Partial Summ. Judg., *Jewel v. NSA* (4:08-cv-4373-JSW) 2

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	Gov't Defs.'Admin. Mot. to Strike Pls.' " <i>Revised</i> Proposed Order" Granting Their Mot. for Partial Summ. Judg., Jewel v. NSA (4:08-cv-4373-JSW) 3						

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12 13 14	in their Official Capacities UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION						
15 16 17	CAROLYN JEWEL, <i>et al.</i> , Plaintiffs, v.)))) Case	No. 4:08-cv-043′	73-JSW			
18 19 20	NATIONAL SECURITY AGENCY, <i>et al.</i> , Defendants.) [PRC))))POSED] ORDF	E R			
 21 22 23 24 	Upon consideration of the Government Defendants' Administrative Motion To Strike Plaintiffs' "Revised Proposed Order" Granting Their Motion for Partial Summary Judgment, and any submissions filed in opposition thereto,						
 25 26 27 28 	IT IS HEREBY ORDERED THAT: 1. The Government Defendants' administrative motion is GRANTED.						
	[Proposed] Order, Jewel v. NSA (4:08-cv-4373-JSW))		1			

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2. Plaintiffs' [*Revised* Proposed] Order Granting Plaintiffs Carolyn Jewel, Erik Knutzen, and Joice Walton's Motion for Partial Summary Judgment and Denying the Government Defendants' Cross-Motion for Partial Summary Judgment (ECF No. 319), is hereby STRICKEN from the record of this action as an unauthorized filing under Local Civil Rule 7-3(d).

So ORDERED this ______ day of ______, 2015.

HON. JEFFREY S. WHITE UNITED STATES DISTRICT JUDGE