

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
[REDACTED]@GMAIL.COM THAT IS
STORED AT PREMISES CONTROLLED BY
GOOGLE INC.**

Case No. 1:16-mj-00757 (BAH)

Chief Judge Beryl A. Howell

FILED UNDER SEAL

STIPULATION REGARDING CIVIL CONTEMPT

On July 31, 2017, the Court granted the government's Motion to Compel and ordered Google Inc. ("Google") to produce certain foreign-stored communications to the government in response to a search warrant (the "July 31 Order"). Google and the government hereby jointly stipulate:

1. Google does not intend to comply with the July 31 Order to disclose customer communications and other content stored outside the United States while Google, in good faith, seeks further review of the July 31 Order.
2. Entry of a civil contempt order and sanctions of \$10,000 per day, payable to the United States, until Google complies with this Court's order, will avoid issues regarding appellate jurisdiction and facilitate a prompt appeal.
3. The civil contempt sanctions against Google shall be stayed pending appeal of the Court's ruling. The sanctions shall not accrue during the pendency of the appeal, and shall only begin accruing seven business days after the Court of Appeals' filing of an opinion or memorandum decision if the Court of Appeals affirms this Court's order and Google does not fully comply with this Court's order. Nothing in this stipulation or the accompanying order shall be interpreted to prejudice the right of the parties to negotiate a further stay to allow for consideration of subsequent appellate review.
4. Google agrees to preserve all information called for by the search warrant in this matter during the pendency of the appeal and any related proceedings.

5. The parties intend that entry of this stipulation and order will constitute a final and appealable judgment of contempt.

Accordingly, to facilitate prompt appellate review of the July 31 Order, the parties jointly request that the Court enter the attached order.

Respectfully submitted September 5, 2017.

Dated: September 5, 2017

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Dated: September 5, 2017.

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