

UNDER SEAL

UNITED STATES DISTRICT COURT

for the
Eastern District of Virginia

In the Matter of the Search of)
(Briefly describe the property to be searched)
or identify the person by name and address))
INFORMATION ASSOCIATED WITH)
[REDACTED])
THAT IS STORED AT PREMISES)
CONTROLLED BY LAVABIT, LLC)

Case No. 1:13SW522

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Northern District of Texas
(identify the person or describe the property to be searched and give its location):
See Attachment A

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):
See Attachment B

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before _____
(not to exceed 14 days)

- in the daytime 6:00 a.m. to 10 p.m.
- at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge The Honorable Claude M. Hilton
(name)

- I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) for _____ days (not to exceed 30).
- until, the facts justifying, the later specific date of _____.

Date and time issued: July 16, 2013

Claude M. Hilton
Judge's signature

City and state: Alexandria, Virginia

The Honorable Claude M. Hilton, U.S. District Judge
Printed name and title

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with [REDACTED] that is stored at premises controlled by Lavabit, LLC, a company that accepts service of legal process at [REDACTED] Dallas, Texas, 75204.

ATTACHMENT B

Particular Things to be Seized

I. Information to be disclosed by Lavabit, LLC (the "Provider")

To the extent that the information described in Attachment A is within the possession, custody, or control of the Provider, including any emails, records, files, logs, or information that has been deleted but is still available to the Provider, the Provider is required to disclose the following information to the government for each account or identifier listed in Attachment A:

- a. All information necessary to decrypt communications sent to or from the Lavabit e-mail account [REDACTED] including encryption keys and SSL keys;
- b. All information necessary to decrypt data stored in or otherwise associated with the Lavabit account [REDACTED]

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, contraband, evidence and instrumentalities of violations of 18 U.S.C. §§ [REDACTED], those violations involving [REDACTED] including, for each account or identifier listed on Attachment A, information pertaining to the following matters:

- a. All information necessary to decrypt communications sent to or from the Lavabit e-mail account [REDACTED], including encryption keys and SSL keys;
- b. All information necessary to decrypt data stored in or otherwise associated with the Lavabit account [REDACTED]

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC
BUSINESS RECORDS PURSUANT TO FEDERAL RULE
OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Lavabit, LLC, and my official title is _____. I am a custodian of records for Lavabit, LLC. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Lavabit, LLC, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

- a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;
- b. such records were kept in the ordinary course of a regularly conducted business activity of Lavabit, LLC; and
- c. such records were made by Lavabit, LLC as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.

Date

Signature