

1 JENNIFER STISA GRANICK (SBN 168423)
jennifer@law.stanford.edu
2 RIANA PFEFFERKORN (SBN 266817)
riana@law.stanford.edu
3 559 Nathan Abbott Way
4 Stanford, California 94305-8610
Telephone: (650) 736-8675
5 Facsimile: (650) 725-4086

6 *Pro Se* Petitioners
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 **IN RE:**
11 **PETITION OF JENNIFER GRANICK AND**
12 **RIANA PFEFFERKORN TO UNSEAL**
13 **TECHNICAL-ASSISTANCE ORDERS AND**
14 **MATERIALS**

CV 16 80206 MISC.

**DECLARATION OF RIANA
PFEFFERKORN IN SUPPORT OF
PETITION TO UNSEAL TECHNICAL
ASSISTANCE ORDERS AND
MATERIALS**

KAW

**ORIGINAL
FILED**
SEP 28 2016
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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1 I, Riana Pfefferkorn, declare as follows:

2 1. I am an attorney licensed to practice law before this Court. I am the Cryptography
3 Fellow at the Center for Internet and Society at Stanford Law School (“CIS”), and am one of the
4 *pro se* Petitioners in the above-captioned matter. The following facts are true to the best of my
5 knowledge and belief and, if called and sworn as a witness, I could and would testify
6 competently to them.

7 2. On September 16, 2016, I spoke by telephone with Mr. Mark Jenkins, Deputy
8 Clerk of this Court. I asked Mr. Jenkins some questions regarding how this Court keeps track of
9 search warrants and surveillance authorization orders, such as wiretap or trap-and-trace orders.

10 3. Mr. Jenkins informed me that the Clerk’s office keeps paper records of warrants
11 and surveillance orders authorized by the Court, but that warrants and surveillance orders are not
12 entered into the Court’s system, they are not assigned a case number or any means to look them
13 up, and they are not searchable. He further stated that, while some search warrants are not sealed,
14 these warrants and orders are usually sealed and cannot be unsealed without a court order.

15 4. Mr. Jenkins further stated that the Clerk’s office does not keep track of these
16 materials, but that the United States Attorney’s Office for the Northern District of California
17 (“USAO”) would keep copies and categorize them.

18 5. Mr. Jenkins reiterated that these materials are not searchable and that in order to
19 locate a specific surveillance order, someone in the Clerk’s office would have to review all the
20 paper records of such materials one by one, potentially using a date range to narrow it down. He
21 stated that in the past, the Clerk’s office has received a few requests akin to my inquiry from
22 members of the public to review surveillance orders, but that it was impossible for the Clerk’s
23 office to honor these requests, and in any event sealed orders cannot be publicly disclosed
24 without court order.

25 6. On May 20, 26, and 31, June 1, 2, 6, 8, 13, 14, 17, 28, July 1, and September 16,
26 2016, my colleague Jennifer Granick, who is also a Petitioner in the above-captioned action and
27 the Director of Civil Liberties at CIS, corresponded by email with attorneys at the USAO to
28 attempt to meet and confer with the USAO regarding our efforts to have this Court’s technical-

