

U.S. FOREIGN INTELLIGENCE SURVEILLANCE COURT

2013 AUG 19 PM 3:29

UNITED STATES

FOREIGN INTELLIGENCE SURVEILLANCE COURT

LEEANN FLYNN HALL
CLERK OF COURT

WASHINGTON, D.C.

IN RE MOTION TO DISCLOSE AGGREGATE)
DATA REGARDING FISA ORDERS)
_____)

Docket No. Misc. 13-04

**CONSENT MOTION FOR SIXTH EXTENSION OF TIME
TO RESPOND TO MICROSOFT CORPORATION'S MOTION**

Pursuant to U.S. Foreign Intelligence Surveillance Court Rule of Procedure 6(d) and Federal Rule of Civil Procedure 6(b), the United States respectfully requests that the deadline for responding to Microsoft Corporation's Motion in this matter be extended by ten days from August 20, 2013, up to and including August 30, 2013. This is the sixth request for an extension of this deadline.

This matter concerns Microsoft Corporation's request to disclose aggregate information about Foreign Intelligence Surveillance Act orders. The United States respectfully requests that the Court grant this additional extension in order to provide time for further negotiations with Microsoft Corporation regarding the substantial issues raised by Microsoft Corporation in its motion.

Counsel for the United States conferred with counsel for Microsoft Corporation, who indicated that Microsoft Corporation consents to the relief sought in this motion.

August 19, 2013

Respectfully submitted,

JOHN P. CARLIN
Acting Assistant Attorney General
for National Security

TASHINA GAUHAR
Deputy Assistant Attorney General

Nicholas J. Patterson

JEFFREY M. SMITH
NICHOLAS J. PATTERSON
U.S. Department of Justice
National Security Division
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530
Phone: (202) 514-5600
Fax: (202) 514-8053

Attorneys for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Consent Motion for Sixth Extension of Time to Respond to Microsoft Corporation's Motion was served via Federal Express and email on this 19th day of August, 2013,

addressed to:

James M. Garland
David N. Fagan
Alexander A. Berengaut
Covington & Burling LLP
1201 Pennsylvania Avenue, NW
Washington, DC 20004-2401



Nicholas J. Patterson

UNITED STATES
FOREIGN INTELLIGENCE SURVEILLANCE COURT
WASHINGTON, D.C.

IN RE MOTION TO DISCLOSE AGGREGATE)
DATA REGARDING FISA ORDERS) Docket No. Misc. 13-04
_____)

**[PROPOSED] ORDER GRANTING CONSENT MOTION
FOR SIXTH EXTENSION OF TIME TO RESPOND TO
MICROSOFT CORPORATION'S MOTION**

Having read and considered the United States' Motion for Sixth Extension of Time to Respond to Microsoft Corporation's Motion, the Motion for Sixth Extension of Time is hereby GRANTED. The United States' time to respond to Microsoft Corporation's Motion is extended up to and including August 30, 2013.

SO ORDERED, this ____ day of August, 2013.

REGGIE B. WALTON
Judge, United States Foreign
Intelligence Surveillance Court