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UNITED STATES  
 FOREIGN INTELLIGENCE SURVEILLANCE COURT  
 WASHINGTON, DC

2008 MAY -9 AM 11:04

SECTION  
CLERK

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

Docket Number: 105B(g) 07-01

GOVERNMENT'S MOTION FOR AN ORDER OF CIVIL CONTEMPT (U)

The United States of America, through the undersigned Department of Justice attorneys, hereby respectfully moves for an order holding Yahoo!, Inc. ("Yahoo") in civil contempt for failing to comply with the Court's Order of April 25, 2008, if the Court denies Yahoo's motion for a stay pending appeal and if Yahoo fails to begin compliance with the Court's Order within twenty-four hours of the Court's denial of Yahoo's motion for a stay. The Government further respectfully requests that the Court's contempt order direct Yahoo to pay the Court a coercive fine of a minimum of \$250,000 for each additional day that Yahoo fails to comply, with the fine to double for each successive week that Yahoo fails to comply with the Court's April 25, 2008 Order. ~~(S)~~

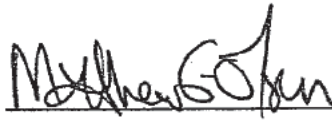
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Classified by: Matthew G. Olsen, Deputy Assistant  
 Attorney General, NSD, DOJ  
 Reason: 1.4 (c)  
 Declassify on: 8 May 2033

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The grounds for the Government's motion are set forth in the accompanying Combined Memorandum in Opposition to Yahoo's Motion for Stay Pending Appeal and in Support of the Government's Motion for an Order of Civil Contempt. A proposed order accompanies this motion. ~~(S)~~

Respectfully submitted,



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Deputy Assistant Attorney General

John C. Demers  
Deputy Assistant Attorney General

  
Counsel to the Assistant Attorney General

  
  
Office of Intelligence

  
Counsel for National Security Law & Policy  
Office of Law and Policy

National Security Division  
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