

1 PETER D. KEISLER
Assistant Attorney General, Civil Division

2 CARL J. NICHOLS
Deputy Assistant Attorney General

3 DOUGLAS N. LETTER
Terrorism Litigation Counsel

4 JOSEPH H. HUNT
Director, Federal Programs Branch

5 ANTHONY J. COPPOLINO
Special Litigation Counsel

6 RUPA BHATTACHARYYA
Senior Trial Counsel

7 ANDREW H. TANNENBAUM
Trial Attorney

8 Email: tony.coppolino@usdoj.gov
U.S. Department of Justice

9 Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW, Rm. 6102

10 Washington, D.C. 20001
Phone: (202) 514-4782

11 Fax: (202) 616-8460

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	)	No. M:06-cv-01791-VRW
17	)	DEFENDANTS' NOTICE OF
18	)	LODGING OF <i>IN CAMERA</i>, <i>EX PARTE</i>
19	)	MATERIAL (CLASSIFIED
20	)	DECLARATION OF J. MICHAEL
21	)	McCONNELL)
22)	
23	)	Date: August 30, 2007
24	)	Courtroom: 6, 17th Floor
25	)	Time: 2 p.m.
26	)	Judge: Hon. Vaughn R. Walker
27)	

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

27 A classified Declaration of J. Michael McConnell, Director of National

1 Intelligence.¹

2 DATED: May 25, 2007

Respectfully Submitted,

3 PETER D. KEISLER
Assistant Attorney General, Civil Division

4 CARL J. NICHOLS
5 Deputy Assistant Attorney General

6 DOUGLAS N. LETTER
7 Terrorism Litigation Counsel

8 JOSEPH H. HUNT
Director, Federal Programs Branch

9 /s/ Anthony J. Coppolino
10 ANTHONY J. COPPOLINO
Special Litigation Counsel

11 /s/ Rupa Bhattacharyya
12 RUPA BHATTACHARYYA
Senior Trial Counsel

13 /s/ Andrew H. Tannenbaum
14 ANDREW H. TANNENBAUM
15 Trial Attorney
16 U.S. Department of Justice
17 Civil Division, Federal Programs Branch
20 Massachusetts Avenue, NW
Washington, D.C. 20001
18 Phone: (202) 514-4782 — Fax: (202) 616-8460
19 Email: tony.coppolino@usdoj.gov

26 _____
27 ¹ An unclassified declaration of J. Michael McConnell, Director of National Intelligence,
28 has been filed on the public record.