

1 ELECTRONIC FRONTIER FOUNDATION  
CINDY COHN (145997)  
2 cindy@eff.org  
LEE TIEN (148216)  
3 tien@eff.org  
KURT OPSAHL (191303)  
4 kurt@eff.org  
KEVIN S. BANKSTON (217026)  
5 bankston@eff.org  
CORYNNE MCSHERRY (221504)  
6 corynne@eff.org  
JAMES S. TYRE (083117)  
7 jstyre@eff.org  
454 Shotwell Street  
8 San Francisco, CA 94110  
Telephone: 415/436-9333  
9 415/436-9993 (fax)

10 Attorneys for Plaintiffs

11 [Additional Attorneys listed on last page]

12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 IN RE NATIONAL SECURITY AGENCY )  
TELECOMMUNICATIONS RECORDS )  
16 LITIGATION, MDL No. 1791 )  
17 This Document Relates To: )  
18 ALL CASES except AL HARAMAIN v. BUSH )  
19 07-0109; CENTER FOR CONSTITUTIONAL )  
RIGHTS v. BUSH 07-1115; UNITED STATES )  
20 V. FARBER, ET AL 07-1324; UNITED )  
STATES V. ADAMS, ET. AL. 07-1323; )  
21 UNITED STATES V. PALERMINO, ET AL, )  
22 07-1326; UNITED STATES V. VOLZ, ET AL, )  
07-1396 )  
23 )  
24 )

MDL Docket No 06-1791 VRW  
**CLASS ACTION**  
**DECLARATION OF CINDY A. COHN IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR ORDER TO PRESERVE  
EVIDENCE**  
Date: October 25, 2007  
Time: 2:00 p.m.  
Courtroom: 6, 17th Floor  
Judge: The Hon. Vaughn R. Walker

25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1. I am an attorney of record for plaintiffs in this action and a member of good Standing of the California State Bar, and am admitted to practice before this Court. I have personal knowledge of the matters stated in this declaration. If called upon to do so, I am competent to testify to all matters set forth herein.

2. Attached hereto as Exhibit A is a true and correct copy of an email I received from Tony Coppolino on August 2, 2007.

3. Attached hereto as Exhibit B is a true and correct copy of an email message I sent to opposing counsel on July 13, 2007.

4. Attached hereto as Exhibit C is a true and correct copy of an email I received from Tony Coppolino on June 29, 2007.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct of my personal knowledge. Executed this 20<sup>th</sup> day of September, 2007, in San Francisco, California.

\_\_\_\_\_  
/s/  
Cindy A. Cohn

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ROGER BALDWIN FOUNDATION OF  
ACLU  
HARVEY GROSSMAN  
ADAM SCHWARTZ  
180 North Michigan Avenue  
Suite 2300  
Chicago, IL 60601  
Telephone: (312) 201-9740  
Facsimile: (312) 201-9760

LIEFF, CABRASER, HEIMANN &  
BERNSTEIN, LLP  
ELIZABETH J. CABRASER  
BARRY R. HIMMELSTEIN  
ERIC B. FASTIFF  
275 Battery Street, 30th Floor  
San Francisco, CA 94111-3339  
Telephone: (415) 956-1000  
Facsimile: (415) 956-1008

PLAINTIFFS' COUNSEL FOR AT&T  
SUBSCRIBER CLASS AND CO-CHAIR OF  
PLAINTIFFS' EXECUTIVE COMMITTEE

PLAINTIFFS' COUNSEL FOR MCI  
SUBSCRIBER CLASS

MOTLEY RICE LLC  
RONALD MOTLEY  
DONALD MIGLIORI  
JODI WESTBROOK FLOWERS  
JUSTIN KAPLAN  
28 Bridgeside Boulevard  
P.O. Box 1792  
Mt. Pleasant, SC 29465  
Telephone: (843) 216-9163  
Facsimile: (843) 216-9680

GEORGE & BROTHERS, L.L.P.  
R. JAMES GEORGE, JR.  
DOUGLAS BROTHERS  
1100 Norwood Tower  
114 W. 7th Street  
Austin, Texas 78701  
Telephone: (512) 495-1400  
Facsimile: (512) 499-0094

PLAINTIFFS' COUNSEL FOR VERIZON  
SUBSCRIBER CLASS AND  
MISCELLANEOUS SUBSCRIBER  
CLASSES

PLAINTIFFS' COUNSEL FOR CINGULAR  
SUBSCRIBER CLASS

THE MASON LAW FIRM, PC  
GARY E. MASON  
NICHOLAS A. MIGLIACCIO  
1225 19th St., NW, Ste. 500  
Washington, DC 20036  
Telephone: (202) 429-2290  
Facsimile: (202) 429-2294

MAYER LAW GROUP  
CARL J. MAYER  
66 Witherspoon Street, Suite 414  
Princeton, New Jersey 08542  
Telephone: (609) 921-8025  
Facsimile: (609) 921-6964

PLAINTIFFS' COUNSEL FOR SPRINT  
SUBSCRIBER CLASS

PLAINTIFFS' COUNSEL FOR BELLSOUTH  
SUBSCRIBER CLASS

BRUCE I AFRAN, ESQ.  
10 Braeburn Drive  
Princeton, NJ 08540  
609-924-2075

LISKA, EXNICIOS & NUNGESSER  
ATTORNEYS-AT-LAW  
VAL PATRICK EXNICIOS  
One Canal Place, Suite 2290  
365 Canal Street  
New Orleans, LA 70130

PLAINTIFFS' COUNSEL FOR

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BELLSOUTH SUBSCRIBER CLASS

Telephone: (504) 410-9611  
Facsimile: (504) 410-9937

PLAINTIFFS' COUNSEL FOR BELLSOUTH  
SUBSCRIBER CLASS

KRISLOV & ASSOCIATES, LTD.  
CLINTON A. KRISLOV  
20 North Wacker Drive  
Suite 1350  
Chicago, IL 60606  
Telephone: (312) 606-0500  
Facsimile: (312) 606-0207

THE LAW OFFICES OF STEVEN E.  
SCHWARZ, ESQ.  
STEVEN E. SCHWARZ  
2461 W. Foster Ave., #1W  
Chicago, IL 60625  
Telephone: (773) 837-6134

PLAINTIFFS' COUNSEL FOR  
BELLSOUTH SUBSCRIBER CLASS

PLAINTIFFS' COUNSEL FOR BELLSOUTH  
SUBSCRIBER CLASS

ROGER BALDWIN FOUNDATION OF  
ACLU  
HARVEY GROSSMAN  
ADAM SCHWARTZ  
180 North Michigan Avenue  
Suite 2300  
Chicago, IL 60601  
Telephone: (312) 201-9740  
Facsimile: (312) 201-9760

LIEFF, CABRASER, HEIMANN &  
BERNSTEIN, LLP  
ELIZABETH J. CABRASER  
BARRY R. HIMMELSTEIN  
ERIC B. FASTIFF  
275 Battery Street, 30th Floor  
San Francisco, CA 94111-3339  
Telephone: (415) 956-1000  
Facsimile: (415) 956-1008

PLAINTIFFS' COUNSEL FOR AT&T  
SUBSCRIBER CLASS AND CO-CHAIR OF  
PLAINTIFFS' EXECUTIVE COMMITTEE

PLAINTIFFS' COUNSEL FOR MCI  
SUBSCRIBER CLASS

