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UNITED STATES

LeeAnn Flynn Hall, Clerk of Court

FOREIGN INTELLIGENCE SURVEILLANCE COURT

WASHINGTON, D.C.

IN RE DIRECTIVES PURSUANT TO SECTION)
105B OF THE FOREIGN INTELLIGENCE)
SURVEILLANCE ACT.)
_____)

Docket No. 105B(g) 07-01

ORDER

The Court, having reviewed “Yahoo! Inc.’s Unclassified Motion to Lift the Stay and for a Scheduling Order,” filed in the above-captioned matter on October 24, 2014,

AND IT APPEARING THAT the Government has not taken any position on that Motion,

AND IT FURTHER APPEARING THAT the Foreign Intelligence Surveillance Court of Review (“FISCR”) has completed its review of the related opinions and pleadings in FISCR Docket No. 08-01,

HEREBY ORDERS as follows:

(1) In view of the completion of the above-referenced FISCR review, the Court lifts the suspension of its review of redactions proposed by the Government, which the Court put into effect on October 22, 2013, “in order to permit the results of the declassification process before the [FISCR] . . . to inform its examination of declassified materials on the same subject matter.” Order issued on Oct. 22, 2013. The other provisions of this Court’s Order issued on October 22, 2013, in the above-captioned matter remain in effect.

(2) On or before November ¹⁵ 2014, the Government shall submit a timetable for completing its review of, and submission of proposed redactions for, the Court’s Memorandum Opinion of April 25, 2008, and the other documents identified in Appendix A to “The United States’ Response to this Court’s July 15, 2013 Order,” submitted on July 29, 2013 (“Appendix A”). That timetable shall specify dates by which the Government proposes:


(a) to advise the Court and Yahoo! Inc. whether it believes that its redaction proposal for the Court’s Memorandum Opinion of April 25, 2008, and Order Compelling Compliance With Directives of the same date, which was filed with “The United States’ Second Response to this

Court's July 15, 2013 Order," submitted on September 12, 2013, should be modified in view of subsequent review of materials before the FISCR or other changes in circumstance and, if so, to submit to the Court a modified redaction proposal for those documents.

(b) to advise the Court and Yahoo! Inc. whether it believes that its redaction proposal for certain other documents identified in Appendix A, which was filed with "The United States' Third Response to this Court's July 15, 2013 Order," submitted on September 27, 2013, should be modified in view of subsequent review of materials before the FISCR or other changes in circumstance and, if so, to submit to the Court a modified redaction proposal for those documents.

(c) to submit to the FISC its proposed redactions for the remaining documents identified in Appendix A.

SO ORDERED, this 5TH day of November, 2014.



THOMAS F. HOGAN
Judge, United States Foreign
Intelligence Surveillance Court