

FILED

Jan 06 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE:) CASE NO. CR22-90007 MISC SK
APPLICATION BY THE UNITED STATES)
FOR AN ORDER UNDER 18 U.S.C. § 2703(d)) **ORDER TO INNOVATE LABS LLC**
FOR THREE ACCOUNTS FOR)
INVESTIGATION OF 18 U.S.C. § 3512) **UNDER SEAL**

This matter came before the Court on an *ex parte* application by the United States under 18 U.S.C. § 2703(d). The application requests the issuance of an order under 18 U.S.C. § 2703(d) directing Innovate Labs LLC ("Innovate"), 556 S Fair Oaks, Ste 592, Pasadena, California, to disclose certain records and other information pertaining to [REDACTED] et al. The Court finds that the applicant has offered specific and articulable facts showing that there are reasonable grounds to believe that the records and other information sought are relevant and material to an ongoing criminal investigation. The Court further finds that because this investigation is ongoing and confidential, disclosure to the public of this Order, the application, and any attachments thereto will jeopardize the progress of the investigation. The Court further finds, pursuant to 18 U.S.C. § 2705(b), that there is reason to believe that notification of this Order or any attachments thereto to subscribers or customers of Innovate or any other person or entity will result in endangering the life or physical safety of an individual, flight from

EX PARTE ORDER - 18 U.S.C. § 2703(d)

1 prosecution, destruction of or tampering with evidence, intimidation of potential witnesses, or otherwise
2 seriously jeopardize an investigation or unduly delay a trial.

3 IT IS ORDERED pursuant to Title 18, United States Code, Section 2703(d) that Innovate, within
4 ten days of the date this Order is served upon it, provide to United States Attorney's Office Paralegal
5  or to a representative of the United States Attorney's Office, the records and other
6 information as set forth in Attachment A to this Order.

7 IT IS FURTHER ORDERED that the Application, all attachments thereto, this Order, and all
8 attachments hereto be filed under seal and kept under seal until otherwise ordered by the Court, and that
9 Innovate shall not disclose the existence or content of this Order, the Application, the attachments filed
10 in support thereof, or the existence of the investigation, to its subscribers, customers, or any other person
11 or entity (except attorneys for Innovate for the purpose of receiving legal advice) for a period of two
12 years from the date that this Order is filed by the Clerk of Court, unless prior to the expiration of the
13 two-year period, the Court modifies, terminates, or extends this Order.

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15 DATED: January 5, 2022

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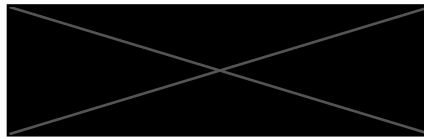
18 SALLIE KIM
19 United States Magistrate Judge
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ATTACHMENT A

Below Records to be Provided Pursuant to § 2703(d) ORDER

To the extent that the information described below is within your possession, custody, or control, and regardless of whether such information is located within or outside of the United States, you are to provide the following information as printouts and on floppy or CD media if available, including information associated with any preservation number(s) associated with the account(s).

1. The following customer or subscriber account information for:



- (A) name(s);
- (B) address(es);
- (C) local and long distance telephone connection records, or records of session times and durations;
- (D) length of service (including start date) and types of service utilized;
- (E) telephone or instrument number(s) or other subscriber number(s) or identity(s), including any temporarily assigned network address(es); and
- (F) means and source of payment for such service (including any credit card or bank account number(s)).

2. Any additional email address(es) and/or account(s) maintained by the subscriber as well as all information requested in paragraph 1 for the account(s) identified in this part.

3. All documents, including Innovate's "User Connection Logs," for all connections to the above identified account(s) at Innovate from November 30, 2020 through and including the present date. The information on those logs should include user names; the date and time of connection and disconnection; the method and length of connection; the data transfer volume; source and destination Internet Protocol addresses; the subscriber account associated with the connection; and information regarding the session, including connect and disconnect times, other session information, and other systems to which the Innovate user(s) connected during that session.