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12 *Attorneys for the United States of America and  
the Federal Defendants in their Official Capacities*

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15 **SAN FRANCISCO DIVISION**

16 IN RE NATIONAL SECURITY AGENCY )  
17 TELECOMMUNICATIONS RECORDS )  
18 LITIGATION )

**No. M:06-cv-01791-VRW**  
**DEFENDANTS' NOTICE OF**  
**LODGING OF *IN CAMERA*, *EX PARTE***  
**MATERIAL (CLASSIFIED**  
**DECLARATION OF KEITH B.**  
**ALEXANDER)**

19 \_\_\_\_\_ )  
20 This Document Relates Only To: )

21 *Shubert v. Bush,*  
**(Case No. 07-00693)**

Date: August 30, 2007  
Courtroom: 6, 17th Floor  
Time: 2 p.m.  
Judge: Hon. Vaughn R. Walker

22 The United States and official capacity Defendants, through their undersigned counsel,  
23 hereby provide notice of the submission, for the Court's *in camera*, *ex parte* consideration, of the  
24 following materials in support of the United States' assertion of the military and state secrets  
25 privilege and the Defendants' Motion to Dismiss or, in the Alternative, For Summary Judgment:  
26

27 A classified Declaration of Lieutenant General Keith B. Alexander, Director, National

1 Security Agency.<sup>1</sup>

2 DATED: May 25, 2007

Respectfully Submitted,

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27 <sup>1</sup> An unclassified declaration of Lieutenant General Keith B. Alexander, Director,  
National Security Agency, has been filed on the public record.