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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re GRAND JURY PROCEEDINGS,)
)
 JOSHUA WOLF,)
)
 Subpoenaed Party.)
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)
)
)
)
)

No. CR 06-90064 WHA
~~PROPOSED~~ ORDER FINDING
WITNESS JOSHUA WOLF IN CIVIL
CONTEMPT AND ORDERING
CONFINEMENT

The Court, having heard the Motion of the UNITED STATES OF AMERICA, by KEVIN V. RYAN, United States Attorney for the Northern District of California, to hold witness Joshua Wolf in civil contempt of court pursuant to 28 U.S.C. § 1826, and after conducting hearings on July 20, 2006, and August 1, 2006, this Court finds that the government has met its burden of proof by clear and convincing evidence with respect to the following:

1. Joshua Wolf received an authorized request for information in the form of a subpoena for grand jury testimony and production of materials;
2. The information sought by the government pursuant to the subpoena is relevant to the grand jury’s investigation;
3. The information sought is not already in the government’s possession;

- 1 4. Joshua Wolf has, in person and through counsel, refused to comply with the grand jury
- 2 subpoena without just cause; and
- 3 5. Based on this refusal, Joshua Wolf is in civil contempt of this Court.

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5 Based on the foregoing findings of fact, and for the reasons stated in open court, it is

6 hereby **ORDERED** that Joshua Wolf be confined at a suitable place until such time as he is

7 willing to give such testimony or provide such information as required by the grand jury

8 subpoena. The period of confinement shall not exceed the life of the term of the grand jury,

9 including extensions, and in no event shall exceed eighteen months.

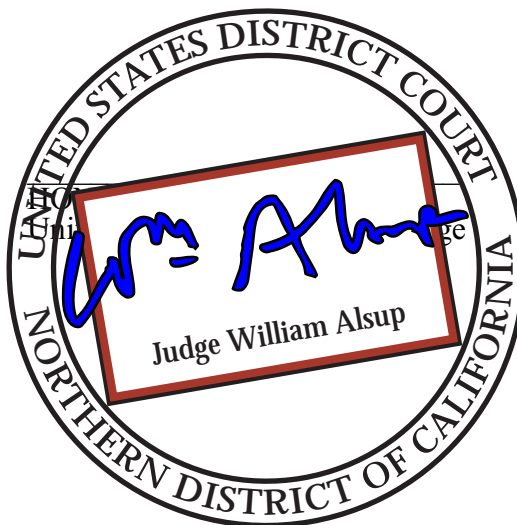
10 The witness's motion for bail pending appeal is **DENIED**. The Court finds that his

11 appeal would be frivolous and interposed for delay, based on the facts of this case.

12 IT IS SO ORDERED.

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14 DATED: August 1, 2006



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