

~~SECRET~~United States Foreign Intelligence Surveillance Court

Docket 105B(g) 07-01

IN RE DIRECTIVES TO YAHOO INC.  
PURSUANT TO SECTION 105B OF  
THE FOREIGN INTELLIGENCE  
SURVEILLANCE ACT. (S)

1. 11/21/07, 4:13 p.m. - Government Motion to Compel Compliance with Directives of the Director of National Intelligence and Attorney General
2. 11/28/07, 12:42 p.m. - Government filed Notice of Service re: Motion to Compel Compliance
3. 11/28/07 - Memorandum For The Record
4. 11/28/07, 6:10 p.m. - Proposed Scheduling Order with note from the Government that Yahoo OK'd the language.
5. 11/29/07, 9:51 a.m. - Scheduling Order signed by the Honorable Roger Vinson.
- 2/7/08 - Copy received after Classification Review conducted and paragraph marked.
6. 11/30/07, 3:42 p.m. - Request of Marc J. Zwillinger to Appear on Behalf of Yahoo
7. 11/30/07, 3:42 p.m. - Yahoo's Unopposed Motion for Leave to File Excess Page Brief.
8. 11/30/07, 3:42 p.m. - Yahoo's Unopposed Motion for Leave to File Excess Page Brief signed by the Honorable Dee Benson.
- 2/7/08 - Copy received after Classification Review conducted and paragraph marked.
9. 11/30/07, 3:42 p.m. - Yahoo, Inc.'s Memorandum in Opposition to Motion to Compel
10. 12/11/07, 6:10 p.m. - Government's Unopposed Motion to File Excess Page Brief.

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11. 12/11/07, 6:12 p.m. - Government Memorandum In Support of the Government's Motion to Compel Compliance with Directives of National Intelligence and Attorney General.
12. 12/11/07, 6:13 p.m. - Government Motion to File Classified Appendix.
13. 12/13/07 - Government filed Notice of Service re: Memorandum in Support of Government's Motion to Compel.
14. 12/13/07, 5:28 p.m. - Government's motion to file Excess Page Brief is granted, and the Order is signed by the Honorable Robert C. Broomfield.
- 2/7/08 - Copy received after Classification Review conducted and paragraph marked.
- 12/14/07 - Certified copies of Judge Broomfield's 12/13/07 Order and the Government's motion to file a twenty-five page memorandum are given to [REDACTED] SEPS, for delivery to Messrs. Olsen and Zwillinger.
15. 12/14/07, 3:09 p.m. - Court Authorization for Yahoo to file a sur-reply signed by Judge Broomfield.
- 2/7/08 - Copy received after Classification and Review conducted and paragraph marked.
16. 12/18/07, 2:38 p.m. - Government Motion for Partial Reconsideration of Order Authorizing Sur-Reply To Motion To Compel.
17. 12/18/07, 4:24 p.m. - Government filed Notice of Service re: Motion for Partial Reconsideration.
18. 12/18/07, 4:25 p.m. - Yahoo Response to Motion for Partial Reconsideration of Order Authorizing Sur-Reply to Motion to Compel.
- 2/7/08 - Copy received after Classification Review conducted and paragraph marked.

