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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**

**UNITED STATES OF AMERICA**

**3:16-CR-00051-BR**

**v.**

**AMMON BUNDY, et al.,**

**Defendants.**

**DECLARATION OF J. MATTHEW  
YEAGER IN SUPPORT OF  
GOVERNMENT'S RESPONSE TO  
DEFENDANTS' MOTION TO  
REOPEN MOTION TO SUPPRESS  
FACEBOOK EVIDENCE**

I, J. Matthew Yeager, declare:

1. I am a Special Agent with the Federal Bureau of Investigation (hereinafter referred to as "FBI"), currently assigned to the Seattle Division, Domestic Terrorism Squad and have been employed by the FBI for approximately eight years.

2. As a Special Agent (hereinafter referred to as of the "SA"), my duties and responsibilities have included conducting criminal and national security investigations for

possible violations of federal law. I received basic and advanced law enforcement training at the FBI Academy in Quantico, Virginia. During that time, I was taught the use and practical application of various investigative techniques that Federal law enforcement officers are allowed to employ. In addition to my formalized training at the FBI Academy, I have also acquired knowledge and information pertaining to violations of federal law from numerous other sources, including: formal and informal training, other law enforcement officers and investigators, informants, and my participation in other investigations.

3. This declaration is intended to show the handling of Facebook data for 23 accounts by FBI personnel received as a result of a search warrant issued in the District of Oregon on April 8, 2016. The facts set forth in this declaration are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

4. On May 9, 2016, I was tasked with reviewing Facebook data for several accounts pursuant to the aforementioned search warrant. On May 9, 2016, I was advised by Special Agent (SA) Ben Jones that all Facebook data and materials depicting or related to Ammon Bundy must be filtered by an FBI filter team. In order to review the Facebook data, I was provided with two compact discs (CDs) that had been provided to the Bend, Oregon Resident Agency by FBI SA Claudia Bonilla. One CD contained Facebook video data. The other CD contained the Facebook PDF data. On both CDs, there were two accounts listed denoting Facebook data relating to accounts believed to be used by Ammon Bundy. One account was denoted as, "Ammon Bundy." The other account was denoted as "Bundy Ranch." On both CDs were the

accounts of other investigative subjects. I completed a review of the Facebook data relating to all other subject accounts not listed as "Ammon Bundy" or "Bundy Ranch." At no time did I review or search through any Facebook data in accounts denoted as "Ammon Bundy" or "Bundy Ranch."

5. On June 17, 2016, I was advised that the Facebook data for the accounts denoted as "Ammon Bundy" and "Bundy Ranch" had been reviewed by an FBI filter team. I was provided with instructions on how to access a shared computer drive where the Facebook data was placed by the filter team. At that point, I accessed the Facebook data accounts denoted as "Ammon Bundy" and "Bundy Ranch." The review of the Facebook data was memorialized.

6. The CDs containing the Facebook data denoting both accounts were originally provided to the Bend, Oregon Resident Agency via FedEx and were opened by SA Chad Lapp who never reviewed the CDs. SA Lapp provided me with both CDs on May 9, 2016, where they were kept until June 7, 2016. From June 8, 2016, until July 6, 2016, the CDs were kept at the desk of SA Chad Lapp because I returned to FBI Seattle for a short period. During this period, the CDs were never accessed by SA Lapp or any other investigator. I took possession of the CDs on July 6, 2016, until August 8, 2016. During this period the CDs were kept at my work desk and not accessed by other investigators. On August 29, 2016, SA Lapp destroyed both CDs.

I declare that the foregoing is true and correct to the best of my knowledge. This declaration was executed in Seattle, Washington, on September 7, 2016.

  
J. MATTHEW YEAGER  
Special Agent, Federal Bureau of Investigation