

EXHIBIT R

(Docket Entry No. 19)

**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

Misc. Action No. 17-mj-619 (BAH)

Chief Judge Beryl A. Howell

ORDER

On November 9, 2017, a sealed Memorandum Opinion (“2017 Memorandum Opinion”) was filed in the instant sealed matter resolving the government’s motion to review certain communications. Almost nineteen months later, on May 20, 2019, after consultation with the government, the 2017 Memorandum Opinion was partially unsealed, with a redacted version released to the public, after certain information became publicly available following the entry of a guilty plea and the filing of a civil forfeiture complaint involving individuals named in the 2017 Memorandum Opinion. On November 25, 2020, after consultation with the government, this Court ordered further unsealing of the 2017 Memorandum Opinion, with a redacted version released to the public, after certain information became publicly available following the entry of two guilty pleas involving individuals named in the 2017 Memorandum Opinion. In its Order directing that the 2017 Memorandum Opinion be partially unsealed, the Court also directed the government to report when any further public disclosure obviated the need for continued sealing and would thereby permit the 2017 Memorandum Opinion to be further unsealed in whole or in part.

The government filed a responsive status report on November 22, 2021, indicating that the government returned an indictment against two individuals and that the indictment

encompasses the conduct referenced in the 2017 Memorandum Opinion that had not yet been unsealed. The 2017 Memorandum Opinion may therefore be unsealed in its entirety. *See In re Grand Jury Subpoena, Judith Miller*, 438 F.3d 1138, 1140 (D.C. Cir. 2006) (“Our case law, moreover, reflects the common-sense proposition that secrecy is no longer ‘necessary’ when the contents of grand jury matters have become public.”).

Accordingly, upon consideration of the Government’s Status Report Regarding Further Unsealing, ECF No. 18, it is hereby

ORDERED that this Order and the 2017 Memorandum Opinion, ECF No. 10, be unsealed and posted on the Court’s website.

SO ORDERED.

Date: November 29, 2021

The image shows a circular official seal of the United States District Court for the District of Columbia on the left, and a handwritten signature in cursive script, "Beryl A. Howell", to its right.

BERYL A. HOWELL
Chief Judge