

2014 DEC 18 PM 3:30

LEEANN FLYNN HALL
CLERK OF COURT

IN THE FOREIGN INTELLIGENCE SURVEILLANCE COURT

In re: Directives Pursuant to Section
105B of the Foreign Intelligence
Surveillance Act

No. 105B(g) 07-01

**YAHOO! INC.'S RESPONSE TO THE UNITED STATES'
SUPPLEMENTAL RESPONSE TO THE COURT'S NOVEMBER 5, 2014
ORDER**

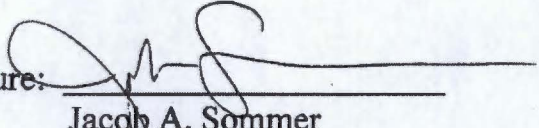
Yahoo writes in response to the Government's December 12, 2014 submission outlining the documents that remain to be reviewed as part of the classification review of the documents filed in this case. Yahoo disagrees with the Government's assertion that the Memorandum Opinion of April 28, 2008 need not be reviewed. In discussions with the Government, it has indicated to Yahoo that it only reviewed the previously-redacted version of the Memorandum Opinion of April 28, 2008 as part of its declassification review in the FISCRC.¹ The Government may have done the same for other documents that Yahoo received in 2007 and 2008 in redacted form. Yahoo believes that the basis for redaction decisions made in 2007 and 2008 do not apply today in light of the significant declassification of documents released in the past 18 months, and that the Memorandum Opinion, and any other documents that were originally presented to

¹ Presumably it did not review those redactions because the original redacted version was subject to this Court's sealing order, which the FISCRC may not have had jurisdiction to revisit. But whatever the reason, a full review of the unredacted version is now appropriate.

Yahoo in redacted form, should now be reviewed in their entirety as part of this classification review to determine if all of the prior redactions remain necessary.

Yahoo respectfully requests that this Court order the Government to review all documents in their original, unredacted form as part of this classification review, including this Court's Memorandum Opinion of April 28, 2008 and any other previously-redacted documents it did not fully review in their original, unredacted form as part of the FISCER declassification process.

Dated: December 17, 2014

Signature: 

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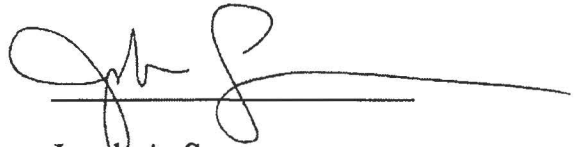
Attorneys for Yahoo! Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2014, I served copies of the foregoing motion on:

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pursuant to FISC Rule 8 and procedures established by the Security and
Emergency Planning Staff, United States Department of Justice.


Jacob A. Sommer