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19. 12/19/07, 11:39 a.m. - Scheduling Order signed by Judge Malcolm J. Howard.  
2/7/08 - Copy received after Classification Review conducted and paragraph marked.  
12/19/07 - Certified copies of Judge Howard's Order are given to [REDACTED] SEPS, for delivery to Messrs. Olsen and Zwillinger.
20. 12/21/07, 3:06 p.m. - Yahoo! Inc.'s Sur-Reply in Opposition to Motion to Compel was filed by Mr. Zwillinger.  
2/7/08 - Copy received after Classification Review conducted and paragraph marked.
21. 12/26/07 - Memorandum for the Record re: Assignment
22. 12/27/07, 1:24 p.m. - Government's Unopposed Motion To Unseal Records.
23. 12/28/07 - Order Establishing Procedures for Handling Classified Information signed by Judge Reggie B. Walton.  
2/7/08 - Copy received after Classification Review conducted and paragraph marked.
24. 12/28/07 - Order Directing Government to File Reply Brief re: Standing signed by Judge Reggie B. Walton.  
2/7/08 - Copy received after Classification Review conducted and paragraph marked.
25. 12/28/07 - Ex Parte Order re: Classified Appendix signed by Judge Reggie B. Walton.  
2/7/08 - Copy received after Classification Review conducted and paragraph marked.
26. 1/2/08, 2:22 p.m. - Government filed Notice of Service re: Unopposed Motion to Unseal Records, with proposed order.

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27. 1/2/08, 2:40 p.m. - Government filed Notice of Service re: Motion to File Classified Appendix, with proposed order but without attached classified appendix.
28. 1/4/08, 4:15 p.m. - Order directing technical affidavits issued by the Honorable Reggie B. Walton.
- 2/7/08 - Copy received after Classification Review conducted and paragraph marked.
29. 1/4/08, 5:56 p.m. - Government's Reply to Yahoo Inc.'s Sur-Reply, including Certificate of Service.
30. 1/9/08, 1:45 p.m. - Yahoo's Response to Motion to Unseal Records filed by Marc Zwillinger.
- 1/15/08 - Copy received after Classification Review conducted and paragraph marked.
31. 1/10/08, 11:37am - Order to Unseal in response to Government's Motion of 12/27/07 (See Item # 22), signed by Judge Malcolm J. Howard.
- 1/10/08 - Certified copies of Judge Howard's order are given to [REDACTED] SEPS, for delivery to Messrs. Olsen and Zwillinger.
- 1/15/08 - Copy received after Classification Review conducted and paragraph marked.
32. 1/14/08, 2:45 p.m. - Government filed Unopposed Motion to Unseal Record, with proposed order.
33. 1/14/08, 2:45 p.m. - Government filed Certificate of Service re: Unopposed Motion to Unseal Record.
34. 1/16/08, 5:55 p.m. - Government filed Declaration of Agent [REDACTED] Data Acquisition/Intercept Section, Operational Technology Div., FBI.

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35. 1/16/08, 5:55 p.m. - Government filed Certificate of Service re: Declaration of Agent [REDACTED] to counsel of record for Yahoo, Inc.
36. 1/17/08 - Order to Unseal Government's Reply to Yahoo Inc.'s Sur-Reply signed by Judge George P. Kazen.
- 1/17/08 - Certified copies given to [REDACTED] SEPS, for delivery to Messrs. Olson and Zwillinger.
- 1/23/08 - Copy of Judge Kazen's Order classified by Mark Bradley was filed with FISC at 3:43 p.m.
37. 1/23/08, 4:27 p.m. - Declarations of [REDACTED] and [REDACTED] [REDACTED] Yahoo, Inc. filed with FISC by [REDACTED]
- 1/24/08 - Copies of the Declarations of [REDACTED] and [REDACTED] were classified by Mark Bradley and Filed with FISC.
38. 1/31/08 - Order Authorizing Submission of Ex Parte Filing signed by Judge Reggie B. Walton.
- 1/31/08 - Certified copies given to [REDACTED] SEPS, for delivery to Messrs. Olson and Zwillinger.
- 2/1/08 - Copy of Judge Walton's Order classified by Mark Bradley was filed with FISC at 3:25 p.m.
39. 2/6/08 - Order re: the Governments' directives to Yahoo signed by Judge Walton.
- 2/6/08 - Certified copies given to [REDACTED] SEPS, for delivery to Messrs. Olson and Zwillinger.
40. 2/7/08, 4:51 p.m. - Motion for Extension of Time to File Supplemental Briefing filed by Mr. Zwillinger.
41. 2/8/08, 4:53 p.m. - Government filed Opposition to Motion for Extension of Time to File Supplemental Briefing.

