

From: Coppolino, Tony (CIV)
Sent: Monday, July 21, 2008 10:12 AM
To: tien@eff.org
Cc: Coppolino, Tony (CIV)
Subject: MDL Scheduling

Lee -

When we last spoke, you asked if I would put in writing a tentative proposal for you to discuss with Cindy regarding further proceedings in the MDL carrier cases to address the new immunity law. Here is a possible schedule along the lines I mentioned on the phone for addressing all the issues (including the Government's certifications and plaintiffs' challenge to the immunity provisions). We propose a mid-November hearing date, and briefing which works back from that. I've added a surreply as you requested, and the schedule otherwise reflects the fact that, as you indicated, plaintiffs would already be preparing their challenge to the immunity provisions for their opposition brief. Obviously this is subject to change on the Government and Carrier Defendant side depending on how the discussion proceeds and any differences we encounter. Let's chat further after you and Cindy have looked this over. As I also mentioned, we should discuss an extension of the local page limits.

Filing	Dates
USG & Carrier Opening Motion/Memo; AG Certifications	Friday Sept. 5
Plaintiffs' Opposition	Friday Sept. 19
USG & Carrier Replies	Thursday Oct. 23
Plaintiffs' Surreply	Thursday Nov. 6
Hearing	Thursday Nov. 20

Tony Coppolino
(202) 514-4782