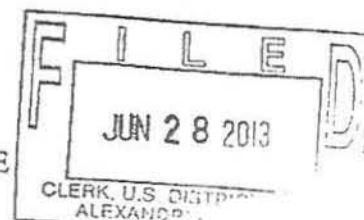


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA



Alexandria Division

IN THE MATTER OF THE APPLICATION)
OF THE UNITED STATES OF AMERICA)
FOR AN ORDER AUTHORIZING THE) (Under Seal)
INSTALLATION AND USE OF A PEN)
REGISTER/TRAP AND TRACE DEVICE) 1:13 EC 297
ON AN ELECTRONIC MAIL ACCOUNT)

ORDER COMPELLING COMPLIANCE FORTHWITH

WHEREAS, on June 28, 2013, at approximately 4:00 p.m., this Court entered an Order pursuant to 18 U.S.C. § 3123 authorizing the installation and use of a pen register and the use of a trap and trace device ("pen/trap device") on all electronic communications being sent from or sent to the electronic mail account [REDACTED], which is an e-mail account controlled by Lavabit, LLC ("Lavabit"); and

WHEREAS, this Court found that the information obtained by the pen/trap device would be relevant to an ongoing criminal investigation; and

WHEREAS, the Court's Order directed that Lavabit "shall furnish agents from the Federal Bureau of Investigation, forthwith, all information, facilities, and technical assistance necessary to accomplish the installation and use of the pen/trap device;" and

WHEREAS, Lavabit informed the Federal Bureau of Investigation that the user of the account had enabled Lavabit's encryption services and thus the pen/trap device would not collect the relevant information; and


WHEREAS, Lavabit informed the FBI that it had the technological capability to obtain the information but did not want to "defeat [its] own system;"

IT IS HEREBY ORDERED that Lavabit LLC is directed to comply forthwith with the Court's June 28, 2013 Order, and provide the Federal Bureau of Investigation with unencrypted data pursuant to the Order. To the extent any information, facilities, or technical assistance are under the control of Lavabit are needed to provide the FBI with the unencrypted data, Lavabit shall provide such information, facilities, or technical assistance forthwith.

Failure to comply with this Order shall subject Lavabit to any penalty within the power of the Court, including the possibility of criminal contempt of Court. *TCS*

SO ORDERED.

6/28/13

TCS

Theresa Carroll Buchanan
United States Magistrate Judge
Hon. Theresa C. Buchanan
United States Magistrate Judge