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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.

**AMENDED DECLARATION OF PETER
L. SUMMERS IN SUPPORT OF
GOVERNMENT'S RESPONSE TO
DEFENDANTS' MOTION TO
REOPEN MOTION TO SUPPRESS
FACEBOOK EVIDENCE**

I, Peter L. Summers, declare:

1. I am a Special Agent with the Federal Bureau of Investigation (hereinafter referred to as "FBI"), currently assigned to the Security Division of FBI Headquarters, and have been employed by the FBI for approximately four years. As a Special Agent of the FBI, 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.

2. 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.

3. On April 8, 2016, US Magistrate Judge Paul Papak signed the search warrant for Facebook. On April 11, 2016, I served the search warrant on Facebook via the Facebook online Law Enforcement portal.

4. On May 2, 2016, I downloaded the search warrant returns from Facebook, consisting of all text and pictures and burned them to a single DVDR disc. Videos were not in the download from Facebook due to the large size of those files. The disc was submitted into evidence as 1B1079. I made a working copy of the disc and provided it to the USAO.

5. On May 4, 2016, I received five (5) discs containing videos as part of the Facebook search warrant returns. It was later determined that the discs also contained the text and pictures that had been downloaded on May 2nd, 2016. The data on the discs was encrypted. The discs were entered into evidence as 1B1083.

6. On May 5, 2016, I transferred possession of the discs to SA Claudia Bonilla and she decrypted them per instructions from Facebook.

7. On May 19, 2016, I was contacted by Facebook and informed that due to a system upgrade, the information previously provided in response to the search warrant had been re-issued in a different, more user-friendly format. I downloaded the reformatted information on May 20, 2016. The reformatted information was submitted to evidence as 1B1107. Data in 1B1107 consisted of all data previously sent by Facebook.

8. On May 19, I provided SSA Matthew Hiemstra, FBI Headquarters, Domestic Terrorism Operations Unit (hereinafter referred to as "DTOU"), the link for the Facebook data, in addition to a copy of the search warrant affidavit, attachments A and B, and a list of search terms to be used during processing of the data.

9. The Portland FBI personnel who conducted the reviews of the Mint reports and the date on which the review was conducted are listed below:

account holder	review date	Primary reviewer
1. Ammon Bundy acct	06/21/2016	SA J. Matthew Yeager
Bundy Ranch video review	06/21/2016	SA Claudia Bonilla
2. Darryl Thorn	05/26/2016	SA J. Matthew Yeager

3. Travis Cox	06/03/2016	SA J. Matthew Yeager
4. Geoffrey Stanek	06/01/2016	TFO Jeremy Chedester (WCSO)
5. Jon Ritzheimer	05/26/2016	SA Peter Summers
6. Ryan Bundy	06/01/2016	SA Adam Krametbauer
7. Joseph O'Shaughnessy	05/26/2016	SA Peter Summers
8. Corey Lequieu	06/08/2016	SA Kevin Strauss
9. David Fry	06/03/2016	SA J. Matthew Yeager
10. Bundy Ranch	06/21/2016	SA J. Matthew Yeager
Bundy Ranch addendum	06/21/2016	SA J. Matthew Yeager
11. and 12. Blaine Cooper	05/31/2016	SA Kevin Strauss
13. Jason Patrick	05/26/2016	SA J. Matthew Yeager
14. Shawna Cox	06/01/2016	SA Wade Mutchler
15. Wesley Kjar	06/10/2016	SA Kevin Strauss
16. Guerilla Media		
(Santilli)	05/17/2016	SA J. Matthew Yeager
17. Sandra Anderson	06/09/2016	SA Kevin Strauss
18. Pete Santilli	05/17/2016	SA J. Matthew Yeager
19. Eric Flores	06/02/2016	TFO Daniel Diamond (OSP)
20. Duane Ehmer		
(nothing in acct)	06/15/2016	SA Peter Summers
21. Sean Anderson	06/01/2016	SA Wade Mutchler


22. Ryan Payne 06/01/2016 SA Adam Krametbauer

23. Jason Blomgren 06/13/2016 SA Kevin Strauss

10. I transferred from the Portland Field Office on June 13, 2016. At that time, I

confirmed that I had no Facebook data on my computer or discs in my possession.

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



PETER L. SUMMERS
Special Agent, Federal Bureau of Investigation