SECRET

No. 08-01 (S) IN THE UNITED STATES FOREIGN INTELLIGENCE SURVEILLANCE COURT OF REVIEW (U)

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

ON PETITION FOR REVIEW OF A DECISION OF THE UNITED STATES FOREIGN INTELLIGENCE SURVEILLANCE COURT (U)

JOINT APPENDIX (S)

Michael B. Mukasey Attorney General

Mark Filip Deputy Attorney General

J. Patrick Rowan Acting Assistant Attorney General

John A. Eisenberg Office of the Deputy Attorney General

Office of Legal Counsel

Civil Division

Matthew G. Olsen John C. Demers

National Security Division

United States Department of Justice

SECRET

Classified by:

Matthew G. Olsen, Deputy Assistant

Attorney General, NSD, DOJ

Reason:

1.4(c)

Declassify on:

5 June 2033

SECRET

TABLE OF CONTENTS

<u>Page</u>
Docket Entry Sheet1
Government's Motion to Compel Compliance with Directives of the Director of National Intelligence and Attorney General, with attached directives, filed Nov. 21, 2007 [R. 1]12
Yahoo! Inc.'s Memorandum in Opposition to Motion to Compel, filed Nov. 30, 2007 [R. 9]27
Department of Defense Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons, DoD 5240.1-R, Dec. 1982 (excerpts), filed Dec. 11, 2007 [R. 11]
Motion to File Classified Appendix (motion only), filed Dec. 11, 2007 [R. 12]63
Order Establishing Procedures for Handling Classified Information, entered Dec. 28, 2007 [R. 23]
Order Directing the Filing of Affidavits, entered Jan. 4, 2008 [R. 28]68
Declaration of Federal Bureau of Investigation Data Acquisition/ Intercept Section, filed Jan 16, 2008 [R. 34]
Declaration of Yahoo!, Inc., filed Jan. 23, 2008 [R. 37]
Declaration of
Order Authorizing Submission of Ex Parte Filing (R. 12), entered Jan. 31, 2008 [R. 38]94
Order Directing Parties to Provide Supplemental Briefing on the Fourth Amendment, entered Feb. 6, 2008 [R. 39]95
Government's Supplemental Brief on the Fourth Amendment, filed Feb. 15, 2008 [R. 46]97
Response to Ex Parte Order to Government and Motion for Leave to File Classified Appendix for the Court's Ex Parte and In Camera Review (without attached classified appendix), filed Feb. 20, 2008 [R. 47]
Order Granting Motion to File Classified Appendix (R. 47), entered Feb. 28, 2008 [R. 51]

SECRET

Notice of Filing of Motion to File Classified Information, filed Mar. 14, 2008 [R. 58]	116
Order Authorizing Submission of Ex Parte Filing (R. 58), entered Mar. 17, 2008 [R. 59]	117
Redacted Memorandum Opinion and Order, entered Apr. 25, 2008, filed May 2, 2008 [R. 64]	118
Government's Motion for an Order of Civil Contempt, filed May 9, 2008 [R. 69]	221
Declaration of Matthew G. Olsen, Deputy Assistant Attorney General, with attached exhibits, filed May 9, 2008 [R. 70]	223
Motion for Leave to File Classified Declaration for the Court's Ex Parte and In Camera Review (without attached classified declaration), filed May 9, 2008 [R. 71]	241
Order Denying Yahoo's Motion for a Stay and Granting Government's Motion to File a Classified Appendix (R. 71), entered May 9, 2008 [R. 73]	244
Yahoo!, Inc's Compliance Report, filed May 14, 2008 [R. 76]	246
Executive Order 12333, 46 Fed. Reg. 59,941 (Dec. 4, 1981)	249