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UNITED STATES
FOREIGN INTELLIGENCE SURVEILLANCE COURT
WASHINGTON, DC

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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)~~

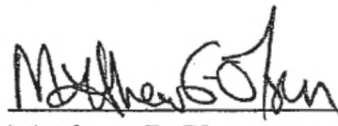
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Classified by: Matthew G. Olsen, Deputy Assistant
Attorney General, NSD, DOJ
Reason: 1.4 (c)
Declassify on: 8 May 2033

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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,




Matthew G. Olsen


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
United States Department of Justice

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