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42. 2/8/08 - Memorandum for the Record
- 2/13/08 - Copy received after Classification Review conducted and paragraph marked.
43. 2/12/08 - Order Granting Motion for Extension of Time to File Supplemental Briefing signed by Judge Reggie B. Walton.
- 2/12/08 - Certified copies given to [REDACTED] SEPS, for delivery to Messrs. Olson and Zwillinger.
- 2/13/08 - Copy received after Classification Review conducted and paragraph marked.
44. 2/15/08 - Ex Parte Order to the Government signed by Judge Walton.
45. 2/15/08, 6:06 p.m. - Yahoo Inc.'s Supplemental Briefing on Fourth Amendment Issues filed by Mr. Zwillinger.
- 2/25/08, 3:31 p.m. - Copy received after Classification Review conducted and paragraph marked.
46. 2/15/08, 6:11 p.m. - Government filed Supplemental Brief on the Fourth Amendment.
47. 2/20/08, 4:58 p.m. - Response to Ex Parte Order to Government and Motion for Leave to File Classified Appendix re: the Court's Ex Parte and In Camera Review filed by Matthew Anzaldi.
48. 2/20/08, 4:57 p.m. - Government filed Classified Appendix re: The Government's Motion to Compel.
49. 2/20/08, 6:50 p.m. - Motion for Disclosure of Filings filed by Mr. Zwillinger.
- 2/25/08, 3:31 p.m. - Copy received after Classification Review conducted and paragraph marked.
50. 2/26/08, 12:15 p.m. - Government filed Opposition to Motion for Disclosure of Filings.

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51. 2/28/08 - Order re: Classified Disclosure signed by Judge Walton.
- 3/4/08 - Copy received after Classification Review conducted and paragraph marked.
- 2/29/08 - Certified copies of Judge Walton's order are given to [REDACTED] SEPS, for delivery to Messrs. Olsen and Zwillinger.
52. 2/29/08 - Order Directing Further Briefing on the Protect America Act signed by Judge Walton.
- 3/4/08 - Copy received after Classification Review conducted and paragraph marked.
- 2/29/08 - Certified order given to [REDACTED] SEPS, for delivery to Mr. Olsen.
53. 3/3/08, 7:18 p.m. - Government filed Ex Parte Notice of Objections and Statement of Good Cause.
54. 3/5/08 - Order Directing Further Briefing on the Protect America Act signed by Judge Walton.
- 3/5/08 - Certified order given to [REDACTED] SEPS, for delivery to Mr. Olsen.
55. 3/7/08 - Government filed Response to the Court's Order of February 29, 2008.
- 3/7/08 - Certified copy given to [REDACTED]
56. 3/11/08 - Government filed Stipulation and Order Regarding Extension of Briefing and Service Deadlines.
- 3/11/08 - Certified copy given to [REDACTED]

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57. 3/11/08 - Stipulation and Order Regarding Extension of Briefing and Service Deadlines signed by Judge Malcom J. Howard.
- 3/11/08 - Certified copies given to [REDACTED] for delivery to Messrs. Olsen and Zwilling.
58. 3/14/08, 4:25 p.m. - Government filed Ex Parte Motion for Leave to File Classified Information for the Court's Ex Parte and In Camera Review.
- 3/14/08, 4:39 p.m. - Government submitted Notice of Filing re: Ex Parte Motion for Leave to File Classified Information.
- 3/14/08 - Copy given to [REDACTED]
59. 3/17/08 - Order Authorizing Submission of Ex Parte Filing signed by Judge Walton.
- 3/17/08 - Certified copies given to [REDACTED]
- 3/28/08 - Copy received after Classification Review conducted and paragraph marked.
60. 3/19/08, 6:03 p.m. - Government filed Redacted Response re: the Court's February 29, 2008 Order.
- 3/19/08 - Copies given to [REDACTED]
61. 3/19/08, 6:04 p.m. - Yahoo! Inc.'s Supplemental Briefing re: Protect America Act Statutory Issues filed by Mr. Zwilling.
- 3/19/08 - Copies given to [REDACTED]

