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

17 FIRST UNITARIAN CHURCH OF LOS  
 18 ANGELES, *et al.*,

19 Plaintiffs,

20 v.

21 NATIONAL SECURITY AGENCY, *et al.*,

22 Defendants.  
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Case No: 3:13-cv-03287 JSW

**DECLARATION OF THOMAS E.  
 MOORE III IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR  
 PARTIAL SUMMARY JUDGMENT**

Date: February 7, 2014  
 Time: 9:00 A.M.  
 Hon. Jeffrey S. White  
 Courtroom 11 - 19th Floor

1 I, Thomas E. Moore III, hereby declare:

2 1. I am a lawyer duly licensed to practice law in the State of California and before this  
3 district. I am one of the members of Royse Law Firm, PC, counsel of record for the plaintiffs.

4 2. I have attached to this Declaration as the following exhibits true and correct copies of  
5 the following documents:

6 a. Exhibit A, *The New York Times*, “Bush Lets U.S. Spy on Callers Without  
7 Courts,” dated Dec. 16, 2005;

8 b. Exhibit B, *USA Today*, “NSA Has Massive Database of Americans’ Phone  
9 Calls,” dated May 11, 2006;

10 c. Exhibit C, *In re Production of Tangible Things From [REDACTED]*, FISC, BR  
11 08-13, dated March 2, 2009;

12 d. Exhibit D, “Working Draft, Office of the Inspector General National Security  
13 Agency,” dated March 24, 2009;

14 e. Exhibit E, “Unclassified Report on the President’s Surveillance Program,”  
15 prepared by the Offices of Inspectors General, dated July 10, 2009;

16 f. Exhibit F, Letter from Ass’t Atty. Gen. Weich to Rep. Reyes, dated  
17 December 14, 2009 enclosing the “Report on National Security Agency’s Bulk  
18 Collection Programs Affected by USA PATRIOT Act Reauthorization;”

19 g. Exhibit G, Primary Order, FISC, BR 13-80, dated April 25, 2013;

20 h. Exhibit H, Secondary Order, FISC, BR 13-80, dated April 25, 2013;

21 i. Exhibit I, “DNI Statement on Recent Unauthorized Disclosures of Classified  
22 Information,” dated June 6, 2013;

23 j. Exhibit J, Letter from Dep. Atty. Gen. Kadzik to Rep. Sensenbrenner dated  
24 July 16, 2013;

25 k. Exhibit K, “Administration White Paper: Bulk Collection of Telephony  
26 Metadata Under Section 215 of the USA PATRIOT Act,” dated August 9,  
27 2013;

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- l. Exhibit L, Amended Memorandum Opinion, FISC, BR 13-109, dated August 29, 2013;
- m. Exhibit M, Memorandum Opinion, FISC, dated October 3, 2011;
- n. Exhibit N, Memorandum, FISC, BR 13-158, dated October 11, 2013;

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on November 6, 2013, at Palo Alto, California.

/s/ Thomas E. Moore III  
THOMAS E. MOORE III