

# EXHIBIT J

(Docket Entry No. 11)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN THE MATTER OF THE SEARCH OF  
INFORMATION ASSOCIATED WITH  
[REDACTED] AND  
[REDACTED], WHICH ARE  
STORED AT PREMISES CONTROLLED BY  
GOOGLE

**FILED EX PARTE**  
**FILED UNDER SEAL**  
NO. 1:17-MJ-00619

**GOVERNMENT'S MOTION FOR LIMITED UNSEALING**

The United States of America, by and through undersigned counsel, respectfully requests that this Court issue an order unsealing the Court's Order granting the government's crime-fraud motion for the limited purpose of allowing the government to provide a copy of the Order to counsel for George Higginbotham. The government requests that the Court's Order remain under seal for all other purposes. The government also requests that this motion and any order on this motion also be placed under seal. In support of its motion, the government states as follows:

On November 7, 2017, the government filed an *ex parte*, sealed motion requesting authorization to review communications between Higginbotham, who is an attorney, and Prakazrel Michel and his agents. The motion argued that this review was permissible notwithstanding Higginbotham's possible attorney-client relationship with Michel under the crime-fraud exception to the attorney-client privilege. In support of this position, the motion set forth reasonable grounds to believe that Higginbotham and Michel had used the attorney-client relationship to commit bank fraud in violation of 18 U.S.C. § 1344 and [REDACTED]

[REDACTED]

On November 9, 2017, this Court granted the motion and issued an order stating that communications between Higginbotham and Michel (and their agents) “pertaining to the alleged schemes and crimes described in the government’s motion are not privileged and, therefore, may be reviewed by the investigative team and used to confront the subjects and targets of this investigation.” The Court also granted the government’s request to seal the crime-fraud motion and order.

On January 2-3, 2018, law enforcement agents conducted a voluntary, non-custodial interview with Higginbotham about these matters. On January 18, 2018, government counsel was contacted by attorneys who are considering representing Higginbotham in this investigation. Those attorneys mentioned that they were considering whether and to what extent Higginbotham could cooperate with the investigation given his possible attorney-client relationship with Michel and the potential privilege that may apply to their communications.

Pursuant to the Court’s November 9 order, the government is permitted to question Higginbotham about his communications with Michel “pertaining to the alleged schemes and crimes described in the government’s motion.” The government requests permission to disclose the November 9 order to Higginbotham’s counsel to make clear that the government has the Court’s permission to question Higginbotham on these topics.

Respectfully submitted,

Pamela J. Hicks

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Dated: January 23, 2018

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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**ORDER**

Upon consideration of the government's Motion for Limited Unsealing, it is hereby

**ORDERED** that the government's motion is GRANTED; and it is further

**ORDERED** that this Court's Order dated November 9, 2017 is unsealed for the limited purpose of allowing the government to provide counsel for George Higginbotham, Esq., with a copy of the order; and it is further

**ORDERED** that the November 9, 2017 Order shall remain sealed for all other purposes; and it is further

**ORDERED** that this Order and the government's Motion for Limited Unsealing shall be filed and maintained under seal, but such sealing is limited to permit disclosure by the government to any parties to whom the government believes disclosure is required pursuant to law.

**SO ORDERED.**

Date: \_\_\_\_\_

\_\_\_\_\_  
BERYL A. HOWELL  
Chief Judge