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62. 4/16/08, 12:18 p.m. - Government filed Unopposed Motion to Unseal Records.  
4/16/08 - Copies given to [REDACTED]
63. 4/22/08, 2:10 p.m. - Order re: Government's Unopposed Motion to Unseal Records signed by Judge Walton.  
4/22/08 - Copies given to [REDACTED]
64. 4/25/08 - Memorandum Opinion signed by Judge Walton.  
5/1/08 - Copy received after Classification Review conducted and paragraph marked.  
4/25/08 - Order to Compel Compliance signed by Judge Walton.  
4/25/08 - Copies given to [REDACTED]
65. 4/30/08, 10:16 a.m. - Government filed Unopposed Motion to Unseal Records.  
4/30/08 - Order re: Order to Compel Compliance and Memorandum Opinion signed by Judge Vinson.  
4/30/08 - Copies given to [REDACTED]
66. 5/1/08, 3:53 p.m. - Government filed Expedited Motion to Unseal Records.  
5/1/08 - Copies given to [REDACTED]
67. 5/2/08 - Order re: Expedited Motion to Unseal Records signed by Judge Walton.  
5/2/08 - Copies given to [REDACTED]

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68. 5/6/08, 4:07 p.m. - Yahoo! Inc.'s Motion for Stay Pending Appeal filed with Exhibits A through D by Marc J. Zwillinger, counsel for Yahoo.
- 5/6/08 - copies given to [REDACTED]
69. 5/9/08, 11:01 a.m. - Government's Motion for an Order of Civil Contempt.
70. 5/9/08 - Government's Memorandum in Opposition to Yahoo's Motion for a Stay and in Support of Government's Motion for an Order of Civil Contempt.
- 5/9/08, 1:00 p.m. - Government filed redacted Combined Memorandum in Opposition to Yahoo's Motion for a Stay and in Support of Government's Motion for an Order of Civil Contempt.
71. 5/9/08 - Government's Motion for Leave to File Classified Declaration for the Court's Ex Parte and In Camera Review (Declaration of DNI)
- 5/9/08 - Declaration of DNI
- 5/9/08 - Copies given to [REDACTED]
72. 5/9/08, 12:59 p.m. - Government filed Unopposed Motion to Unseal Records.
73. 5/9/08 - Order signed by Judge Walton denying Yahoo's Motion for a Stay and granting the Government's Motion to file a Classified Appendix.
- 5/12/08 - Copies given to [REDACTED] SEPS.
74. 5/13/08, 10:33 a.m. - Government filed Unopposed Motion To Unseal Records.

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75. 5/14/08, 2:19 p.m. - Yahoo! Inc.'s Unopposed Motion to Transmit the Record To The Foreign Intelligence Surveillance Court of Review filed by Mr. Zwillinger.
- 5/14/08 - Copies given to CSO, [REDACTED]
76. 5/14/08, 2:20 p.m. - Yahoo! Inc.'s Compliance Report filed by Mr. Zwillinger.
- 5/14/08 - Copies given to CSO, [REDACTED]
77. 5/14/08, 6:11p.m. - Order granting Government's May 9<sup>th</sup> Motion To Unseal signed by Judge Benson.
78. 5/14/08, 6:15p.m. - Order signed by Judge Benson granting Government's Motion to Unseal the Court's April 25<sup>th</sup> Order and Opinion for the limited purpose set forth in the Government's motion.
79. 5/15/08 - Order signed by Judge Benson granting Yahoo! Inc.'s Unopposed Motion to Transmit the Record to the Foreign Intelligence Surveillance Court of Review.

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