

20 MAG 12613

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re Grand Jury Subpoena to Google LLC,
dated November 22, 2020, USAO Reference
No. 2020R01153

§ 2705(b)
Non-Disclosure Order to Service Provider

SEALED

Upon the application of the United States pursuant to 18 U.S.C. § 2705(b):

1. The Court hereby determines that there is reason to believe that notification of the existence of the attached subpoena will result in one or more of the following consequences, namely, endangering the life or physical safety of an individual; flight from prosecution; destruction of or tampering with evidence; intimidation of potential witnesses; or otherwise seriously jeopardizing an investigation or unduly delaying a trial.

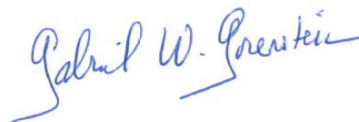
Accordingly, it is hereby ORDERED:

2. Google LLC (the "Provider") shall not, for a period of one year from the date of this Order (and any extensions thereof), disclose the existence of this Order or the attached subpoena, to the listed subscriber of the account referenced in the subpoena, or to any other person, except that the Provider may disclose the attached subpoena to an attorney for the Provider for the purpose of receiving legal advice.

3. This Order and the Application upon which it was granted are to be filed under seal until otherwise ordered by the Court, except that the Government may without further order provide copies of the Application and Order as need be to personnel assisting the Government in the investigation and prosecution of this matter, and disclose these materials as necessary to comply with discovery and disclosure obligations in any prosecutions related to this matter.

Dated: New York, New York

November
23, 2020



UNITED STATES MAGISTRATE JUDGE

2018.08.30

United States District Court
SOUTHERN DISTRICT OF NEW YORK

TO: Google LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043

GREETINGS:

WE COMMAND YOU that all and singular business and excuses being laid aside, you appear and attend before the GRAND JURY of the people of the United States for the Southern District of New York, at the United States Courthouse, 40 Foley Square, Room 220, in the Borough of Manhattan, City of New York, New York, in the Southern District of New York, at the following date, time and place:

Appearance Date: November 30, 2020 Appearance Time: 10:00 a.m.

to testify and give evidence in regard to an alleged violation of :

18 U.S.C. §§ 371, 873, 1952, 2314, 2315, 2261A

and not to depart the Grand Jury without leave thereof, or of the United States Attorney, and that you bring with you and produce at the above time and place the following:

See Attached Rider

N.B.: Personal appearance is not required if the requested documents are: (1) produced on or before the return date to Special Agent John Vourderis, Federal Bureau of Investigation, 26 Federal Plaza, New York, New York 10278, jvourderis@fbi.gov, 212-384-2890; and (2) accompanied by an executed copy of the attached

Failure to attend and produce any items hereby demanded will constitute contempt of court and will subject you to civil sanctions and criminal penalties, in addition to other penalties of the Law.

DATED: New York, New York
November 22, 2020

Audrey Strauss / RBS
AUDREY STRAUSS
*Acting United States Attorney for the
Southern District of New York*

Robert B. Sobelman
Robert B. Sobelman

Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Telephone: 212-637-2616


The seal of the United States District Court for the Southern District of New York is visible, featuring an eagle with wings spread, perched on a shield, surrounded by the text "UNITED STATES DISTRICT COURT" and "FOR THE SOUTHERN DISTRICT OF NEW YORK". A large, stylized handwritten signature in black ink is written over the seal.

RIDER

Grand Jury Subpoena dated November 22, 2020
Reference # 2020R01153

1. All subscriber identifying information, including, but not limited to:
 - a. name
 - b. username or other subscriber identity or number
 - c. address
 - d. primary and alternate telephone numbers
 - e. primary and alternate email addresses
 - f. date of birth
 - g. social security number
 - h. any temporarily assigned network address
 - i. MAC address
 - j. Browser and operating system information
2. Records of session times and durations and any IP addresses used by the subscriber at the beginning, end, and at any time during these sessions;
3. Length of service (including start date) and types of service utilized; and
4. Means and source of payment for services (including any credit card or bank account number).
5. Account notes and logs, including any customer-service communications or other correspondence with the subscriber;
6. Investigative files or user complaints concerning the subscriber.

For any accounts associated with one or more of the following:

e  @nightlynexus.com

Declaration of Custodian of Records

Pursuant to 28 U.S.C. § 1746, I, the undersigned, hereby declare:

My name is _____.
(name of declarant)

I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this declaration.

I am in receipt of a Grand Jury Subpoena, dated November 22, 2020, and signed by Assistant United States Attorney Robert B. Sobelman, requesting specified records of the business named below. Pursuant to Rules 902(11) and 803(6) of the Federal Rules of Evidence, I hereby certify that the records provided herewith and in response to the Subpoena:

- (1) were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
- (2) were kept in the course of regularly conducted business activity; and
- (3) were made by the regularly conducted business activity as a regular practice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____.
(date)

(signature of declarant)

(name and title of declarant)

(name of business)

(business address)

Definitions of terms used above:

As defined in Fed. R. Evid. 803(6), "record" includes a memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses. The term "business" as used in Fed. R. Evid. 803(6) and the above declaration includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.